



**Planning and Development Act 2000, as amended**

**Planning Authority: Meath County Council**

**Planning Register Reference Number: 2460076**

**Appeal** by Saint Mary's Convent Action Group care of James Galligan of Eden, Kilmainhamwood, County Meath against the decision made on the 27<sup>th</sup> day of March 2024, by Meath County Council to grant, subject to conditions, a permission to David O'Brien care of McKenna and Associates of High Street, Trim, County Meath in accordance with plans and particulars lodged with the said Council.

**Proposed Development:** Change of use from residential convent to tourism accommodation in ten apartment suites, removal of modern toilet and bathroom block, reconfiguration, refurbishments, repairs and alterations to the internal layout. The ten apartment suites will be available for short term let, which will include, at times, letting out the convent as a whole, including the chapel. The development will include new storage areas, bike store and plant room in existing sheds, new canopy to the rear entrance, changes to the elevations, changes to the site layout, connection to all public services and all associated site works. The Convent is a Protected Structure, reference number: 91275, and is located within the Trim historical architectural conservation area and the Trim zone of archaeological potential all at Mercy Convent, Emmet Street, Townparks South, 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 'B1 Commercial Town or Village' land use zoning of the site, the nature and scale of the proposed development, and the provisions of the Meath County Development Plan 2021-2027 including *inter alia* ED POL 43, ED POL 45, ED POL 4, ED POL 69, ED OBJ 74, HER POL 14 and HER POL 15, it is considered that, subject to compliance with the conditions set out below, the proposed development would provide for the appropriate adaptive reuse of a vacant Protected Structure to ensure its on-going protection and longevity on a prominent town centre site, would not detract from the character and setting of the Protected Structure, would not seriously injure the residential amenities of the area or of property in the vicinity and would not represent a traffic safety issue. 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. (a) The proposed tourism accommodation in 10 apartment suites hereby permitted shall be used as self-catering accommodation, or as Class 6, and for no other class within Part 4 of Schedule 2 of the Planning and Development Regulations 2001-2023 and shall be maintained as a single planning unit and not give rise to any subdivision or individual sale of units unless otherwise authorised by a separate grant of permission. For the avoidance of doubt, this permission does not include uses as permanent residential accommodation.  
  
(b) The use of the chapel shall be ancillary to the tourism accommodation and shall not be used, sold, let or leased for events and functions independent of the tourism accommodation unless authorised by a separate grant of permission.

**Reason:** In the interest of clarity and in the interest of proper planning and orderly development.

3. Prior to the commencement of development on the Protected Structure, the applicant/developer shall submit for the written agreement of the planning authority confirmation that:
  - (a) the development shall be monitored by a suitably qualified architect with conservation expertise and accreditation, and
  - (b) competent site supervision, project management and crafts personnel shall be engaged, suitably qualified and experienced in conservation works.

**Reason:** In the interest of the protection of architectural heritage in accordance with the provisions of the Architectural Heritage Protection Guidelines for Planning Authorities.

4. Prior to the commencement of development on the Protected Structure the applicant/developer shall submit, for the written agreement of the planning authority, a detailed method statement covering all works proposed to be carried out, including:
  - (a) a full specification, including details of materials and methods, to ensure the development is carried out in accordance with current Conservation Guidelines issued by the Department of Arts, Heritage and the Gaeltacht,
  - (b) methodology for the recording and/or retention of concealed features or fabric exposed during the works,
  - (c) details of features to be temporarily removed/relocated during construction works and their final re-instatement,

- (d) protection of fireplaces and original joinery during the construction works,
- (e) details of any works of re-pointing which shall be undertaken so that it matches the original existing wall finish,
- (f) details of the existing roof slates, chimney stacks and pots which shall be retained, any replacement roof slates shall match the existing,
- (g) details of the remaining rainwater goods and cast iron ventilation pipes which where possible shall be repaired and reused, the replacement of which (if any) shall match the original in terms of design and materials,
- (h) details of replacement windows which shall be modelled on surviving windows and shall match them in dimensions, opening mechanism, profiles and materials.

Details to be accompanied by drawings of an appropriate scale of not less than 1:50.

