



Board Direction

Ref: 06F.240304

The submissions on this file and the Inspector's report were considered at a Board meeting held on 3rd July, 2012.

The Board decided to make a split decision, to

- (1) grant permission, subject to conditions for the detached agricultural shed and associated site works based on the reasons and considerations marked (1) and subject to the conditions set out below:

and

- (2) refuse permission for the construction of a part one a half storey/part single storey dwelling, new site entrance, proprietary waste water treatment system and associated site works based on the reasons and considerations marked (2) below.

(1) Reasons and Considerations

Having regard to the location in an agricultural area, the scale of the shed which is appropriate to the size of the landholding and which will facilitate the applicant's proposed business operation it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the amenities of the area and would not be prejudicial to public health. The proposed development would therefore be in accordance with the proper planning and sustainable development of the area.

Conditions.

1. The development of the detached agricultural shed 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 submitted An Bord Pleanála on the 12th March, 2012, (in particular the site layout Drawing No C11-07-100) except as may otherwise be required in order to comply with the following conditions.

Reason: In the interest of clarity.

2. All foul effluent and slurry generated by the proposed shed be conveyed through properly constructed channels to the proposed and existing storage facilities and no effluent or slurry shall discharge or be allowed to discharge to any stream, river or watercourse, or to the public road. Slurry generated by the proposed development shall be disposed of by spreading on land, or by other means acceptable in writing to the planning authority. The location, rate and time of spreading (including prohibited times for spreading) and the buffer zones to be applied shall be in accordance with the requirements of the European Communities (Good Agricultural Practice for the Protection of Waters) Regulations, 2009 (SI no. 101 of 2009).

Reason: To ensure the satisfactory disposal of waste material, in the interest of amenity, public health and to prevent pollution of watercourses.

(2) **Reasons and Considerations**

As per the Inspector's Reasons and Considerations.

Note: Having regard to the Housing in the Countryside Settlement Strategy and the provisions regarding Rural Generated Housing Need as set out in the Fingal County Development Plan, 2011-2017 (page 295) the Board is not satisfied that the applicant has demonstrated sufficient commitment to the setting up a rural related business to meet the housing need qualification requirements at this point in time.

Board Member: _____ Date: July 3rd, 2012
Nicholas Mulcahy

Please issue a copy of this Direction with the Board's order.