



Planning and Development Acts 2000 to 2020

Planning Authority: Meath County Council

Planning Register Reference Number: RA/191827

Appeal by James Gallagher care of Gráinne Mallon of 12 Balscadden Road, Howth, County Dublin against the decision made on the 10th day of August, 2020 by Meath County Council to refuse an outline permission for the proposed development.

Proposed Development: Outline permission for the development consisting of a light industrial unit, with new access road from the proposed new junction of Kilbride Road/R125 Ashbourne Road, to proposed Business Park at Raystown Road, Ratoath, County Meath. Further public notices were received by the planning authority on the 15th day of July, 2020.

Decision

GRANT outline 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 policies and objectives of the Meath County Development Plan 2013-2019, the zoning objectives for the site, the planning history of the area, the approved Part 8 scheme for the road realignment/modifications to the R125, the location of the site in relation to flood zones, and the nature of the proposed development for which outline permission is being sought, the Board considers that, subject to compliance with the conditions set out below, the proposed development would be acceptable in terms of traffic safety and convenience, would not be prejudicial to public health, and would not be contrary with the objectives of the current County Development Plan. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

In deciding not to accept the Inspector's recommendation to refuse outline permission, the Board had regard to the nature and use of the proposed development, the zoning objective for the site and the outline nature of the application which would require a detailed and comprehensive subsequent application for approval.

However, the Board agreed with the Inspector that the proposed development would not materially contravene Policy WS POL 29 of the Meath County Development Plan 2013-2019, and was satisfied that section 37 (2) (b) of the Planning and Development Act 2000, as amended, should not be invoked.

Furthermore, the Board had regard to the site plan submitted to the planning authority on the 30th day of June, 2020 which indicates the location of the proposed development entirely within the 'E2 – General Enterprise and Employment' land use zoning.

Conditions

1. This outline permission relates solely to the principle of the development on this site and it shall not be construed as giving consent to the following matters:
 - (i) The overall site layout of the development.
 - (ii) The design and layout of the access road.
 - (iii) The design of the light industrial unit to be developed.

Reason: In the interest of clarity.

2. Plans and particulars to be provided at the time of application for permission consequent of this grant of outline planning permission shall include the final layout of roads, footpaths, wastewater treatment system, watermains, drains, lighting, other services, public open space, landscaping proposals, screen walls and other boundary treatment and details of any proposed phasing of the development.

Reason: In order to ensure the co-ordinated provision of site development works/services for the proposed development.

3. Plans and particulars to be provided at the time of application for permission consequent on this grant of outline permission shall include:

- (i) A Masterplan to include the landholdings zoned 'E2 - General Enterprise and Employment'.
- (ii) A Site Specific Flood Risk Assessment
- (iii) A Traffic and Transport Assessment in accordance with Transport Infrastructure Ireland Guidelines.

Reason: In the interest of orderly development and public safety.

4. At the permission consequent stage, 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 2021