

Planning and Development Acts 2000 to 2022

Planning Authority: Meath County Council

Planning Register Reference Number: 21/1037

APPEAL by the Residents of Garden City care of Alan Tobin of 9 Westview, Ashbourne, County Meath and by Eimear and Bryan South care of John Holmes of 10 Rathlodge, Ashbourne, County Meath against the decision made on the 22nd day of October, 2021 by Meath County Council to grant subject to conditions a permission to Killeland Estates Limited care of Armstrong Planning Limited of 12 Clarinda Park North, Dun Laoghaire, County Dublin.

Proposed Development: A residential development on a 0.84 hectare site, including 19 number two-storey houses (eight by three-bed and 11 by four-bed houses) and three-storey residential block containing 12 number dwelling units (six by three-bed maisonettes above six by two-bed ground floor-floor apartments), together with a new access road from the existing Churchfields estate, bin storage, parking, cycle parking, an electrical sub-station, boundary treatments, landscaping and all associated site development works at Killeland, Ashbourne, County Meath.

Decision

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

Reasons and Considerations

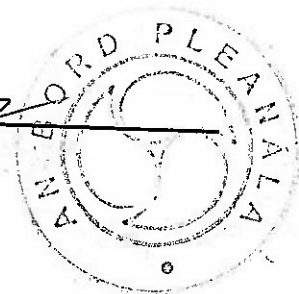
The Board did not share the Inspector's view that the impact on the character and setting of the adjacent Protected Structure and the National Monument was so significant as to warrant a refusal, and was satisfied that the mitigation proposed by the developer at further information stage, along with measures identified in the accompanying archaeological impact assessment would be sufficient to address this matter. Nevertheless, the Board considered as follows:

DECISION QUASHED

With regard to the 'GI – Community Infrastructure' zoning on the site, which the Board determined was the active zoning on the day of its decision. The Board noted the objective associated with this zoning in the Meath County Development Plan 2021-2027 (as varied), which is 'To provide for necessary community, social, and educational facilities', and considered that a residential development along with associated open space, roads and ancillary development utilising the entirety of the site, would not meet the zoning objective. In arriving at this view, the Board noted the provisions of the Meath County Development Plan, in particular section 11.14.4 which provides that "open for consideration use is one which may be permitted where the Council is satisfied that the proposed development would be compatible with the overall policies and objectives for the zone, would not have undesirable effects on any permitted uses...". The Board considered that community, social and education facilities could not be provided on the site were the proposed development to proceed, and accordingly concluded that the proposed development would, therefore, be contrary to the provisions of the Meath County Development Plan and to the proper planning and sustainable development of the area.


Stephen Brophy

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



Dated this 21st day of September 2023.