



An
Bord
Pleanála

Board Order

ABP-321362-24

Planning and Development Acts 2000 to 2022

Planning Authority: Meath County Council

Planning Register Reference Number: 24/60751

Appeal by Michael and Una Byrne of Drumlargin, Kilcock, County Meath against the decision made on the 7th day of November, 2024 by Meath County Council to grant subject to conditions a permission to Ronan Dunne care of McKenna and Associates of High Street, Trim, County Meath in accordance with plans and particulars lodged with the said Council.

Proposed Development: Construction of a two-storey-style dwelling, detached domestic garage, a domestic wastewater disposal system, upgrade to existing site entrance and all associated site works, all at Drumlargin, Summerhill, 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 location of the site within an Area Under Strong Urban Influence and zoned 'RA -Rural Area' under the Meath County Development Plan 2021-2027, it is considered that the applicant satisfies the housing requirements of persons who are an intrinsic part of the rural community under Section 9.4 (Persons who are an Intrinsic Part of the Rural Community) and other relevant provisions of the Meath County Development Plan 2021-2027, and that, subject to compliance with the conditions set out below, the proposed development would provide a good quality of residential amenity whilst ensuring that existing residential amenity is protected, would not seriously injure the visual amenities of the area, by reason of design, height and form, would not contribute to ribbon development in the area, and would be acceptable in terms of traffic and pedestrian safety. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

Conditions

1. The proposed 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 proposed development shall be carried out and completed in accordance with the agreed particulars.

Reason: In the interest of clarity.



2. (a) The proposed dwelling, when completed, shall be first occupied as a place of permanent residence by the applicant, members of the applicant's immediate family or their heirs, and shall remain so occupied for a period of at least seven years thereafter unless consent is granted by the planning authority for its occupation by other persons who belong to the same category of housing need as the applicant. Prior to commencement of development, the applicant shall enter into a written agreement with the planning authority under section 47 of the Planning and Development Act 2000, as amended, to this effect.
- (b) Within two months of the occupation of the proposed dwelling, the applicant shall submit to the planning authority a written statement of confirmation of the first occupation of the dwelling in accordance with paragraph (a) and the date of such occupation.

This condition shall not affect the sale of the dwelling by a mortgagee in possession or the occupation of the dwelling by any person deriving title from such a sale.

Reason: To ensure that the proposed house is used to meet the applicant's stated housing needs and that development in this rural area is appropriately restricted in the interest of the proper planning and sustainable development of the area.

3. 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. In this regard, the roof colour shall be blue-black, black, and the external walls shall comprise smooth render finish in white/off-white colour.

Reason: In the interest of visual amenity and to ensure an appropriate standard of development.



4. The following requirements shall be adhered to in full:
- (a) The vehicular access, serving the proposed development, shall comply with the requirements of the planning authority for such road works and details in this regard shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.
 - (b) Any gate to be installed shall be inward opening only and shall not open out onto the public road.

Reason: In the interest of traffic and pedestrian safety.

5. Prior to commencement of development, details of the proposed boundary treatments to all shared site boundaries shall be submitted to, and agreed in writing with the planning authority and shall comply with the requirements of the planning authority for such works.

Reason: In the interest of visual and residential amenity.

6. Site development and building works shall be carried out only between the hours of 0700 and 1900 Mondays to Fridays, inclusive, between 0800 to 1400 hours on Saturdays and not at all on Sundays or public holidays. Deviation from these times shall 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 properties in the vicinity.

7. (a) The proposed effluent treatment and disposal system shall be located, constructed and maintained in accordance with the details submitted to the planning authority and in accordance with the requirements of the document entitled 'EPA Code of Practice for Domestic Waste Water Treatment Systems (2021)'. Arrangements in relation to the ongoing maintenance of the system shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

- (b) Within three months of the first occupation of the dwelling, the developer shall submit a report from a suitably qualified person with professional indemnity insurance certifying that the proprietary effluent treatment system has been installed and commissioned in accordance with the approved details and is working in a satisfactory manner in accordance with the standards set out in the EPA document.

Reason: In the interest of public health.

8. Prior to commencement of development, the developer shall enter into a connection agreement (s) with Uisce Éireann to provide for a service connection(s) to the public water supply network.

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

9. Surface water from the site shall not be permitted to drain onto the adjoining public road.

Reason: In the interest of traffic safety.

10. All public service cables for the proposed development, including electrical and telecommunications cables, shall be located underground throughout the site.

Reason: In the interest of visual amenity.



11. 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.



Mick Long

Member of An Bord Pleanála

**duly authorised to authenticate
the seal of the Board.**

Dated this 14th day of April 2025.