

An  
Coimisiún  
Pleanála

Commission Order  
ABP-322327-25

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## Planning and Development Acts 2000 to 2022

**Planning Authority: Meath County Council**

**Planning Register Reference Number: 25/60096**

**Appeal** by Gerard Clarke of Trevet Grange, Dunshaughlin, County Meath against the decision made on the 28<sup>th</sup> day of March, 2025 by Meath County Council to grant subject to conditions a permission to John Clarke care of Vinny O'Reilly of Old Ross Road, Skyrne, County Meath in accordance with plans and particulars lodged with the said Council.

**Proposed Development:** Construction of a single storey detached dwelling and domestic garage, new domestic entrance onto public road, septic tank and percolation area, landscaping and all associated works, all at Trevet, Grange, Dunshaughlin, 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 and character of the proposed development, the applicant's compliance with Policy RD POL1 of the Meath County Development Plan 2021-2027, which seeks to ensure that individual house developments in rural areas satisfy the housing requirements of persons who are an intrinsic part of the rural community in which they are proposed, subject to compliance with normal planning criteria, it is considered that, subject to compliance with the conditions set out below, the proposed development would be in accordance with the policies and objectives of the Meath County Development Plan 2021-2027, would not negatively impact on the visual or residential amenities of the area, and would, therefore, be in accordance with the proper planning and sustainable development of the area.

In deciding not to accept the Inspector's recommendation to refuse permission, the Commission considered that, subject to standard conditions in relation to setting back of the roadside boundary and recessing of the vehicular entrance to the site, adequate sightlines could be achieved having regard to the nature of the cul-de-sac which would provide access to the site. The Commission noted the set back of the boundaries that already exists to the houses on either side of the site, the sightlines as illustrated by the applicant, and the acceptance by the planning authority's Transportation Department of the proposed vehicular access arrangements.

## 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 to meeting essential local need in the interest of the proper planning and sustainable development of the area.

3. (a) The developer shall provide and maintain unobstructed sightlines of 90 metres to the nearside edge of the road from a setback of 2.4 metres, in accordance with TII document DN-GEO-03060, from the entrance. The nearside road edge shall be visible over the entire sight distance.
- (b) The developer shall remove the entire roadside boundary hedge and set it back at least three metres from the existing road edge. A grass verge, at least three metres in width, shall be provided and maintained free of any obstruction between the edge of the road and the new site boundary.
- (c) The entrance layout shall comply with the Meath Rural Design Guide. The face of the entrance piers shall be at least three metres from the edge of the road and the entrance gate shall be recessed at least seven metres from the edge of the road.
- (d) Road drainage shall be provided in compliance with the Department of Transport 'Guidelines for Road Drainage - 2nd Edition, 2022'. Any drainage pipe installed shall be at least 300 millimetres in diameter and in any case be no less than the nearest downstream pipe diameter.

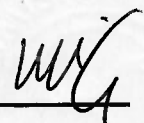
**Reason:** In the interest of traffic safety and orderly development.

4. (a) The septic tank/wastewater treatment system hereby permitted shall be installed in accordance with the recommendations included within the site characterisation report submitted with the application and shall be in accordance with the standards set out in the document entitled "Code of Practice - Domestic Waste Water Treatment Systems (Population Equivalent  $\leq 10$ )" – Environmental Protection Agency, 2021.
- (b) Treated effluent from the septic tank/wastewater treatment system shall be discharged to a percolation area/polishing filter which shall be provided in accordance with the standards set out in the document entitled "Code of Practice - Domestic Waste Water Treatment Systems (Population Equivalent  $\leq 10$ )" – Environmental Protection Agency, 2021.
- (c) Within three months of the first occupation of the dwelling, the developer shall submit a report to the planning authority from a suitably qualified person (with professional indemnity insurance) certifying that the septic tank/wastewater treatment system and associated works is constructed and operating in accordance with the standards set out in the Environmental Protection Agency document referred to above.

**Reason:** In the interest of public health and to prevent water pollution.

5. 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.



6. The disposal of surface water 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.

7. The site shall be landscaped in accordance with a comprehensive scheme of landscaping, details of which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This scheme shall include the following:

- (a) A plan to scale of not less than 1:500 showing the species, variety, number, size and locations of all proposed trees and shrubs, which shall comprise predominantly native species such as mountain ash, birch, willow, sycamore, pine, oak, hawthorn, holly, hazel, beech or alder.
- (b) A timescale for implementation.

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 residential and visual amenity.

8. Site development and building works shall be carried out only between the hours of 0700 to 1900 Mondays to Fridays, inclusive; between 0800 to 1300 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 agreement has been received from the planning authority.

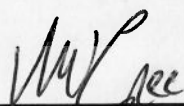
**Reason:** To safeguard the amenity of property in the vicinity.

9. All service cables associated with the proposed development (such as electrical, telecommunications and communal television) shall be located underground.

**Reason:** In the interest of visual and residential amenity.

10. 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 6<sup>th</sup> day of AUGUST 2025.