



An
Coimisiún
Pleanála

Commission Order
PL-500770-MH-26

Planning and Development Act 2000, as amended

Planning Authority: Meath County Council

Planning Register Reference Number: 25/60373

Appeal by Imelda Kiernan against the decision made on the 16th day of January, 2026 by Meath County Council to grant subject to conditions a permission to Kenny Timmons in accordance with plans and particulars lodged with the said Council:

Proposed Development: Demolition of a detached two-storey derelict building to the rear and the erection of a part two-storey, part single storey extension to the rear of existing two-storey building comprising shop and dwelling which is a protected structure also, to include for connections to public services, private parking and all ancillary and associated site works, all at Farrell Street, Kells, County Meath, as revised by the further public notice received by the planning authority on the 11th day of December, 2025.

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:

- (a) the nature and scale of the proposed development;
- (b) the consideration of main grounds of appeal and observations in relation to the proposed development;
- (c) the planning application particulars submitted by the applicant, including the response to further information and the submissions in response to the grounds of appeal;
- (d) the provisions of the Meath County Development Plan 2021 – 2027;
- (e) the “Architectural Heritage Protection Guidelines for Planning Authorities”, issued by the Department of Arts, Heritage and the Gaeltacht (as updated in October, 2022); and
- (f) the report and recommendation of the Planning Inspector,

it is considered that the proposed development does not impact negatively on amenity of neighbouring residential properties owing to the nature and scale of development on zoned lands. It is considered that the conversion of existing outbuilding for use as apartment living accords with HER POL 15 and HER POL 16 of the Meath County Development Plan 2021 – 2027 in relation to the conservation and protection of Protected Structures. The proposed development when complete, will support town centre living in traditional buildings. Having regard to the policy framework, as set out in Section 8.7 - Architectural Heritage Section of the Meath County Development Plan 2021 – 2027, as varied, it is considered that the proposed development represents an appropriate and balanced conservation-led redevelopment of the site.

Conditions

1. The 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 28th day of November 2025 and the 11th day of December 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. This grant of planning permission permits the development as amended in the plans and particulars received by the planning authority on the on the 28th day of November 2025. It does not permit the demolition of the detached two-storey building/outbuilding and associated archway connecting to the rear of the shop (the Protected Structure) on the site.

Reason: In the interests of clarity and architectural heritage protection.

3. Prior to the commencement of development on the Protected Structure to facilitate the single storey shop extension to its rear, and prior to the commencement of works on the two-storey outbuilding to facilitate the development of two number apartments in this building, samples of all materials to be used and details of proposed works to these structures shall be submitted for the written agreement of the planning authority, and all works shall be carried out in accordance with this written agreement. In the event of agreement not being reached between the developer and the planning authority, the matter may be referred to An Coimisiún Pleanála for determination, and all works shall be carried out in accordance with any determination made resulting from such referral.

Reason: In the interest of the protection of architectural heritage in accordance with the provisions of the “Architectural Heritage Protection Guidelines for Planning Authorities.”

4. The area of open space to the rear of the site shall be dedicated as communal open space to serve the two number apartments proposed in the restored two-storey outbuilding. Landscape proposals for this area shall be submitted to, and agreed in writing with, the planning authority prior to commencement of the proposed development and the apartments shall not be occupied pending the implementation of the agreed landscaping scheme.

Reason: To provide for appropriate area of communal space to serve the residential units hereby permitted.

5. Obscure glazing shall not be used in the window openings serving habitable rooms in the two number apartments in the restored two-storey outbuilding.

Reason: In the interests of clarity, to ensure an appropriate standard of residential amenity for the future occupiers of these apartments and to clarify that such obscure glazing to the existing window and door openings is unwarranted as there is no undue overlooking arising of neighbouring properties from these existing openings.

6. 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 interests of public health and surface water management.

7. Prior to the commencement of development the developer shall enter into Connection Agreement(s) with Uisce Éireann (Irish Water) to provide for 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.

8. The developer shall engage a suitably qualified (licensed eligible) archaeologist to monitor (licensed under the National Monuments Acts) all site clearance works, topsoil stripping, groundworks, dredging and/or the implementation of agreed preservation in-situ measures associated with the development. Prior to the commencement of such works the archaeologist shall consult with, and forward to, the planning authority's archaeologist or the National Monuments Service, as appropriate, a method statement for written agreement. The use of appropriate tools and/or machinery to ensure the preservation and recording of any surviving archaeological remains shall be necessary.

Should archaeological remains be identified during the course of archaeological monitoring, all works shall cease in the area of archaeological interest pending a decision of the planning authority, in consultation with the National Monuments Service, regarding appropriate mitigation (preservation in-situ/excavation).

The developer shall facilitate the archaeologist in recording any remains identified. Any further archaeological mitigation requirements specified by the planning authority, following consultation with the National Monuments Service, shall be complied with by the developer. Following the completion of all archaeological work on site and any necessary post-excavation specialist analysis, the planning authority and the National Monuments Service shall be furnished with a final archaeological report describing the results of the monitoring and any subsequent required archaeological investigative work/excavation required. All resulting and associated archaeological costs shall be borne by the developer.

Reason: To ensure the continued preservation of places, caves, sites, features or other objects of archaeological interest.

9. The construction of the development shall be managed in accordance with a Construction Management Plan, which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This plan shall provide details of intended construction practice for the development, including:
 - (a) location of the site and materials compound(s) including area(s) identified for the storage of construction refuse;
 - (b) proposed hours of construction;
 - (c) location of areas for construction site offices and staff facilities;
 - (d) details of site security fencing and hoardings;
 - (e) measures to obviate queuing of construction traffic on the adjoining road network;

- (f) measures to prevent the spillage or deposit of clay, rubble or other debris on the public road network;
- (g) details of appropriate mitigation measures for noise, dust and vibration, and monitoring of such levels;
- (h) containment of all construction-related fuel and oil within specially constructed bunds to ensure that fuel spillages are fully contained. Such bunds shall be roofed to exclude rainwater;
- (i) off-site disposal of construction/demolition waste and details of how it is proposed to manage excavated soil;
- (j) means to ensure that surface water run-off is controlled such that no silt or other pollutants enter local surface water sewers or drains;
- (k) a record of daily checks that the works are being undertaken in accordance with the Construction Management Plan shall be available for inspection by the planning authority; and
- (l) methodology for all repairs including roof repair (how the site shall be accessed).

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

9. A full architectural and photographic survey of the derelict structure for demolition shall be carried out, and drawings and photographs indicating details of these buildings, to a scale acceptable to the planning authority, shall be submitted to the planning authority prior to the commencement of development.

Reason: In order to facilitate the preservation by record and/or recording of the architectural heritage of the site.

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.



Tom Rabbette

Planning Commissioner of An Coimisiún

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

Dated this 15th day of JUNE 2026.