

Planning and Development Acts 2000 to 2020

Planning Authority: Meath County Council

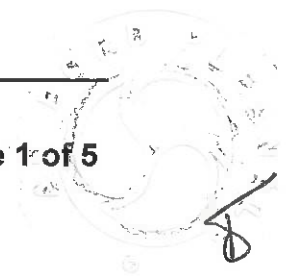
Planning Register Reference Number: TA/200419

Appeal by Raymond Heavey and Yvonne Heavey of 4 St. Columbus Terrace, Ballivor, County Meath against the decision made on the 15th day of July, 2021 by Meath County Council to grant subject to conditions a permission to Sean Spratt care of Trim Drafting and Design Services of Unit 0274, 26A Oaktree Business Park, Trim, County Meath in accordance with plans and particulars lodged with the said Council:

Proposed Development: Retention of a nine metres x nine metres double height hobbies and storage shed constructed to the rear of the property, all at 1 St. Columbus Terrace, Ballivor, County Meath; as amended by the revised public notices received by the planning authority on the 19th day of May, 2021 and the 25th day of June, 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

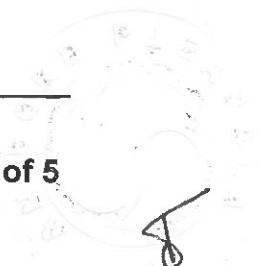
In making its decision, the Board had regard to those matters to which, by virtue of the Planning and Development Acts and Regulations made thereunder, it was required to have regard. Such matters included any submissions and observations received by it in accordance with statutory provisions.

Reasons and Considerations

Having regard to the residential zoning objective pertaining to the site, it is considered that the development proposed to be retained, subject to compliance with the conditions set out below, would not seriously injure the visual or residential amenities of the area or the amenities of property in the vicinity and would, therefore, be in accordance with the proper planning and sustainable development of the area.

Conditions

1. The development shall be completed and retained 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 12th day of April, 2021, the 19th day of May, 2021 and the 25th day of June, 21, 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 within three months of the



date of this order and the development shall be completed in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. (1) The structure shall be reduced in height to a maximum ridge height of 4.4 meters and a maximum eaves height of 3.8 metres,
- (2) The structure shall be used for the purposes of a hobby and store only and shall be ancillary to the main dwelling and shall not be used for human habitation or any commercial, industrial or other use.

Reason: In the interests of visual amenity and to protect the character and principle use of the site.

3. (1) During the operational phase of the development, the noise level arising from the development, as measured at the nearest noise sensitive location shall not exceed: -
 - (i) an Leq, 1h value of 55 dB(A) during the period 0800 to 2200 hours from Monday to Saturday inclusive, and
 - (ii) an Leq, 15 min value of 45 dB(A) at any other time. The noise at such time shall not contain a tonal component.
- (2) All sound measurement shall be carried out in accordance with ISO Recommendation 1996:2007: Acoustics - Description and Measurement of Environmental Noise.

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

4. (1) All electrics and electrical appliances shall be raised at least 500 mm above the 1,000-year critical flood level; details of which shall be submitted to, and agreed in writing with, the planning authority within three months of the date of this order.
- (2) All foul drainage access chambers and plant items below the 1,000-year critical flood level shall incorporate sealed covers, to prevent potential ingress of flood water, to the required Irish Water standards, details of which shall be submitted to, and agreed in writing with, the planning authority within three months of the date of this order.
- (3) Given the flood susceptibility of the site, the development shall follow best practice in the management of health and safety for users of the development and the applicant shall submit a flood emergency response plan to, and agree in writing with, the planning authority within three months of the date of this order.
- (4) The development shall not be used for habitable purposes and shall not be used for highly vulnerable development uses as defined in the "The Planning System and Flood Risk Management Guidelines for Planning Authorities" issued by the Department of the Environment, Heritage and Local Government in November, 2009.

Reason: In the interest of public health.

5. 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 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.

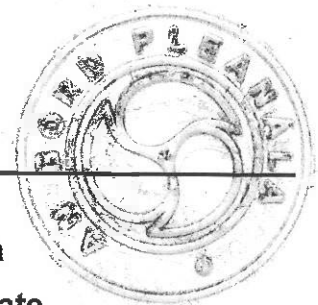
Reason: It is a requirement of the Planning and Development Act 2000, as amended, that a condition requiring a contribution in accordance with the Development Contribution Scheme made under section 48 of the Act be applied to the permission.



Terry Ó Niadh

Member of An Bord Pleanála

duly authorised to authenticate
the seal of the Board.



Dated this 20th day of December, 2021.