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**Planning and Development Acts 2000 to 2021**

**Planning Authority: Meath County Council**

**Planning Register Reference Number: 22/488**

**Appeal** by Harry and Geraldine Duffy of Leggagh, Castletown, Navan, County Meath and by Terry and Mary Lynam of Balsaw, Wilkinstown, Navan, County Meath against the decision made on the 3<sup>rd</sup> day of June, 2022 by Meath County Council to grant subject to conditions a permission to Castletown Tidy Towns care of Hanley Taite Design Partnership of Virginia Shopping Centre, Virginia, County Cavan in accordance with plans and particulars lodged with the said Council.

**Proposed Development:** The proposed development will consist of: (a) restoration and extension of an existing cottage to form a visitor centre and café and entrance from public road, (b) construction of a Men's Shed, (c) new car parking, (d) install new wastewater treatment system and percolation area, together with all associated site works, all at Leggagh, Castletown, 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.**

*Handwritten signature*

## Reasons and Considerations

Having regard to the provisions of the Meath County Development Plan 2021-2027, the nature and scale of the proposed development, which comprises the restoration and extension of an existing vernacular building to be used as a visitor centre and café and the construction of a Men's Shed, and the pattern of development in the vicinity, it is considered that, subject to compliance with the conditions set out below, the proposed development would not lead to endangerment of public safety by reason of traffic hazard, would not seriously injure the amenities of the area or of property in the area, and would not be prejudicial to public health. 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, 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 development shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

**Reason:** In the interest of visual amenity.

3. Prior to commencement of development, the developer shall agree in writing with the planning authority details of the road works required, including sightlines to be provided, boundary treatment(s) and the pedestrian crossing.

**Reason:** In the interests of amenity and of traffic and pedestrian safety.

4. (a) The proposed wastewater treatment system and percolation area shall be in accordance with the standards set out in the document entitled "Code of Practice - Wastewater Treatment and Disposal Systems Serving Single Houses (p.e. ≤ 10)" – Environmental Protection Agency, 2021.
- (b) Treated effluent from the septic tank system shall be discharged to a percolation area which shall be provided in accordance with the standards set out in the document entitled "Code of Practice - Wastewater Treatment and Disposal Systems Serving Single Houses (p.e. ≤ 10)" – Environmental Protection Agency, 2021.
- (c) A maintenance contract for the treatment system shall be entered into and paid in advance for a minimum period of five years from the first use of the proposed development and thereafter shall be kept in place at all times. Signed and dated copies of the contract shall be submitted to, and agreed in writing with, the planning authority within four weeks of the installation.
- (d) The surface water soakway shall be designed and located such that the drainage from the proposed development and paved areas of the site shall be diverted away from the location of the polishing filter.

**Reason:** In the interest of public health.



5. All trees and hedgerows within and on the boundaries of the site shall be retained and maintained, with the exception of the following:
- (a) specific trees, the removal of which is authorised in writing by the planning authority to facilitate the development to accommodate the vehicular access and visibility splays, and
  - (b) trees which are agreed in writing by the planning authority to be dead, dying or dangerous through disease or storm damage, following submission of a qualified tree surgeon's report, and which shall be replaced with agreed specimens.

Retained trees and hedgerows shall be protected from damage during construction works. Within a period of six months following the substantial completion of the proposed development, any planting which is damaged or dies shall be replaced with others of similar size and species, together with replacement planting required under paragraph (b) of this condition.

**Reason:** In the interest of visual amenity.

6. All planting and landscaping required to comply with the specification of the landscaping scheme submitted to the planning authority shall be maintained, and if any tree or plant dies or is otherwise lost within a period of five years, it shall be replaced by a plant of the same species, variety and size within the planting season following such loss.

**Reason:** In the interest of visual amenity.

7. The hours of operation of the visitor centre/café and Men's Shed shall be agreed with the planning authority.

**Reason:** In the interest of the amenities of property in the vicinity.

8. Litter in the vicinity of the premises shall be controlled in accordance with a scheme of litter control which shall be submitted to, and agreed in writing with, the planning authority prior to the operation of the development. This scheme shall include the provision of litter bins and refuse storage facilities.

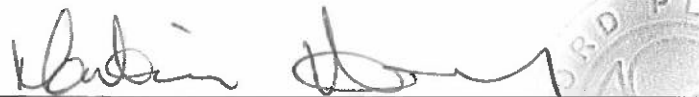
**Reason:** In the interest of visual amenity.

9. Water supply and 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.

10. Prior to commencement of development, the developer shall enter into water and/or wastewater connection agreement(s) with Uisce Eireann.

**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 29<sup>th</sup> day of May 2023.

