

Planning and Development Acts 2000 to 2021

Planning Authority: Meath County Council

Planning Register Reference Number: NA/201999

Appeal by Foxtrot Investment 2011 Limited care of John Spain Associates of 39 Fitzwilliam Place, Dublin against the decision made on the 17th day of June, 2021 by Meath County Council to refuse permission for the proposed development.

Proposed Development: Amendments to planning register reference number NA/200033 comprising the amalgamation of three number retail units to form a single unit extending to circa 905 square metres, partial change of use from office to ancillary retail use (circa 153 square metres) at ground floor level and proposed office use at ground and first floor levels extending to circa 506 square metres. A total of four number access points, amended material finishes and repositioning of signage elements are proposed at the southern elevation, with bin storage enclosure, fire exit and access ramp and plant room included at the northern elevation. No changes are proposed at the permitted café unit, with no changes in floorspace of the development as permitted all on a 0.36 hectares site at Balmoral Estate, Kells Road, Navan, County Meath. The proposed development was revised by further public notices received by the planning authority on the 24th day of May, 2021.

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 2021-2027, to the Retail Planning Guidelines for Planning Authorities issued by the Department of the Environment, Community and Local Government in April, 2012, to the planning history of the site which includes permission for approximately 896 square metres of retail floor space, and to the nature, scale, design and location of the proposed development on an 'Edge of Centre' site in an area zoned for 'mixed use' and within the Master Plan 2 land as set out in the development plan, 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, would not significantly impact on the vitality and viability of the core retail area of Navan and would be acceptable in terms of traffic safety and convenience. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.


Conditions

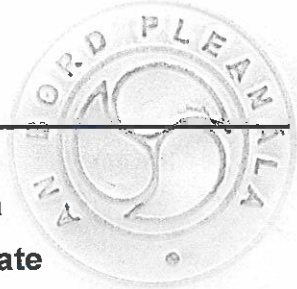
1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application, as amended by the further plans and particulars submitted on the 30th day of April 2021, except as may otherwise be required in order to comply with the following conditions. 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. Apart from any departures specifically authorised by this permission, the development shall be carried out and completed in accordance with the terms and conditions of the permission granted on 12th day of August 2020 under planning register reference number NA/200033, and any agreements entered into thereunder.

Reason: In the interest of clarity and to ensure that the overall development is carried out in accordance with the previous permissions


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



Dated this 28th day of February 2022.