

An
Coimisiún
Pleanála

Commission Order

ACP-324077-26

(Formerly ABP-307457-20)

Planning and Development Act 2000, as amended

Planning Authority: Meath County Council

Planning Register Reference Number: AA190862

APPEAL by Rybo Partnership against the decision made on the 2nd day of June 2020, by Meath County Council to refuse permission for the proposed development.

Proposed Development: Construction of three number apartment blocks. Each block will be three storeys high plus a penthouse and will contain nine number two bed and one number three bed apartments. Total number of apartments will be 30 number. Planning is also sought for 30 number parking spaces, external bicycle shelter, bin storage areas along with and all associated site works all at Southern-Most Point of Millbourne Avenue, South of Millbourne Drive, Millbourne, Ashbourne, County Meath.

Decision

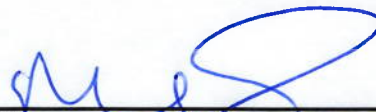
REFUSE permission for the above proposed development in accordance with the reasons and considerations set out below.

Reasons and Considerations

Having regard to the nature and scale of the proposed development comprising 30 apartments in three number four storey blocks, the provisions of the Meath County Development Plan 2021-2027, including the F-1 (Open Space) zoning of the subject site, with an objective to provide for and improve open spaces for active and passive recreational activities, and having regard to the planning history of the subject site, and the pattern of development in the vicinity, it is considered that the proposed development would constitute a material contravention of the land use zoning objective of the subject site, and would, therefore, be contrary to the proper planning and sustainable development of the area.

The Commission considered the provisions of section 37(2) of the Planning and Development Act 2020, as amended, and considered whether it would be appropriate, on the facts of the matter, to decide to grant permission for the proposal, notwithstanding that it would materially contravene the development plan. The Commission noted from the planning history of the area, that the plans and particulars which accompanied planning permission reference DA/30422, included a Landscape Masterplan which identified the subject site as "Temporary Open Space until strategic open space lands become available or acquired by the Department of Education or other as a school site". The Commission considered the specified condition, which anticipated the cessation of the use of the subject site as temporary open space and noted the absence of evidence that this condition had been satisfied, because the information on file did not confirm that the subject site had been acquired by the Department of Education or other as a school site, or that strategic open space lands had become available.

In evaluating the current proposal the Commission did not consider itself to be fettered by planning permission reference DA/30422, but, having regard to the totality of the information available on the appeal file, the Commission determined, on the facts of the matter, that it would not be appropriate to grant permission pursuant to section 37(2) of the Planning and Development Act 2020, as amended, because a material contravention of the land use zoning of the subject site would not be justified.



MaryRose McGovern

Planning Commissioner of An Coimisiún

Pleanála duly authorised to authenticate

the seal of the Commission.



Dated this *22nd* day of *June* 2026.