

An
Coimisiún
Pleanála

Commission Order
ABP-321747-25

Planning and Development Act 2000, as amended

Planning Authority: Meath County Council

Planning Register Reference Number: 24/60317

Appeal by Fergus Carey of Littlewood Lodge, Kilbrew, Curragha, Ashbourne, County Meath and by others against the decision made on the 10th day of January, 2025 by Meath County Council to grant subject to conditions a permission to Star Stone Property Investments Limited care of Hughes Planning and Development Consultants Limited of 85 Merrion Square, Dublin in accordance with plans and particulars lodged with the said Council.

Proposed Development: Construction of two additional storeys providing four number new residential apartments and 39 number new short-term tourist-letting accommodation units. Works also include limited rearrangement and change of use of some of the existing accommodation on the floors below. The following is a detailed floor by floor description of the development: At ground floor: internal alterations to Unit 8-10 Killelland Street, including enlargement of Unit 10 and reduction of Units 8/9, proposed new windows and to the rear of Units 9/10, ventilation unit and louvred screen to the rear of Units 10/11 and proposed retention of the subdivision of two number units (Unit 5 and 6 Killelland Street) into four number units (Unit 5, 5A, 6 and 6A Killelland Street). At first floor: change of use of Units 5-11

Killegland Street from retail/gym to short-term tourist letting accommodation and all associated internal alterations. Proposed enlargement of existing south and west-facing wrap around balcony to provide additional private amenity space for two number residential apartments - Apartment 1 and Apartment 2 The Square, Killegland Street. At second floor: partial change of use of existing gym to short-term tourist letting accommodation and all associated internal alterations. Proposed new south and west-facing wrap around balcony for existing gym studios in Unit 12 Killegland Street. At third floor: proposed new extension above Units 5-11 for short-term tourist letting accommodation. Proposed new south and west-facing wrap around balcony to provide two number private amenity spaces for two number existing residential apartments - Apartment 3 and Apartment 4, The Square, Killegland Street. At fourth floor: proposed new extension above Units 5-12 for short-term tourist letting accommodation and support facilities and two number proposed new residential apartments and circulation and new south and west-facing wrap around balcony to provide two number private amenity spaces above existing apartments, The Square, Killegland Street. At fifth floor: proposed new extension above Unit 12 for two number proposed new residential apartments and circulation and new south and west-facing wrap around balcony to provide two number private amenity spaces above existing apartments, The Square, Killegland Street. Alterations to existing front, side and rear elevations, including removal of false balconies and new windows/glazing. Allocation of nine number car parking spaces for four number apartments, all at Apartments 1-4, The Square, Units 5-12 and Level 1.0/Level 1.5 of the existing multi-storey car park, Killegland Street, Ashbourne, County Meath, as revised by the further public notices received by the planning authority on the 5th day of December, 2024.

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 Centre' zoning of the site in the Meath County Development Plan 2021 – 2027 (as varied), which permits in principle guest house/hotel uses as well as new residential development, Policy ED POL 64 of the Meath County Development Plan 2021 – 2027 (as varied), which seeks to facilitate the development of a variety of quality tourist accommodation tourist types at suitable locations throughout the County, and having regard to the nature, design and layout of the proposed development, it is considered that, subject to compliance with the conditions set out below, the proposed development would be acceptable in terms of standard of residential amenity, car parking provision, achieving town centre compact growth, expansion of the variety of tourist accommodation in Ashbourne town centre, would not seriously injure the amenities of the area, and would be in accordance with the provisions of the Meath County Development Plan 2021-2027 and the Sustainable Urban Housing: Design Standards for New Apartments Guidelines for Planning Authorities (2023). 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, as amended by the further plans and particulars received by the planning authority on the 19th 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 proposed development shall be carried out and completed in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. The development hereby permitted is for four number residential apartments and 39 number short-term tourist-letting accommodation units as illustrated on the plans lodged with the planning authority. The four number residential apartments shall be used and occupied as individual units for residential purposes and shall not be sub-divided or used for any commercial purpose, including short-term letting, without a prior grant of planning permission.

Reason: In the interest of clarity and to ensure the maintenance of a residential community.

3. The 39 number short-term tourist-letting accommodation units shall be restricted to visitor stays of a maximum of 14 consecutive days. Prior to commencement of development, the developer shall enter into an agreement with the planning authority pursuant to section 47 of the Planning and Development Act 2000, as amended, providing that the occupancy of the 39 number short-term tourist-letting accommodation units shall be restricted to tourist stays up to a maximum of a two-week period for each stay.

Reason: To ensure that the proposed development is used as specified in the submitted plans in the interest of proper planning and sustainable development.

4. The disposal of surface water, including SuDS measures, shall comply with the requirements of the planning authority for such works and services. Prior to 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 interest of sustainable drainage.

5. 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 and/or wastewater collection network.

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

6. The management and maintenance of the proposed development following its completion shall be the responsibility of a legally constituted management company. 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 the development.

7. 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.

Reason: In the interest of visual and residential amenity.

8. (a) External finishes of the proposed development shall harmonise with those of the existing structures on site in respect of colour and texture.
- (b) 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.

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

9. Proposals for an apartment numbering scheme and associated signage shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. Thereafter, all street signs, and apartment numbers, shall be provided in accordance with the agreed scheme. 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.

10. 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 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 property in the vicinity.

11. A Construction and Environmental Management Plan (CEMP) shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. The CEMP shall include, but not be limited to, construction phase controls for dust, noise and vibration, waste management, protection of soils, groundwaters, and surface waters, site housekeeping, emergency response planning, site environmental policy, and project roles and responsibilities.

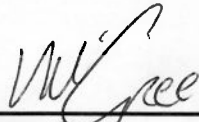
Reason: In the interest of environmental protection, residential amenities, public health and safety and environmental protection.

12. A plan containing details for the management of waste (and, in particular, recyclable materials) within the development, including the provision of facilities for the storage, separation and collection of the waste and, in particular, recyclable materials within each duplex and apartment unit 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.

13. 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 Coimisiún 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.



Liam McGree

**Planning Commissioner of An Coimisiún
Pleanála duly authorised to authenticate
the seal of the Commission.**



Dated this 2nd day of DECEMBER 2025.