

An
Bord
Pleanála

Board Order
ABP-309648-21

Planning and Development Acts 2000 to 2020

Planning Authority: Meath County Council

Planning Register Reference Number: RA/200407

APPEAL by the owners of numbers 1 to 5 Foxbrook (Tony Roe, James Gleeson, Gavin Malone, Susan Ryan and Liam Eiffe) care of Hughes Planning and Development Consultants of 70 Pearse Street, Dublin against the decision made on the 10th day of February, 2021 by Meath County Council to grant subject to conditions a permission to Michael, Mark and Leona Nally care of Deaton Lysaght Architects of 44 South Richmond Street, Dublin.

Proposed Development: Construction of six two-storey detached houses, new road entrance and internal access road, new boundary treatments, and all associated site works at Tiveragh, Curraghera Road, Ratoath, County Meath. The proposed development was revised by further public notices received by the planning authority on the 15th day of January, 2021.

Decision

REFUSE permission for the above proposed development in accordance with the reasons and considerations set out below.

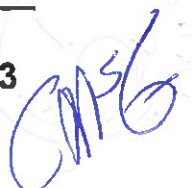


Matters Considered

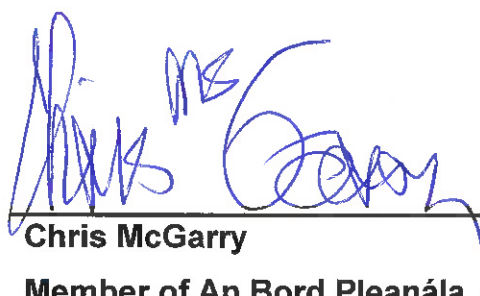
In making its decision, the Board had regard to those matters to which, by virtue of the Planning and Development Acts and Regulations made thereunder, it was required to have regard. Such matters included any submissions and observations received by it in accordance with statutory provisions.

Reasons and Considerations

The development site comprises serviced zoned land, within the development boundary of Ratoath, which is designated as a small town in the settlement strategy set out in the Meath County Development Plan 2013-2019 and which states at Table 2.4 that residential development within Ratoath is projected at an average 25 units per hectare. Furthermore, the Ministerial Guidelines, 'Sustainable Residential Development In Urban Areas, Guidelines for Planning Authorities' published by the Department of the Environment, Heritage and Local Government, in May 2009, state that within infill locations a balance has to be struck between the reasonable protection of the amenities and privacy of adjoining dwellings and the need to provide residential infill. In view of the above, it is considered that the size of the subject site, at just under one hectare, would enable a more appropriate density of development to be accommodated, while ensuring reasonable protection of existing amenity in the environs, through high quality design and layout, and that the current proposed development would provide an insufficient density of development at this location, which would constitute underutilisation of this residential zoned site, would be contrary to the relevant provisions of the Meath County Development Plan 2013-2019 and the Ratoath Local Area Plan, and would be contrary to the Ministerial Guidelines. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.



In deciding not to accept the Inspector's recommendation to grant permission, the Board noted and agreed with the commentary of the Inspector that the density of the proposed development was well below the recommended density. However, the Board did not share the view of the Inspector that, given the infill nature of the site and the prevailing density, the lower density could be considered in this instance, as in the opinion of the Board this would not reflect the relevant provisions of the Ministerial Guidelines or the statutory development plan for the area, and that such a low density would constitute underutilisation of this residentially zoned site.

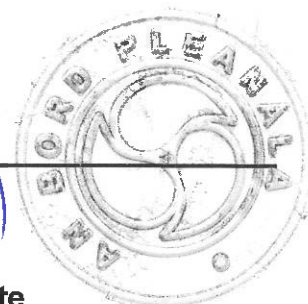


Chris McGarry

Member of An Bord Pleanála

duly authorised to authenticate

the seal of the Board.



Dated this 11th day of October 2021.