

Teach Buvinda, Bóthar Átha Cliath, An Uaimh, Contae na Mí. C15 Y291
Buvinda House, Dublin Rd., Navan, Co.Meath. C15 Y291

Planning & Development Act 2000 – 2023
NOTIFICATION OF DECISION

TO: Ballivor Devco I Limited
Hughes Planning
85 Merrion Square South
Dublin 2
Co. Dublin
D02 FX60

REFUSAL

PLANNING REGISTER NUMBER: 26/60700
APPLICATION RECEIPT DATE: 08/06/2026
FURTHER INFORMATION DATE:

In pursuance of the powers conferred upon them by the above-mentioned Act, Meath County Council has by Order dated 31/07/2026 decided to **REFUSE PERMISSION** to the above named for development of land in accordance with the documents submitted namely: (i) A residential scheme comprising the construction of 4 no. two-storey two-bedroom dwellings. Each dwelling is served by private amenity space to the rear and 2 no. on-curtilage car parking spaces. Vehicular access to the dwellings will be from Hazelwood; (ii) the provision of new road services and footpaths with access to the development site provided from Hazelwood through the existing permitted road network in 'The Hollies' Residential development to the east as approved under Meath County Council Reg. Ref. 21387; and (iii) all ancillary works necessary to facilitate the development inclusive of revised open space layout, landscaping, boundary treatments and SuDS drainage - at Lands featuring as part of 'The Hollies', residential development, Athboy Road, Ballivor, Co. Meath, for the 3 reasons set out in the Schedule hereto.

DATE: 31/07/2026



On behalf of Meath County Council

The Planning Authority in deciding this application in accordance with Section 34(3) of the Planning and Development Act 2000-2023, has regard to submissions or observations received in accordance with the Planning and Development Regulations 2001-2025, as amended.

NOTE:

1. Any appeal against a decision of a Planning Authority under Section 34 of the Planning and Development Act, of 2000-2023 may be made to An Coimisiún Pleanála. Any person may appeal **WITHIN FOUR WEEKS** beginning on the date of the decision.
2. Appeals should be addressed to An Coimisiún Pleanála, 64 Marlborough Street, Dublin 1. An appeal by the applicant should be accompanied by this form. **In the case of a third party appeal, the acknowledgement from the Planning Authority of receipt of the submission or observation made by the person to the Planning Authority at application stage should be submitted and the name of the person, particulars of the proposed development and the date of the decision of the Planning Authority should be stated.**

*Personal Data/ Information – If you have submitted personal data relating to your application, this will be destroyed after 1 month of this Notification. If you wish to collect your Personal Data / Information please arrange to collect within 1 month of the date of this Notification. Photographic ID (Passport / Driving Licence) will be required and the Planning Authority must be satisfied with same.

Guide to Fees payable to the Board

- a. Appeal against a decision of a planning authority on a planning application relating to commercial development¹ made by the person by whom the planning application was made, where the application included the retention of development is € 4,500 or € 9,000 if EIA R / NIS involved².
- b. Appeal against a decision of a planning authority on a planning application relating to commercial development¹, made by the person by whom the planning application was made, other than an appeal mentioned at (a) is € 1,500 or € 3,000 if EIA (R) / NIS involved².
- c. Appeal against a decision of a planning authority on a planning application made by the person by whom the planning application was made, where the application included the retention of development, other than an appeal mentioned at (a) or (b) is € 660.
- d. Appeal other than an appeal mentioned at (a), (b), (c) or (f)³ is € 220
- e. Application for leave to appeal is € 110.
- f. Appeal following a grant of leave to appeal € 110.
- g. Any first party appeal solely against contribution conditions under section 48 or 49 of the 2000 Acts 2000 - 2023, attracts a fee of €220 irrespective of the nature of the application

An appeal will be invalid unless accompanied by the appropriate fee and evidence of payment of submission fee to the Planning Authority.

Submissions or observations to An Coimisiún Pleanála by or on behalf of a person (other than the applicant) as regards an appeal made by another person must be submitted within four weeks of receipt of the appeal by An Coimisiún Pleanála and must be accompanied by a fee of € 50.

Footnote

¹ Commercial development includes 2 or more dwellings. See Board's order determining fees and its appeal guide.