**Reason:** In the interest of the protection of architectural heritage in accordance with the provisions of the Architectural Heritage Protection Guidelines for Planning Authorities.

5. Prior to the commencement of development, the developer shall submit for the written agreement of the planning authority a pre-works baseline Bat Survey carried out by a suitably qualified ecologist during the active season. In the event that bats are found, a derogation licence in compliance with section 51 of the European Communities (Birds and Natural Habitats) Regulations 2011 is required. Any destruction of bat roosting site(s) must be carried out by a suitably qualified bat ecologist and under licence granted by the Minister of Housing, Local Government and Heritage.

**Reason:** In the interest of the protection of the environment during construction and operational phases of development.

6. The landscaping scheme shown on drawing number PP431-01 and PP431-02, as submitted to the planning authority on the 2<sup>nd</sup> day of February 2024 shall be carried out within the first planting season following substantial completion of external construction works. This work shall be completed before the tourist accommodation is made available for occupation.

All planting shall be adequately protected from damage until established. Any plants which die, are removed or become seriously damaged or diseased, within a period of five years from the completion of the development shall be replaced within the next planting season with others of similar size and species, unless otherwise agreed in writing with the planning authority.

**Reason:** In the interest of the preservation of the character and setting of the Mercy Convent and to ensure the satisfactory landscaping of the site in accordance with proper planning and sustainable development.

7. During the operational phase of the proposed development the noise level shall not exceed
  - (a) 55 dB(A) rated sound level between the hours of 0700 to 2300, and
  - (b) 45 dB(A) 15min and 60 dB LAfmax, 15min at all other times, as measured at any point along the boundary of the site.

Procedures for the purpose of determining compliance with this limit shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

**Reason:** To protect the amenities of property in the vicinity of the site.

8. Drainage arrangements including the attenuation and disposal of surface water shall comply with the requirements of the planning authority.

**Reason:** In the interest of public health and surface water management.

9. Prior to the commencement of development the developer shall enter into connection agreements with Uisce Éireann, if required, to provide for service connections to the public water supply and wastewater collection network.

**Reason:** In the interest of public health and to ensure adequate water and wastewater facilities.

10. A plan containing details for the management of waste within the development, including the provision of facilities for the storage, separation and collection of the waste and, in particular, recyclable materials shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. Thereafter, the agreed

waste facilities shall be maintained, and waste shall be managed in accordance with the agreed plan.

**Reason:** To provide for the appropriate management of waste and, in particular recyclable materials, in the interest of protecting the environment and the amenities of properties in the vicinity.

11. Prior to the commencement of development, the developer or any agent acting on its behalf, shall prepare a Resource Waste Management Plan (RWMP) as set out in the EPA's Best Practice Guidelines for the Preparation of Resource and Waste Management Plans for Construction and Demolition Projects (2021) including demonstration of proposals to adhere to best practice and protocols. The RWMP shall include specific proposals as to how the RWMP will be measured and monitored for effectiveness; these details shall be placed on the file and retained as part of the public record. The RWMP must be submitted to the planning authority for written agreement prior to the commencement of development. All records (including for waste and all resources) pursuant to the agreed RWMP shall be made available for inspection at the site office at all times.

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

12. Prior to the occupation of the tourism accommodation, the developer shall submit for the written agreement of the planning authority, a site and operational management plan relating to the operation of the tourism accommodation and ongoing maintenance of common areas within the development, and the development shall be operated and maintained in accordance with the agreed operational and site management plan.

**Reason:** To ensure the satisfactory ongoing management and maintenance of the development, and to protect the visual amenities of the area.

13. Prior to commencement of works, the developer shall submit to, and agree in writing with the planning authority, a Construction Management Plan, which shall be adhered to during construction. This plan shall provide details of intended construction practice for the development, including construction traffic management, noise and dust management measures and off-site disposal of construction/demolition waste.

**Reason:** In the interest of public safety and amenity.

14. Site development and building works shall be carried out only between the hours of 0700 to 1900 Mondays to Fridays inclusive, between 0800 to 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 amenities of property in the vicinity.



Emer Maughan

Planning Commissioner of An Coimisiún

Pleanála duly authorised to authenticate the seal of the Commission.

Dated this 13<sup>th</sup> day of January 2026