



An
Coimisiún
Pleanála

**Commission Order
ABP-322965-25**

Planning and Development Act 2000, as amended

Planning Authority: Meath County Council

Planning Register Reference Number: 2560397

Appeal by Mary Sadlier of Tatestown, Navan, County Meath against the decision made on the 10th day of June by Meath County Council to grant, subject to conditions, a permission to Alan Cahill 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: The development will consist of the Permission Consequent on the grant of outline permission Ref No 212133 for the construction of a new detached residential dwelling with domestic garage, proprietary wastewater treatment system and percolation area, new site entrance from road to enter the site including any necessary pruning of existing hedgerows, landscaping and all ancillary site works, at Tatestown, Navan, 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 'RA' 'Rural' zoning which applies to the subject lands under the Meath County Development Plan 2021-2027, under which residential development is acceptable subject to compliance with the requirements of the plan, the applicant has adequately demonstrated through an Outline Permission under planning authority reference 21/2133 that they comply with the criteria outlined under Section 9.4 of the development plan. The proposed house is considered to be visually acceptable, will provide a good quality of residential amenity whilst ensuring that existing residential amenity is protected. A suitable waste water treatment system is proposed, and which will ensure that existing properties are not impacted. No traffic or environmental issues of concern arise from the proposed development.

Therefore, subject to the conditions set out below, the proposed development would be an appropriate form of development on this infill site, would align with the policies and objectives of the Meath County Development Plan 2021-2027 and National Planning Guidance, would not seriously injure the visual amenities of the area, by reasons of design, height and form, would not seriously injure the amenities of adjoining residential property in the vicinity by reason of site works, overshadowing or overbearing, 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 development shall be carried out and completed in accordance with the plans and particulars lodged with the application to the local authority on the 22nd day of April 2025, 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. All relevant conditions attached to the grant of outline planning permission associated with the subject site, planning authority register reference 21/2133 refers, shall be strictly adhered to.

Reason: In the interests of residential amenity.

3. (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 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.

4. 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.

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

5. The proposed garage shall not be used for human habitation or for the keeping of livestock, poultry, pigs, horses or ponies and shall not be used for any purpose other than a purpose incidental to the enjoyment of the house. The finishing of the garage shall match that of the dwelling house.

Reason: In the interest of clarity and in the interest of the proper planning and sustainable development of the area.

6. 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.
 - (b) Any gate to be installed shall be inwards opening only and shall not open out onto the public road.

Reason: In the interest of traffic and pedestrian safety.

7. 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.

8. 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 and public holidays. Deviation from these times will 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.

9. That all necessary measures be taken by the contractor to prevent the spillage or deposit of clay, rubble, or other debris on adjoining roads during the course of the works.

Reason: To protect the amenities of the area.

10. (a) The septic tank/wastewater treatment system hereby permitted shall be installed in accordance with the recommendations included within the soil characterisation and site suitability report submitted with this 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 ≤ 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 ≤ 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

11. 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 network.

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

12. Drainage arrangements, including the attenuation and disposal of surface water, shall comply with the requirements of the planning authority for such works and services.

Reason: In the interest of public health and surface water management.

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

Reason: In the interest of visual amenity.

14. 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 Coimisiún 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.

Eamonn James Kelly

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Planning Commissioner of An Coimisiún

**Pleanála duly authorised to authenticate
the seal of the Commission.**



Dated this *20th* day of *October*, 2025