

An
Bord
Pleanála

Board Order
ABP-310211-21

Planning and Development Acts 2000 to 2020

Planning Authority: Meath County Council

Planning Register Reference Number: KA/200866

Appeal by Laurence Farrell of White's Cottage, Posseckstown, Nobber, County Meath against the decision made on the 16th day of April, 2021 by Meath County Council to grant subject to conditions a permission to Przemek and Marlena Biernat of Posseckstown, Nobber, County Meath in accordance with plans and particulars lodged with the said Council:

Proposed Development: As revised by further public notices received by the planning authority on the 23rd day of March, 2021, the proposed development now consists of permission/retention for demolition of existing extension to the rear of the house and construction of new, bigger extension with connection to existing upgraded services together with all ancillary site development works at Posseckstown, Nobber, County Meath.

Decision

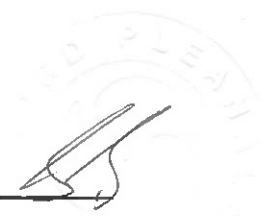
GRANT permission for the above proposed development in accordance with the said plans and particulars based on the reasons and considerations under and subject to the conditions set out below.

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 provisions of the Meath County Development Plan 2013-2019, the existing pattern of development in the area, and the nature and scale of the proposed development and the development for which retention is sought, it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the amenities of the area or of property in the vicinity and would not impact public health. The proposed development and the development for which retention is sought 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 to the planning authority on the 24th day of February, 2021 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 carried out and completed in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. The final detail and external finishes of the dwelling and extension shall comply with the details indicated in the documentation received by the planning authority on the 6th day of July, 2020, unless otherwise agreed in writing with the planning authority.

Reason: In the interest of visual amenity.

3. The dwelling and extension shall be jointly occupied as a single residential unit. The proposed extension shall not be let, sold or otherwise transferred or conveyed save as part of the dwelling. The principle use of the application site shall remain in private residential use.

Reason: In the interest of proper planning and sustainable development.



4. (a) All surface water generated within the site boundaries shall be collected and disposed of within the curtilage of the site. No surface water from roofs, paved areas or otherwise shall discharge onto the public road or adjoining properties. The soakaway shall be constructed in accordance with the soakaway design submitted to the local authority on the 24th day of February, 2021.
- (b) The access driveway to the proposed development shall be provided with adequately sized pipes or ducts to ensure that no interference will be caused to existing roadside drainage.

Reason: In the interest of traffic safety and to prevent pollution.

5. (a) The percolation area installed and certified by Mitchell Environmental Limited shall be maintained in accordance with the certification submitted to the local authority on the 24th day of February, 2021.
- (b) A maintenance contract for the treatment system shall be entered into for a minimum period of five years from the first occupancy of the proposed extension and thereafter shall be kept in place at all times. Signed and dated copies of the contract shall be submitted to, and agreed in writing with, the planning authority within four weeks of the date of this Order.

Reason: In the interest of public health

6. All service cables associated with the proposed development (such as electrical, telecommunications and communal television) shall be located underground. All existing over ground cables shall be relocated underground as part of the site development works.

Reason: In the interests of visual and residential amenity.

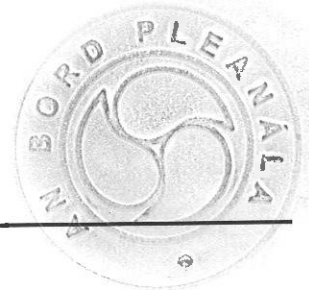
7. Site development and building works shall be carried out only between the hours of 0800 to 1800 Mondays to Fridays inclusive, between 0800 to 1400 hours on Saturdays and not at all on Sundays and public holidays. Deviation from these times will only be allowed in exceptional circumstances where prior written approval has been received from the planning authority.

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



Stephen Bohan

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



Dated this 16th day of August 2021.