



An
Bord
Pleanála

Board Order
ABP-313985-22

Planning and Development Acts 2000 to 2022

Planning Authority: Meath County Council

Planning Register Reference Number: 21/1681

Appeal by Patrick Callan of 89A Carrickcourt, Portmarnock, County Dublin against the decision made on the 10th day of June, 2022 by Meath County Council to grant subject to conditions a permission to Gary White care of Declan Clabby and Associates of Haggard Street, Trim, County Meath in accordance with plans and particulars lodged with the said Council.

Proposed Development: Construction of part two-storey and part single storey dwelling, detached domestic garage, installation of new proprietary wastewater treatment system and polishing filter. The development also includes the upgrade of the existing farm entrance for proposed domestic and agricultural use, driveway and all associated site works, all at Hoardstown, Lobinstown, Navan, County Meath, as revised by the further public notices received by the planning authority on the 16th day of May, 2022.

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.

P.C.

Reasons and Considerations

Having regard to Project Ireland 2040: The National Planning Framework, the provisions of the Meath County Development Plan 2021-2027 and the specific characteristics of the site and surrounds, it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the residential amenities of the area or of property in the vicinity, would not read as skyline development, is a design response which accords with Policy RD POL 9 of the Meath County Development Plan 2021-2027, would be acceptable having regard to the archaeological sensitivity of the site and surrounding area and would constitute an acceptable form of development at this location. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

Conditions

1. The proposed development shall comply with the plans and particulars lodged with the application, as amended by the further plans and particulars received the planning authority on the 19th day of April, 2022, and by An Bord Pleanála on the 5th day of July, 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 be carried out and completed in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. The proposed dwellinghouse and garage shall be repositioned two metres northwards on the site.

The hard standing area/driveway area that is positioned directly to the front (north) of the house (circa 26 metres from the dwelling access when measured from the agricultural access) shall be reduced in width by two metres save where is necessary for providing car parking or turning into the garage at the east of the driveway.

Reason: To reduce the visual prominence of the dwelling and garage structures on the elevated site and to reduce the excavation of material required.

3. (a) The applicant is required to engage the services of a suitable qualified archaeologist (licenced under the National Monuments Acts 1930-2004) to carry out pre-development testing at the site. No sub-surface work shall be undertaken in the absence of the of the archaeologist without his/her express consent.
- (b) The archaeologist is required to notify the Department of Housing, Local Government and Heritage in writing at least four weeks prior to the commencement of site preparations. This will allow the archaeologist sufficient time to obtain a license carry out the work.
- (c) The archaeologist shall carry out any relevant documentary research and may excavate test trenches at locations chosen by the archaeologist, having consulted the proposed development plans.
- (d) Having completed the work, the archaeologist shall submit a written report to the planning authority and the Department of Housing, Local Government and Heritage for consideration.

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- (e) Where archaeological material is shown to be present, avoidance, preservation in situ, preservation by record (excavation) and/or monitoring may be required by the Department of Housing, Local Government and Heritage who will advise the applicant with regard to these matters.
- (f) No site preparation or construction work shall be carried out until after the archaeologist report has been submitted and permission to proceed has been received in writing from the planning authority in consultation with the Department of Housing, Local Government and Heritage.

Reason: To ensure the continued preservation (either in situ or by record) of places, caves, sites, features or other objects of archaeological interest.

- 4. Drainage arrangements, including the attenuation and 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.

- 5. (a) The final details and external finish of the dwelling and garage shall be as detailed on the drawings submitted on the 19th day of April, 2022 and shall consist of napped plaster, render, natural stone or as otherwise agreed in writing with the planning authority prior to the commencement of development. The use of brick or reconstituted stone shall not be permitted.
- (b) The roof of the dwelling shall be dark brown, dark grey, blue black or other color agreed in writing with the planning authority prior to the commencement of development.

Reason: In the interest of visual amenity.

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6. The design and layout of the modified vehicular entrance shall comply with the requirements of the planning authority, details of which shall be submitted to the planning authority for written agreement prior to the commencement of development on site.

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

7. Existing hedgerows, trees and shrubs on site shall be preserved, except where required to be removed to accommodate the entrance. New site boundaries shall consist of timber fencing backplanted with hedgerow of species native to the area. Planting shall commence no later than the first planting season prior to the commencement of development on site.

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

8. The design and installation of the proposed wastewater treatments system shall comply with the EPA Code of Practice Domestic Wastewater Treatment Systems, Population Equivalent ≤ 10 (2021).

Reason: In the interest of public health.

9. Site development and building works shall be carried out only between the hours of 0800 to 1900 Mondays to Fridays inclusive, between 0900 to 1300 hours 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 amenities of property in the vicinity.

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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 the 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.

Patricia Calleary

Patricia Calleary

Member of An Bord Pleanála

duly authorised to authenticate

the seal of the Board.

Dated this *17* day of *August* 2023.

