



An
Bord
Pleanála

Board Order ABP-321702-25

Planning and Development Acts 2000 to 2022

Planning Authority: Meath County Council

Planning Register Reference Number: 24/60699

Appeal by Fred Logue of 7 Riverside Cottages, Julianstown, County Meath against the decision made on the 19th day of December, 2024 by Meath County Council to grant permission, subject to conditions, to Leonard Price Developments Limited care of Conor Price of Wilkinstown, Navan, County Meath for the proposed development.

Proposed Development: (1) Demolition of an existing boundary including retaining wall and gateway and (2) the construction of 10 number dwellings arranged in two number two storey terraces (blocks) on a 0.35 hectare site. The proposed residential development is located within the Architectural Conservation Area Julianstown boundary and includes: two number three bedroom end of terrace dwellings (100 square metres), six number two bedroom mid terrace dwellings (85.5 square metres) and two number two bedroom end of terrace dwellings (85.5 square metres). The proposed development includes 20 number car parking spaces, public and private open spaces including all associated landscaping works, boundary walls and fences. It is proposed that the development is accessed via a new/relocated entrance directly from Julianstown Main Street. Permission is also sought for necessary roads, footpaths, public lighting, surface water, foul water and potable water infrastructural works to connect the scheme to the existing mains services and public roads together with all associated site and development works as revised by further public

notices received by the planning authority on the 28th day of November, 2024 at Smithstown, Julianstown, 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 nature, scale and design of the proposed development; to the site which is located within the Julianstown Architectural Conservation Area; and to the existing and permitted pattern of development in the area, including Protected Structures in the area, it is considered that the proposed development will accord with the policies and objectives of the Meath County Development Plan 2021-2027, including the 'A2 New Residential' land use zoning objective for the area, Policies HER POL 19 in relation to Architectural Conservation Areas, and RD POL 38 in relation to public safety and traffic hazard. The Board considered that the proposed development would, subject to compliance with conditions set out below, preserve, protect and positively contribute to the character and appearance of the Julianstown Architectural Conservation Area, would positively contribute to the consolidation of Julianstown village centre, and would not impact unduly on residential amenities, traffic or public health. It is considered therefore, that the proposed development would be in accordance with the proper planning and sustainable development of the area.

Appropriate Assessment Screening:

The Board noted that the proposed development is not directly connected with or necessary to the management of any European Site. In completing the screening for appropriate assessment, the Board accepted and adopted the screening assessment and conclusions reached in the inspector's report. This assessment identified the relevant European Sites that could potentially be affected by the

proposed development, namely the River Nanny Estuary and Shore Special Protection Area (site code 004158) and the North West Irish Sea Special Protection Area (site code 004236) and evaluated the potential for likely significant effects, either individually or in combination with other plans or projects, on these sites in view of their conservation objectives. The Board is satisfied that the proposed development, either alone or in combination with other plans or projects, would not be likely to have a significant effect on any European Site, in view of the sites' conservation objectives.

Environmental Impact Assessment (EIA) Screening:

The Board accepted and adopted the Environmental Impact Assessment screening assessment and conclusions reached in the Inspector's report. Having regard to the characteristics and location of the development and the types and characteristics of potential impacts, the Board considered that there is no likelihood of significant effects on the environment. Environmental Impact Assessment is not therefore required.

Conditions

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application, as amended by the further plans and particulars received by the planning authority on the 18th day of November 2024, 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 dwellings shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. The materials and finishes to the front elevation shall be natural stone or render. Roof finish shall be natural slate, either reclaimed or new natural slate. Windows, doors, and other external joinery on the building shall be timber or a composite metal; uPVC shall not be used.

Reason: In the interest of visual amenity, to ensure an appropriate high standard of development and to protect the character and setting of the Julianstown Architectural Conservation Area.

3. Prior to commencement of development, the developer shall submit to, and agree in writing with, the planning authority, a revised site layout plan and detailed proposals (where required by the planning authority) demonstrating the following:
 - (a) The existing boundary wall along the eastern boundary of the site shall be removed and set back at least three metres from the edge of the road. A footpath shall be provided between the road and the new boundary wall. The existing boundary wall shall be reconstructed in the revised location using, in so far as is possible, the stone from the existing boundary wall or a similar natural stone (and subject to the requirements of condition number 4 hereunder).
 - (b) Full details of the materials for the reconstruction of the wall.
 - (c) A turning area for a refuse truck in accordance with the "Recommendations for Site Development Works for Housing Areas".
 - (d) The provision of tactile paving at all pedestrian crossing points.
 - (e) The provision of EV charging facilities to serve the development.

Reason: In the interest of traffic safety.

4. Prior to the commencement of development on the existing roadside boundary wall the developer shall submit to, and agree in writing, with the planning authority, a specification and method statement of all works to this wall, the works shall be carried out in accordance with good conservation practice.

Reason: In the interest of the protection of architectural heritage and to protect the character and setting of Julianstown Architectural Conservation Area.

5. The following shall be complied with:
 - (a) All entrance doors in the external envelope shall be tightly fitting and self-closing.
 - (b) All windows and rooflights shall be double glazed and tightly fitting.
 - (c) Noise attenuators shall be fitted to any openings required for ventilation or air conditioning purposes.

Reason: To protect the residential amenity of future occupiers of the dwellings.

6. Public lighting shall be provided in accordance with a scheme which shall be submitted to, and agreed in writing with, the planning authority prior to the commencement of development. Such lighting shall be provided prior to the making available for occupation of any residential unit.

Reason: In the interest of amenity and public safety.

