



Planning and Development Acts 2000 to 2019

Planning Authority: Meath County Council

Planning Register Reference Number: TA/190371

Appeal by Mary B. Ryan of Blackfriary, Navangate, Trim, County Meath against the decision made on the 9th day of January, 2020 by Meath County Council to grant subject to conditions a permission to Kieran and Darina Maher care of Declan Clabby and Associates of Haggard Street, Trim, County Meath in accordance with plans and particulars lodged with the said Council:

Proposed Development: Construction of a two-storey infill dwelling with attic storage/playroom, new domestic entrance, domestic store shed to rear, connection to all mains services together with all associated site works at Greek Park, Navan Gate Street, Trim, County Meath as amended by the revised public notices received by the planning authority on the 6th day of December 2019 in accordance with plans and particulars lodged with the said Council:

Decision

GRANT permission for the above proposed development in accordance with the said plans and particulars based on the reasons and considerations under and subject to the conditions set out below.

Matters Considered

In making its decision, the Board had regard to those matters to which, by virtue of the Planning and Development Acts and Regulations made thereunder, it was required to have regard. Such matters included any submissions and observations received by it in accordance with statutory provisions.

Reasons and Considerations

Having regard to the residential land use zoning of the site, the pattern of development in the area, the size of the site and the layout and design of the proposed development, it is considered that, subject to compliance with the conditions set out below, the proposed development would not adversely impact on the residential amenity of the area. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

Conditions

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application, as amended by the further plans and particulars submitted on the 22nd day of November 2019, except as may otherwise be required in order to comply with the following conditions. Where such conditions require details to be agreed with the planning authority, the developer shall agree such details in writing with the planning authority prior to commencement of development and the development shall be carried out and completed in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. Prior to commencement of development, the applicant or developer shall submit for the written agreement of the planning authority revised drawings detailing the following;

- (i) The existing boundary wall to the west of the proposed site entrance reduced to 850 millimetres in height.
- (ii) The setting back of the existing wall to the east of the proposed site entrance to achieve unobstructed sightlines to the satisfaction of the planning authority.

Reason: In the interest of traffic and pedestrian safety.

3. Prior to commencement of development, the applicant or developer shall submit for the written agreement of the planning authority revised drawings detailing the following;

- (i) The ridge height of the proposal reduced to 8.5 metres.
- (ii) The omission of the window ope on the front elevation of the dwelling at attic level.
- (iii) The window on the rear elevation at attic level shall be reduced in width to extend a maximum width of two metres.
- (iv) The window ope on the eastern side elevation serving the stairwell shall be permanently fitted with obscure glazing.

- (v) The window ope on the eastern side elevation serving the kitchen shall comprise a high-level window ope with a cill level no less than 1.8 metres above ground level.

Reason: In the interest of residential amenity.

- 4. Water supply and drainage arrangements, including the disposal of surface water, shall comply with the requirements of the planning authority for such works and services.

Reason: To ensure adequate servicing of the development, and in the interest of public health.

- 5. Prior to commencement of this development, the applicant or developer shall enter into a water and/or waste water connection(s) agreement with Irish Water.

Reason: In the interest of public health.

- 6. The following requirements of the planning authority shall be adhered to in full:

- (i) The vehicular access, serving the proposed development, shall comply with the requirements of the planning authority for such road works.

- (ii) Any entrance gates shall open inwards towards the site and not outwards onto the public road.

- (iii) All works shall be carried out at the developer's expense and to the requirements of the planning authority.

Reason: To ensure a satisfactory standard of development and in the interest of traffic safety.

7. All external finishes, including roof tiles, shall harmonise in colour and texture with the dwelling on the adjoining site to the west.

Reason: In the interest of visual amenity.

8. All public service cables to the proposed development, including electrical, telephone cables and associated equipment shall be located underground throughout the entire site.

Reason: In the interest of visual amenity.

9. All necessary measures shall be taken by the contractor to prevent the spillage or deposit of clay, rubble or other debris on adjoining roads during the course of the works.

Reason: To protect the amenities of the area.

10. Site development and building works shall be carried out only between the hours of 0800 to 1900 Mondays to Fridays inclusive, between 0800 to 1400 hours on Saturdays and not at all on Sundays and public holidays. Deviation from these times will only be allowed in exceptional circumstances where prior written approval has been received from the planning authority.

Reason: In order to safeguard the residential amenities of property in the vicinity.

11. The developer shall pay to the planning authority a financial contribution in respect of public infrastructure and facilities benefiting development in the area of the planning authority that is provided or intended to be provided by or on behalf of the authority in accordance with the terms of the Development Contribution Scheme made under section 48 of the Planning and Development Act 2000, as amended. The contribution shall be paid prior to commencement of development or in such phased payments as the planning authority may facilitate and shall be subject to any applicable indexation provisions of the Scheme at the time of payment. Details of the application of the terms of the Scheme shall be agreed between the planning authority and the developer or, in default of such agreement, the matter shall be referred to An Bord Pleanála to determine the proper application of the terms of the Scheme.

Reason: It is a requirement of the Planning and Development Act 2000, as amended, that a condition requiring a contribution in accordance with the Development Contribution Scheme made under section 48 of the Act be applied to the permission.

Michelle Fagan
Member of An Bord Pleanála
duly authorised to authenticate
the seal of the Board

Dated this day of 2020