



An
Bord
Pleanála

Board Order ABP-308462-20

Planning and Development Acts 2000 to 2020

Planning Authority: Meath County Council

Planning Register Reference Number: LB/200218

Appeal by Keith Kuss and Leona Tubbritt care of G.R. Henderson and Associates of the Courtyard, Middlefield, Portrane Road, Donabate, County Dublin against the decision made on the 22nd day of September, 2020 by Meath County Council to grant a permission to John and Geraldine Lynch care of Sean Boyle Architects of Unit 3, Second Floor, Donohoe Building, Kennedy Centre, Kennedy Road, Navan, County Meath for the proposed development.

Proposed Development: The retention and completion of the construction of a domestic storage shed at a site at Tankardstown, Rathkenny, County Meath. Further public notices were received by the planning authority on the 28th day of August, 2020.

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 pattern of development in the area, to the nature, scale, use and position of the development for which retention permission is sought and the proposed development, including the distance of the proposed shed from the boundary adjacent residential property, it is considered that, subject to compliance with the conditions set out below, the development would not seriously injure the residential amenity of adjoining property, would not adversely affect the visual character of the area and would otherwise be an acceptable form of development at this location. The development for which retention permission is sought and the proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

Conditions

1. The development shall be retained, 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 20th day of July, 2020, 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 and the development shall be retained, carried out and completed in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. The shed shall not be used for human habitation, commercial use, industrial use or for any other purpose other than a purpose incidental to the enjoyment of the main dwelling.

Reason: In the interest of orderly development.

3. Details of the materials, colour, and texture of the external finish of the shed structure shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interest of visual amenity.

4. (i) No development shall take place over the foul and surface water networks and drainage systems on site, unless otherwise agreed in writing with the planning authority.
- (ii) All surface water generated within the site boundaries shall be collected and disposed within the curtilage of the site. No surface water from roofs, paved areas or otherwise shall discharge onto the public road or adjoining property.

Reason: In the interest of public health, in the interest of proper planning and sustainable development of the area and to ensure a satisfactory form of development.

Chris McGarry
Member of An Bord Pleanála
duly authorised to authenticate
the seal of the Board.

Dated this day of 2021