



An
Bord
Pleanála

Board Order
ABP-320229-24

Planning and Development Acts 2000 to 2022

Planning Authority: Meath County Council

Planning Register Reference Number: 2460211

Appeal by Boyne Catchment Anglers Association of Oakstown, Trim, County Meath against the decision made on the 24th day of June, 2024 by Meath County Council to grant subject to conditions a permission to Micheál McKeon care of Paul O'Neill Architects of Bective Street, Kells, County Meath in accordance with plans and particulars lodged with the said Council.

Proposed Development: Demolition on an existing detached dwelling, the construction of a new replacement dwelling with domestic garage, new wastewater treatment system and percolation area, revised site entrance from road to enter the site including any necessary pruning of existing hedgerows, landscaping and all ancillary site works at Spire View, Balrath Road, Townparks, Kells, 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 policies of the Meath County Development Plan 2021-2027, including policy RD POL 31, and all material considerations including the Planning Report dated 17 June 2024 addressing the further information received, it is considered that, subject to compliance with the conditions set out below, the proposed development would be in accordance with the zoning objective for the site, would not detract from the visual amenity of the area, would provide an acceptable standard of residential amenity for the prospective residents, would not seriously injure the residential amenity of surrounding properties, and would not endanger public safety by reason of access, traffic generation, drainage proposals, or otherwise. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

Conditions

1. The development shall be constructed in accordance with the plans and particulars lodged with the planning authority on 27th day of March 2024 and by further plans and particulars received by the planning authority on the 31st day of May 2024 except where conditions hereunder specify otherwise. 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 the proper planning and development of the area.

2. (a) The onsite Domestic Wastewater Treatment Systems (DWWTS) proposed shall be constructed in accordance with the recommendations provided in Sections 4, 5 and 6 of the Site Characterisation Form submitted with the application and contained in the Environmental Protection Agency Code of Practice for Domestic Wastewater Treatment Systems (2021). Certification from an appropriately trained and qualified person, as well as the manufacturer or supplier in the case of secondary packaged wastewater treatment system, that the complete DWWTS has been satisfactorily installed and commissioned to accord with the provisions of the Environmental Protection Agency (EPA) Code of Practice, Domestic Waste Water Treatment Systems (Population Equivalent ≤ 10), 2021 and the Site Characterisation Form submitted on 27th day of March 2024, shall be submitted to the planning authority prior to occupation of the house. The certification shall include an as constructed cross-sectional drawing through the

installed DWWTS, including any associated infiltration/treatment area.

- (b) The installation and maintenance of this DWWTS shall be such as to not give rise to any polluting matter entering any waters, tidal waters or any part of any river, stream, lake, canal, reservoir, aquifer, pond, watercourse or other inland waters, whether natural or artificial, or any contiguous to those mentioned which for the time being is dry. In this, all minimum separation distances to receptors, as outlined in Table 6.2 of the EPA Code of Practice (2021) must be adhered to.
- (c) The applicant shall provide and arrange for the continuous and indefinite maintenance of the entire DWWTS installed, which shall be maintained in accordance with the manufacturer's instructions and in line with Table 12.1 of the EPA Code of Practice (2021).

Reason: In the interest of public health and to provide for the protection of the environment.

- 3. The general design, external finish, height and roof materials of the proposed development shall be as shown on the plans submitted on 27th day of March 2024, unless otherwise agreed in writing with the planning authority prior to the commencement of development.

Reason: In the interest of visual amenity.

4. (a) Prior to commencement, the applicant shall provide and maintain unobstructed sightlines as per site layout plan dated 27th day of March 2024, to the nearside edge of the road from a setback of 2.4 metres from the entrance, in accordance with Transport Infrastructure Ireland Document DN-GEO-03060. The nearside road edge shall be visible over the entire sight distance. The entrance layout shall comply with the Meath Rural Design Guide – the face of the entrance piers shall be at least four metres from the edge of the road and the entrance gate shall be recessed at least seven metres from the edge of the road. A verge of four metres in width shall be provided between the edge of the road and the development boundary.
- (b) Prior to the occupation of the dwelling hereby permitted the existing vehicular access shall be permanently closed in accordance with the approved plans, and shall be retained as such thereafter.

Reason: In the interest of traffic safety.

5. The disposal of surface water shall comply with the requirements of the planning authority for such works and services. Prior to the commencement of development, the developer shall submit details for the disposal of surface water from the site for the written agreement of the planning authority.

Reason: To prevent flooding and in the interests of sustainable drainage.

6. No muck, clay, dirt, rubble, debris or other material shall be deposited on the public road or verge by machinery or vehicles travelling to or from the site during the construction phase. The applicant shall arrange for vehicles leaving the site to be kept clean.

Reason: In the interest of orderly development.

7. During construction the developer shall provide adequate off carriageway parking facilities for all traffic associated with the proposed development, including delivery and service vehicles/trucks. There shall be no parking along the public road.

Reason: In the interest of traffic safety.

8. Site development and building works shall be carried out 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 shall only be allowed in exceptional circumstances where prior written agreement has been received from the planning authority.

Reason: To safeguard the amenities of adjoining residential occupiers.

9. The developer shall be responsible for the full cost of repair in respect of any damage caused to any adjoining public roadway arising from the construction work and shall make good any such damage forthwith to the satisfaction of Meath County Council.

Reason: In the interest of the proper traffic management of the area.

10. (a) Landscaping shall be carried out as detailed on the site plan submitted to the planning authority on the 31st day of May, 2024 unless otherwise agreed. 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 back planted with hedgerow of species native to the area.
- (b) Planting shall commence no later than the first planting season following commencement of development on site. 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: To protect the visual amenity and natural heritage of the area.

11. The developer shall pay to the planning authority a financial contribution in respect of public infrastructure and facilities benefiting the 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.


Mary Rose McGovern

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

Dated this 27th day of March 2025.