

An
Bord
Pleanála

Board Order
ABP-310558-21

Planning and Development Acts 2000 to 2021

Planning Authority: Meath County Council

Planning Register Reference Number: RA/202001

Appeal by Michelle Cleary care of Ger Fahy Planning of Mulhussey, Maynooth, County Kildare against the decision made on the 1st day of June, 2021 by Meath County Council to grant subject to conditions a permission to Clare Petherbridge and Darren Tinnelly care of D.N. Smyth and Associates Limited of Cabin Hill, Ratoath, County Meath in accordance with plans and particulars lodged with the said Council:

Proposed Development: Demolition of existing single storey detached pitched roof dwelling and construction of a new detached two-storey dwelling with single storey flat roof extension to the rear and two-storey projecting bay structures to the front and rear elevations, retaining existing vehicular entrance from the L2208, together with all ancillary site works, landscaping and site drainage, all at Leshamstown, Drumree, County Meath as amended by the revised public notice received by the planning authority on the 6th day of May, 2021 providing for significant further information.

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 nature and scale of the proposed development, involving the demolition of an existing house and the construction of a detached two-storey house in its place on a site zoned 'RA' in the Meath County Development Plan 2021-2027, it is considered that, subject to compliance with the conditions set out below, the proposed development would be in accordance with the policies and objectives of the planning authority as set out in the Development Plan 2021-2027 and would not seriously injure the visual or residential amenities of the area or the amenities of property in the vicinity of the site. 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 and as amended by the further plans and particulars submitted to the planning authority on the 23rd day of April and the 6th day of May, 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 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. All external finishes to the proposed dwelling shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interest of visual amenity.

3. The site development and construction works shall be carried out such a manner as to ensure that the adjoining streets are kept clear of debris, soil and other material, and cleaning works shall be carried on the adjoining public roads by the developer and at the developer's expense on a daily basis.

Reason: To protect the residential amenities of property in the vicinity.



4. Site development and building works shall be carried out only between the hours of 0700 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.

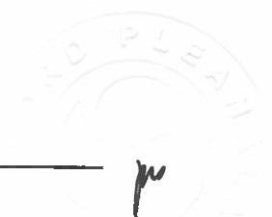
Reason: In order to safeguard the residential amenities of property in the vicinity.

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

Reason: In the interest of public health.

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

Reason: In the interest of public health.



7. The construction of the development shall be managed in accordance with a Construction Management Plan, which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This plan shall provide details of intended construction practice for the development, including noise management measures and off-site disposal of construction/demolition waste.

Reason: In the interests of public safety and residential amenity.

8. A landscaping plan shall be submitted to and agreed in writing with the planning authority prior to the commencement of development. All landscaping shall be carried out no later than the first planting season following commencement of development on site.

All native hedgerows in place on the site shall be retained in situ and where their removal is unavoidable, mitigation by provision of the same boundary type is required.

Reason: In the interest of visual amenity and to protect the natural heritage in the area.

9. 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.



Paul Hyde

Member of An Bord Pleanála

**duly authorised to authenticate
the seal of the Board.**

Dated this *1st* day of *FEBRUARY* 2022.