



An  
Coimisiún  
Pleanála

Commission Order

ACP-323620-25

**Planning and Development Act 2000, as amended**

**Planning Authority: Meath County Council**

**Planning Register Reference Number: 25/60472**

**Appeal** by Barry McGann against the decision made on the 18<sup>th</sup> day of August, 2025 by Meath County Council to grant subject to conditions a permission to Shane McGann in accordance with plans and particulars lodged with the said Council.

**Proposed Development:** New proposed storey-and-a-half style dwelling, opening of a new vehicular entrance to the site including new laneway/right of way to access the agricultural land to the rear of the site and connection to the existing public services together with all associated site development works at Boycetown, Kiltale, 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.**

EJK

## **Reasons and Considerations**

Having regard to the location of the site on lands zoned 'RN – Rural Node' with the objective 'To provide for small-scale infill development, including community facilities and supporting services serving local needs while maintaining the rural nature of the node', the planning policies, objectives and development standards of the Meath County Development Plan 2021-2027, specifically Section 9.3 (Rural Area Types), Section 9.4 (Persons who are an Intrinsic Part of the Rural Community), Section 9.6 (Rural Residential Development Design and Siting Consideration) and Section 9.16 (Roadside Boundaries), Appendix 13 (Rural Design Guides), Objective RD OBJ 9 (Rural Nodes), and Policies HER POL 37 (Woodlands, Hedgerows and Trees) and RD POL 41 (Roadside Boundaries), the nature, scale and design of the proposed development relative to adjoining dwellings, and the existing pattern of development in the wider area, it is considered that, subject to compliance with the conditions set out below, the proposed development would be an acceptable form of development at this location, would not seriously injure the amenities of adjoining properties, and 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 27<sup>th</sup> day of July, 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 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. 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.

4. (a) Existing hedgerows, trees and shrubs on site shall be preserved except where required to be removed to facilitate the proposed entrance and to comply with condition number 5 below.
- (b) The developer shall carry out landscaping and boundary treatments as per the submitted plans and particulars received by the planning authority on the 10<sup>th</sup> day of May, 2025 and the 27<sup>th</sup> day of July, 2025.
- (c) Landscaping shall commence no later than the first planting season following commencement of development on site.

(d) Any trees or hedges 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 biodiversity and the visual amenities of the area.

5. (a) Prior to commencement of development, details of the proposed boundary to the L-6202 local road and access point shall be submitted for the written agreement of the planning authority.

(b) Site access arrangements and the provision and maintenance of visibility splays shall comply with the requirements of the planning authority for such works.

**Reason:** In the interest of road safety.

6. The developer shall ensure that the proposed development is served by adequate water supply and/or wastewater facilities and 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 prior to commencement of development.

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

7. 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 public health.

8. (a) Where deemed necessary by the ESB, the existing overhead electrical cable which traverses the site shall be relocated underground at the developer's expense. This work shall be carried out and completed to the requirements of the relevant utility company.
- (b) All public service cables for the proposed development, including electrical and telecommunications cables and associated equipment, shall be located underground throughout the site.

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

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

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.

Eamonn James Kelly

Eamonn James Kelly

Planning Commissioner of An Coimisiún

Pleanála duly authorised to authenticate  
the seal of the Commission.

Dated this 15<sup>th</sup> day of January, 2026.

