



An
Bord
Pleanála

Board Direction
BD-001516-18
ABP-301790-18

The submissions on this file and the Inspector's report were considered at a Board meeting held on 05/11/2018.

The Board decided to grant permission generally in accordance with the Inspector's recommendation, for the following reasons and considerations, and subject to the following conditions.

Reasons and Considerations

Having regard to the agricultural use of the proposed development, its scale and form and location adjoining existing rural development and removed from the public road, it is considered that the development for which retention is sought, subject to compliance with the conditions set out below, would be consistent with the policies of the Louth County Development Plan 2015 to 2021 for land falling within development control zone 4, greenbelt, and would be acceptable in traffic safety. The development for which retention is sought would, therefore, be in accordance with the proper planning and sustainable development of the area.

Conditions

1. The development shall be retained in accordance with the plans and particulars lodged with the application, as amended by the further plans and particulars submitted on the 19th day of April 2018 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. Within 6 months of the date of this Order, the following works shall be carried out:
 - i. A post and rail fence shall be erected and maintained between the proposed development and the adjoining commercial property, as indicated on Site Plan, Drawing No. TR2 – 001 Rev A. There shall be no vehicular access between the two properties.
 - ii. The containers shall be reoriented by 180°, so that the doors face southwards towards the dwelling and not towards factory unit.

Reason: In the interest of orderly development.

3. The containers shall be used for agricultural storage only.

Reason: In the interest of orderly development, and to ensure that the development is used for the stated purpose and is accessed safely from the curtilage of the residential property.

4. 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 within 3 months of this Order 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.

Board Member

Date: 05/11/2018

Stephen Bohan