



An
Bord
Pleanála

Board Order ABP-313552-22

Planning and Development Acts 2000 to 2022

Planning Authority: Meath County Council

Planning Register Reference Number: 22/229

Appeal by Kells Anglers care of Ciaran O'Kelly of Carlanstown, Kells, County Meath against the decision made on 14th day of April, 2022 by Meath County Council to grant subject to conditions a permission to Hubert Morris care of Michael Hetheron Architectural and Engineering Services Limited of Cogan Street, Oldcastle, County Meath in accordance with plans and particulars lodged with the said Council.

Proposed Development: The development will consist of the retention of (1) change of use of a section of building previously used as canteen for post primary school to public café/tea rooms, (2) minor internal works, (3) minor changes to external elevations, (4) canopy covering external seating area and (5) all associated site development works all within the curtilage of Eureka House which is a protected structure (NIAH 14313026) at Eureka House, Navan Road, Kells, County Meath.

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 provisions of the Meath County Development Plan 2021-2027, the nature of the development proposed to be retained and the pattern of development in the area, it is considered that, subject to compliance with the conditions set out below, the development proposed to be retained would not seriously injure the residential or visual amenities of the area or of property in the vicinity, would be acceptable having regard to the architectural character of the site and surrounds and would constitute an acceptable form of development at this location. The development proposed to be retained would, therefore, be in accordance with the proper planning and sustainable development of the area.

Conditions

1. The proposed development shall be retained and carried out with plans and particulars lodged with the application, 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 six months of the date of this Order and the development shall be carried out and completed in accordance with the agreed particulars.

Reason: In the interest of clarity.



2. The development hereby permitted shall be used solely as a café/coffee shop and for no other class of use within Part 4 of Schedule 2 of the Planning and Development Regulations, 2001, as amended. For the avoidance of doubt, this permission does not include a use for the sale of hot food for consumption off the premises, for example, as a takeaway.

Reason: In the interest of the proper planning and sustainable development of the area.

3. The development hereby permitted shall not be open to customers outside the hours of 0800 to 2200, Monday to Saturdays and 1000 to 2200 Sundays, Bank or Public Holidays, unless authorised by a sperate grant of permission.

Reason: In the interest of the proper planning and sustainable development of the area.

4. The operation of this development shall not give rise to any emissions of malodours, fumes, gas, dust or other deleterious materials, industrial effluent and noise, vibration or electrical interference generated on site such as would give rise to reasonable cause for annoyance to any person in residence or public place in the vicinity.

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

5. Drainage arrangements, including the 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. The developer shall enter into water and wastewater connection agreement(s) with Uisce Eireann, if required. The developer shall be required to adhere to the standards and conditions set out in that agreement.

Reason: In the interest of public health.



Martina Hennessy

Member of An Bord Pleanála

duly authorised to authenticate

the seal of the Board.

Dated this *24th* day of *August* 2023