

An  
Bord  
Pleanála

**Board Order**  
**ABP-315765-23**

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**Planning and Development Acts 2000 to 2022**

**Planning Authority: Meath County Council**

**Planning Register Reference Number: 22/1497**

**Appeal** by Thomas O'Byrne care of Paul Williams of Knightsbrook, Trim, County Meath against the decision made on the 17<sup>th</sup> day of January, 2023 by Meath County Council to refuse permission for the proposed development.

**Proposed Development:** Change of use of existing domestic garage to a habitable space ancillary to existing dwelling to consist of one bedroom and interior alterations, with all associated site works at 16 Castle Street, Trim, 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, including the zoning objective for the site B1- Commercial/Town or Village Centre – “to protect, provide for and/or improve town and village centre facilities and uses”, it is considered that, subject to compliance with the conditions set out below, the proposed development would not materially contravene Development Plan Objective DM OBJ 49, would not seriously injure the visual or residential amenities of the area, or of property in the vicinity, would not, by virtue of the existing access constitute a traffic hazard and would provide an acceptable standard of amenity for future residents. Furthermore, having regard to the site location within a designated Architectural Conservation Area and the effective retention, rehabilitation and reuse of a former vernacular dwelling, it is considered that the proposed development would comply with, and facilitate the delivery of, policies HER POL 19 and HER POL 20 in relation to Architectural Conservation Areas and policies HER POL 21 and HER POL 22 in relation to Vernacular Architecture. 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. The existing dwelling and proposed family flat in the converted garage shall be jointly occupied as a single residential unit and the converted garage shall not be sold, let or otherwise transferred or conveyed, save as part of the dwelling.

**Reason:** To restrict the use of the extension in the interest of residential amenity.

4. Surface water drainage arrangements shall comply with the requirements of the planning authority for such works and services.

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

5. The developer shall enter into water and wastewater connection agreements with Uisce Éireann.

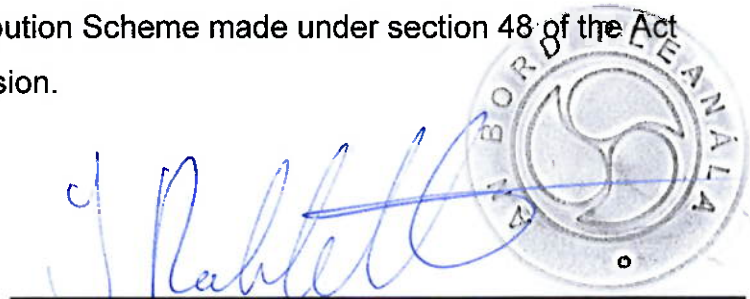
**Reason:** In the interest of public health.

6. Site development and building works shall be carried out only between the hours of 0800 and 1900 from Mondays to Fridays inclusive, between 0800 and 1400 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 residential amenities of property in the vicinity.

7. The developer shall pay to the planning authority a financial contribution of 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. 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.

A handwritten signature in blue ink, appearing to read 'Tom Rabbette', is written over a circular official seal. The seal contains the text 'AN BORD PLEANÁLA' around its perimeter and a stylized logo in the center.

**Tom Rabbette**

**Member of An Bord Pleanála**

**duly authorised to authenticate**

**the seal of the Board.**

Dated this 22<sup>nd</sup> day of Feb, 2024.