7. The developer shall engage a suitably qualified (licensed eligible) archaeologist to monitor (licensed under the National Monuments Acts) all site clearance works, topsoil stripping, groundworks, dredging and/or the implementation of agreed preservation in-situ measures associated with the development. Prior to the commencement of such works the archaeologist shall consult with and forward to the Local Authority archaeologist or the NMS as appropriate a method statement for written agreement. The use of appropriate tools and/or machinery to ensure the preservation and recording of any surviving

archaeological remains shall be necessary. Should archaeological remains be identified during the course of archaeological monitoring, all works shall cease in the area of archaeological interest pending a decision of the planning authority, in consultation with the National Monuments Service, regarding appropriate mitigation.

- (a) The developer shall facilitate the archaeologist in recording any remains identified. Any further archaeological mitigation requirements specified by the planning authority, following consultation with the National Monuments Service, shall be complied with by the developer.
- (b) Following the completion of all archaeological work on site and any necessary post-excavation specialist analysis, the planning authority and the National Monuments Service shall be furnished with a final archaeological report describing the results of the monitoring and any subsequent required archaeological investigative work/excavation required. All resulting and associated archaeological costs shall be borne by the developer.

Reason: To ensure the continued preservation [either in situ or by record] of places, caves, sites, features or other objects of archaeological interest.

- 8. The attenuation and 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: In the interest of public health.

- 9. Prior to the commencement of development the developer shall enter into a connection agreement(s) with Uisce Éireann (Irish Water) to provide for a

service connection(s) to the public water supply and wastewater collection network.

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

10. All service cables associated with the proposed development (such as electrical, telecommunications and communal television) shall be located underground. Ducting shall be provided by the developer to facilitate the provision of broadband infrastructure within the proposed development. All existing over ground cables shall be relocated underground as part of the site development works.

Reason: In the interests of visual and residential amenity.

11. The management and maintenance of the proposed development following its completion shall be the responsibility of a legally constituted management company, or by the local authority in the event of the development or parts of the development being taken in charge. Detailed proposals in this regard shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: To ensure the satisfactory completion and maintenance of this development.

12. Proposals for an estate/street name, house numbering scheme and associated signage shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. Thereafter, all estate and street signs, and house numbers, shall be provided in accordance with the agreed scheme. The proposed name(s) shall be based on local historical or topographical features, or other alternatives acceptable to the planning authority. No advertisements/marketing signage relating to the name(s) of the development

shall be erected until the developer has obtained the planning authority's written agreement to the proposed name(s).

Reason: In the interest of urban legibility and to ensure the use of locally appropriate placenames for new residential areas.

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 noise and dust management measures and off-site disposal of construction/demolition waste.

Reason: In the interest of public safety and amenity.

14. A detailed construction traffic management plan shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. The plan shall include details of arrangements for routes of construction traffic, parking during the construction phase, the location of the compound for storage of plant and machinery and the location for storage of deliveries to the site.

Reason: In the interest of traffic safety and convenience.

15. 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 amenity of property in the vicinity.

16. Prior to commencement of development, the applicant or other person with an interest in the land to which the application relates shall enter into an

agreement in writing with the planning authority [in relation to the transfer of a percentage of the land, to be agreed with the planning authority, in accordance with the requirements of section 94(4) and section 96(2) and 96(3)(a), (Part V) of the Planning and Development Act 2000, as amended, and/or the provision of housing on lands in accordance with the requirements of section 94(4) and section 96(2) and 96(3) (b), (Part V) of the Planning and Development Act 2000, as amended], unless an exemption certificate has been granted under section 97 of the Act, as amended. Where such an agreement cannot be reached between the parties, the matter in dispute (other than a matter to which section 96(7) applies) shall be referred by the planning authority or any other prospective party to the agreement, to An Bord Pleanála for determination.

Reason: To comply with the requirements of Part V of the Planning and Development Act 2000, as amended, and of the housing strategy in the development plan for the area.

17. The following shall be complied with:

- (a) Prior to the commencement of the development as permitted, the applicant or any person with an interest in the land shall enter into an agreement with the planning authority (such agreement must specify the number and location of each house or duplex unit), pursuant to Section 47 of the Planning and Development Act 2000, that restricts all relevant residential units permitted, to first occupation by individual purchasers i.e. those not being a corporate entity, and/or by those eligible for the occupation of social and/or affordable housing, including cost rental housing.
- (b) An agreement pursuant to Section 47 shall be applicable for the period of duration of the planning permission, except where after not less than two years from the date of completion of each specified housing unit, it is demonstrated to the satisfaction of the planning authority that it has not been possible to transact each of the residential units for use by individual

purchasers and/or to those eligible for the occupation of social and/or affordable housing, including cost rental housing.

- (c) The determination of the planning authority as required in (b) shall be subject to receipt by the planning and housing authority of satisfactory documentary evidence from the applicant or any person with an interest in the land regarding the sales and marketing of the specified housing units, in which case the planning authority shall confirm in writing to the applicant or any person with an interest in the land that the Section 47 agreement has been terminated and that the requirement of this planning condition has been discharged in respect of each specified housing unit.

Reason: To restrict new housing development to use by persons of a particular class or description in order to ensure an adequate choice and supply of housing, including affordable housing, in the common good.

18. 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 of roads, footpaths, watermains, drains, 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 of any part of the development. The form and amount of the security shall be as agreed between the planning authority and the developer or, in default of agreement, shall be referred to An Bord Pleanála for determination.

Reason: To ensure the satisfactory completion of the development.

19. 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 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.



Tom Rabbette

Member of An Bord Pleanála

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

Dated this 20th day of May 2025