² The higher fee applies where an Environmental Impact Assessment Report Statement (EIA R) or Natura Impact Statement (NIS) was submitted to the planning authority under section 172(1) and / or 177T of the 2000 – 2023 Planning Act or article 103(1) of the 2001-2026 Planning Regulations, as amended except where the appeal relates solely to a section 48 / 49 development / supplementary development contribution scheme and/or a special financial contribution. (refer to (g) above).

³ Applies to:- (i) All third party appeals except where the appeal follows a grant of leave to appeal; (ii) First party normal planning appeals (section 37) not involving commercial or unauthorised development, or an EIA R; (iii) All other appeals (non-section 37).

While every care has been taken to ensure the accuracy and completeness of this information, it is the responsibility of any person / body making an appeal to ensure that their appeal is accompanied by the correct fee.

For more information on Appeals you can contact An Coimisiún Pleanála at:

Tel: 01 - 8588100 or LoCall: 1890 275 175

Fax: 01 – 8722684

Email: appeals@pleanala.ie

Web: www.pleanala.ie

Reasons for Refusal

1. Having regard to the zoning objective of the site which is designated as 'A1 Existing Residential', within the Meath County Development Plan 2021-2027, and has a zoning objective 'To protect and enhance the amenity and character of existing residential communities', and the provisions relating to public open space as set out in Section 11.5.11 of the Development Plan and the Sustainable Residential Development and Compact Settlements Guidelines for Planning Authorities, it is considered that the proposed development, by reason of the reduction and loss of existing public open space associated with the adjacent 'The Hollies' development, would constitute a substandard form of development and an overdevelopment of the subject site and would seriously injure the residential amenity of the area and the amenities of the future occupants of the proposed dwellings and the existing and future occupants of 'The Hollies' development.

Furthermore, the application and development description do not include a request for the amendment of Condition Nos. 1 and 5 of Planning Permission Ref. 21/387, which relate to the provision and retention of public open space serving the development, nor do they provide for the inclusion of 'The Hollies' development within the application site by way of an extension of the red line boundary.

In the absence of such information and accompanying planning justification, the Planning Authority is not satisfied that the proposed loss of public open space is acceptable. To grant permission in these circumstances would be contrary to the provisions of the Meath County Development Plan 2021-2027 and the Sustainable Residential Development and Compact Settlements Guidelines for Planning Authorities. The proposed development would therefore be contrary to the proper planning and sustainable development of the area.

2. The Planning Authority is not satisfied, based on the information submitted, that the proposed development provides for a satisfactory access arrangement and internal road layout. In particular, the applicant has failed to demonstrate adequate and unobstructed visibility splays at the proposed priority junction, the proposed junction arrangement is not designed perpendicular to the Hazelwood Estate Road, and the proposed corner radii have not been demonstrated to comply with the principles and standards contained in the Design Manual for Urban Roads and Streets (DMURS).

Furthermore, the proposal fails to provide adequate details in relation to tactile paving, traffic signs and road markings, bin storage and bicycle storage facilities serving the proposed terraced dwellings. In addition, a Stage 1 Road Safety Audit has not been submitted to demonstrate that the proposed development can be accommodated safely. The Planning Authority is therefore not satisfied that the proposed development would provide for adequate pedestrian, cyclist and vehicular safety or a satisfactory standard of residential amenity and, consequently, the proposed development would endanger public safety by reason of traffic hazard and would be contrary to the proper planning and sustainable development of the area.

3. The Planning Authority is not satisfied that the proposed development can be adequately served by an appropriately designed surface water drainage system. The applicant has failed to provide sufficient information in relation to the proposed surface water management strategy, including

details of the proposed flow control device and associated infrastructure, evidence that the required greenfield runoff rate can be achieved, a breakdown of impermeable and permeable areas used in the drainage design, BRE 365 infiltration testing and groundwater level information, a detailed design of the proposed attenuation system, and written confirmation of consent to discharge surface water to the existing drainage network.

In addition, the submitted proposals have not demonstrated compliance with sustainable drainage principles, including the appropriate location of soakaways, the provision of permeable paving, treatment of surface water runoff and pollution control measures.

In the absence of this information, the Planning Authority is not satisfied that the proposed development would not give rise to flooding, pollution, inadequate drainage infrastructure or adverse impacts on adjacent lands and the receiving drainage network. To grant permission in such circumstances would be contrary to Policy INF POL 16 of the Meath County Development Plan 2021-2027, which seeks to ensure that all planning applications for new development have regard to the surface water management policies contained within the Greater Dublin Strategic Drainage Study (GDSDS). The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.