



An
Bord
Pleanála

Board Direction
BD-000130-18
ABP-300030-17

The submissions on this file and the Inspector's report were considered at a Board meeting held on 08/03/2018.

The Board decided to make a split decision, to

(1)

- grant permission for Retention of additions and elevational changes to previously permitted extension (Reg. Refs: PL15/157 and PL16/200);
- Retention of concrete yard area to south-east of site;
- Retention and completion of rear extension and associated concrete slab, drainage and landscaping;
- Proposed car parking, turning space and access to east yard as illustrated on Proposed Site Layout Plan received by An Bord Pleanála on 25th October 2017.

for the following reasons and considerations (a) and subject to the following conditions

and

- (2) refuse permission for the retention of the gravel yard (0.337 hectare) to the north-west of the site save for the area required for the new access to the east yard.

generally in accordance with the Inspector's recommendation, for the following reasons and considerations marked (b) below.

Reasons and Considerations (a)

Policy P-RDD-5 of the Sligo County Development Plan, 2017-2022 seeks to *“encourage the growth or expansion of existing rural based or well-established small-scale industry and enterprise in rural County Sligo. Where an existing rural-based enterprise proposes to expand in its current location, it will be necessary to demonstrate that such expansion can be accommodated without damage to the environment, natural or built heritage, human health, visual and residential amenity, and that it will not have a negative impact on the character of the area.”* Having regard to the scale of the development as limited by this split decision and conditions attached thereto, together with the established nature of the enterprise and to proposals to improve the screening of the site and internal access arrangements, the Board considers that, subject to compliance with the conditions set out below, the proposed development/ development to be retained would be in accordance with the above policy, would not seriously injure the residential and visual amenities of the area, and would be acceptable in terms of traffic safety and convenience. The proposed development/ development to be retained would, therefore, be in accordance with the proper planning and sustainable development of the area.

Conditions

1. The development shall be retained and completed in accordance with the plans and particulars lodged with the application, as amended by the further plans and particulars received by An Bord Pleanála on the 25th day of October, 2017, 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. Prior to recommencement of development and within 3 months of the date of this order, the applicant shall submit a detailed landscaping scheme for the site to include comprehensive re-soiling and landscaping of the north-western area for which retention permission is refused for a gravel yard (0.337 hectare). The landscaping scheme shall be agreed in writing with the planning authority and shall include a plan to scale of not less than 1:500 showing:

(i) The species, variety, number, size and locations of all proposed trees and shrubs which shall comprise predominantly native species such as mountain ash, birch, willow, sycamore, pine, oak, hawthorn, holly, hazel, beech or alder;

(ii) Details of screen planting;

(iii) Details of roadside planting.

The landscaping scheme shall also include specifications for removal of hardcore, mounding, levelling, cultivation and other operations associated with plant and grass establishment and a timescale for implementation. All planting shall be adequately protected from damage until established. Any plants 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 residential and visual amenity.

3. No more than 400 tonnes of end-of-life vehicles per annum and 35 tonnes of other waste types per annum shall be accepted and processed at the car dismantling depot.

Reason: In the interest of orderly development and the protection of the visual amenities of the area.

4. Vehicles shall not be stacked more than two high on site.

Reason: In the interest of orderly development and the protection of the visual amenities of the area.

5. Water supply and drainage arrangements for the site, including the 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.

6. 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 the 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 Bord 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.

Reasons and Considerations (b)

Having regard to the substantial scale and storage capacity of the 0.337-hectare gravel yard to the north-west of the site, together with the potential presented for significant traffic generation and adverse visual impact, the Board considers that this element of the development for which retention permission is sought, would endanger public safety by reason of an increased traffic hazard on the public road network, and would adversely impact on the visual and residential amenities and the rural character of the area. The development would, therefore, be contrary to the proper planning and sustainable development of the area.

Board Member:

Date: 26/03/2018

Paul Hyde