



An
Bord
Pleanála

Board Order
ABP-315325-22

Planning and Development Acts 2000 to 2022

Planning Authority: Meath County Council

Planning Register Reference Number: 22/688

Appeal by Gerry Keating care of Rebecca Keating of 47 Headfort Grove, Kells, County Meath against the decision made on the 16th day of November, 2022 by Meath County Council to grant subject to conditions a permission to Michael and Deborah Armstrong care of ATC Building Surveying and Engineering Consultancy Limited of Unit 2, Dublin Road, Kingscourt, County Cavan in accordance with plans and particulars lodged with the said Council.

Proposed Development: Retention of an extension to an existing domestic garage which includes elevational changes and full planning permission to install a new lean-to roof and all ancillary site development works, all at Number 1 Kenlis Crescent, Kells, County Meath, as revised by the further public notices received by the planning authority on the 21st day of October, 2022.

Decision

GRANT permission for the above 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 Meath County Development Plan 2021 – 2027, to the zoning objective for the area, as set out in the Development Plan and to the scale of the garden building, as constructed, it is considered that, subject to compliance with the conditions set out below, the proposed development and the development proposed to be retained would not seriously injure the residential amenities of the area or the established character or appearance of the area and would, therefore, be in accordance with the proper planning and sustainable development of the area.

Conditions

1. The development shall be retained and completed in accordance with the plans and particulars lodged with the application, as amended by the further plans and particulars received by the planning authority on the 13th day of 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 and the development shall be retained and completed in accordance with the agreed particulars.

Reason: In the interest of clarity.

ESK

2. The home office/gym and storage building shall be used solely for the purpose shown on the plans and particulars submitted with the application and shall be ancillary to the main dwelling only. It shall not be sold or rented separately to the main house.

Reason: To protect the amenities of property in the vicinity and in order to comply with the objectives of the current Development Plan for the area.

3. Access to the rear of the property from the adjoining laneway is granted. Clients of the home-based economic activity may access the rear of the property during the business hours, as set out by the applicant in the further information received by the planning authority on the 13th day of October, 2022, (that is between 0900 and 1700 hours from Monday to Thursday inclusive). The gate shall also be changed to open inward within a period of three months from the date of this Order.

Reason: In the interest of residential amenity.

4. Water supply and 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.

EJK

5. 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 agreed with 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. The application of any indexation required by this condition 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.

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.

Eamonn James Kelly
Eamonn James Kelly

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



Dated this 30th day of June, 2023.

EJK