

Planning and Development Acts 2000 to 2022

Planning Authority: Meath County Council

Planning Register Reference Number: 23/882

Appeal by James and Yvonne Everand of Commons, Ratoath, County Meath against the decision made on the 3rd day of November, 2023 by Meath County Council to grant subject to conditions a permission to Kingscroft Development Limited care of CDP Arcitecture of 4 The Mall, Lower Masin Street, Lucan, County Dublin in accordance with plans and particulars lodged with the said Council:

Proposed Development: Modifications to the previously granted Strategic Housing Development permitted under ABP-305196-19 (Planning Reference Number SH305196) which is currently under construction. Modifications are to align the permitted development with Building Regulations (Section 1.3.4.1.1 of TGD Part M 2010 and Part K 2014). The proposed modifications relate to six number blocks (duplexes) and will consist of the following:

- modifications to Blocks 1 and 5 plans to have four number one and two bed apartments on ground floor and four number three bed duplexes on the first and second floors of each block (16 units);
- modifications to Blocks 2, 3 and 4 plans to have six number one and two bed apartments on ground floor and six number three bed duplexes on the first

and second floors of each block (36 units);

- modifications to Blocks 6 plans to have four number one and two bed apartments and two number duplexes on the ground floor and four number duplexes on the first and second floors of each block (10 units).

The density and number of units of the proposed modifications remain the same as the previously granted application. The modified 62 number residential units will comprise 21 number one bed units, 9 number two bed units, and 32 number three bed (duplex) units. and

- all other associated landscaping, boundary treatments, site development and service infrastructure works at Jamestown, Ratoath, 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

In coming to its decision, the Board had regard to the following:

- (a) the policies and objectives set out in the Meath County Development Plan 2021-2027, including the location of the site on lands subject to Zoning Objective 'A2' New Residential which seeks 'To provide for new residential communities with ancillary community facilities, neighbourhood facilities as considered appropriate',
- (b) the Meath Development Contribution Scheme 2024-2029,

- (c) the National Planning Framework 2040 and the Regional Spatial and Economic Strategy for the Eastern and Midland Region 2019-2030,
- (d) Housing for All, A New Housing Plan for Ireland, 2021,
- (e) the Sustainable Residential Development and Compact Settlements, Guidelines for Planning Authorities, 2024,
- (f) the Sustainable Urban Housing, Design Standards for New Apartments, Guidelines for Planning Authorities, 2023,
- (g) the Regulation of Commercial Institutional Investment in Housing, Guidelines for Planning Authorities, 2021, updated 2023,
- (h) the Development Management, Guidelines for Planning Authorities, 2007,
- (i) the planning history of the site and within the area,
- (j) the nature, scale, and design of the proposed development,
- (k) the pattern of existing and permitted development in the area,
- (l) the availability in the area of a range of social, community, and transport infrastructure,
- (m) the reports from the planning authority, including its assessment and recommendation to grant permission subject to conditions,
- (n) the submissions received by the planning authority from observers and prescribed bodies,
- (o) the grounds of appeal,

- (p) the responses to the grounds of appeal by the applicant and the planning authority, and
- (q) the report and recommendation of the Inspector including the examination, analysis and evaluation undertaken in relation to
Appropriate Assessment and Environmental Impact Assessment.

Appropriate Assessment Screening

The Board completed an Appropriate Assessment screening (Stage 1) in relation to the potential effects of the proposed development on designated European sites, taking into account the nature and scale of the proposed development, the location of the site within an adequately serviced urban area, the absence of any ecological and/ or hydrological connections, and the physical separation distances to European sites, submissions and observations on file, the information and reports submitted as part of the subject application, and the Planning Inspector's report. In completing the screening exercise, the Board agreed with and adopted the report of the Planning Inspector that, by itself or in combination with other development, plans and projects in the vicinity, the proposed development would not be likely to have a significant effect on any European site in view of the Conservation Objectives of such sites, and that a Stage 2 Appropriate Assessment is not, therefore, required.

Environmental Impact Assessment Screening

The Board completed an Environmental Impact Assessment screening of the proposed development. The Board concluded that due to the nature, size and location of the development, there is no real likelihood of significant effects on the environment arising from the proposed development, and that an environmental impact assessment is not required.

Conclusion on Proper Planning and Sustainable Development

The Board considered that the proposed development, subject to compliance with the conditions set out below, would constitute an acceptable design and layout of residential accommodation, would result in an appropriate quantum and density of residential development at this location, would not seriously injure the residential or visual amenities of property in the vicinity, would be capable of being adequately served by surface water, drainage and wastewater, and water supply networks, and would be acceptable in terms of pedestrian, cyclist, and traffic safety. 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. Conditions attached to An Bord Pleanála reference number ABP-305196-19, including in relation to unit mix and the quantum of two bed three person apartments, shall continue to apply except as may otherwise be required in order to comply with the following conditions.

Reason: In the interest of clarity and orderly development.

3. Prior to commencement of development, proposals for cycle parking and storage shall be submitted to and agreed in writing with the planning authority. The proposals shall accord in quantity and design with the requirements of SPPR 4, Sustainable Residential Development and Compact Settlements, Guidelines for Planning Authorities, 2024.

Reason: To ensure that adequate bicycle parking provision is available to serve the proposed development, in the interest of sustainable transportation.

4. Details of the materials, colours, and textures of all the external finishes to the proposed buildings shall be the same as/match with those permitted under An Bord Pleanála reference number ABP-305196-19, unless otherwise agreed in writing with the planning authority prior to commencement of development.



Reason: In the interest of clarity, and to protect the visual amenities of the area.

5. Prior to commencement of development, the developer shall lodge with the planning authority a cash deposit, a bond of an insurance company, or other security to secure the provision and satisfactory completion and maintenance until taken in charge by the local authority of roads, footpaths, watermains, drains, public open space and other services required in connection with the development, coupled with an agreement empowering the local authority to apply such security or part thereof to the satisfactory completion or maintenance of any part of the development. The form and amount of the security shall be as agreed between the planning authority and the developer.

Reason: To ensure the satisfactory completion and maintenance of the development until taken in charge.

6. 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 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.

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.

Stephen Brophy

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

Dated this 27th day of March 2024.