

An
Bord
Pleanála

Board Order
ABP-312575-22

Planning and Development Acts 2000 to 2021

Planning Authority: Meath County Council

Planning Register Reference Number: 21/1341

Appeal by Michael Fields care of NL Design Limited of 22 Pines Hamlet, Drogheda, County Louth against the decision made on the 20th day of December, 2021 by Meath County Council to refuse permission to Michael Fields for the proposed development.

Proposed Development: New storey and a half/dormer style two-storey house and garage utilising existing site entrance together with all associated site works, all at Tower Cross, Mornington, County Meath, as revised by the further public notice received by the planning authority on the 26th day of November, 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.

Reasons and Considerations

Having regard to the design and scale of the proposed development and to the zoning of the site, it is considered that the proposed development would be consistent with the Meath County Development Plan 2021 - 2027 land use zoning and would be acceptable in the context of the pattern of development in the area, the visual amenities of the area, the amenities of adjoining property and traffic safety. The proposed development, despite being located in an area subject to historic flood risk, is consistent with the recommendation of "The Planning System and Flood Risk Management Guidelines for Planning Authorities" issued by the Department of the Environment, Heritage and Local Government and the Office of Public Works in November 2009, and with the relevant policies, as set out in the Development Plan, including INF POL 18 and INF POL 20. 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 19th day October, 2022, 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. Details of the materials, colours and textures of all the external finishes to the proposed buildings shall be as submitted with the application, unless otherwise agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interest of visual amenity.

3. A footpath shall be provided along the road frontage of the site. Details and specifications in this regard, shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interest of orderly development.

4. All mitigation measures specified in the Flood Risk Assessment and the plans submitted with the application and the appeal shall be fully implemented.

Reason: In the interest of orderly development.

5. All service cables associated with the proposed development (such as electrical, telecommunications and communal television) shall be located underground. Any relocation of utility infrastructure shall be agreed with the relevant utility provider. Ducting shall be provided by the developer to facilitate the provision of broadband infrastructure within the proposed development.

Reason: In the interests of visual and residential amenity.

6. Drainage arrangements including the attenuation and disposal of surface water, shall comply with the detailed requirements of the planning authority for such works and services.

Reason: In the interests of public health and surface water management

7. The developer shall enter into water and/or wastewater connection agreement(s) with Irish Water, prior to commencement of development.

Reason: In the interests of clarity and public health.

8. 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.

Reason: In the interests of amenities, public health, and safety.

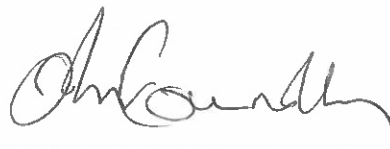
9. Site development and building works shall be carried out only between the hours of 0700 and 1900 from Mondays to Fridays inclusive, between the hours of 0900 and 1300 on Saturdays and not at all on Sundays and public holidays. Deviation from these times will only be allowed in exceptional circumstances where prior written approval has been received from the planning authority.

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



10. 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.



John Connolly

Member of An Bord Pleanála

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

Dated this 24th day of MAY 2022.

