



An
Bord
Pleanála

Board Direction
BD-011171-22
ABP-311297-21

The submissions on this file and the Inspector's report were considered at Board meetings held on 9/03/2022 and 25/08/2022.

At the meeting of the 9th day of March 2022, the Board decided to defer the meeting and to issue a Section 132 notice to the applicant requesting an Archaeological Impact Assessment and a Visual Impact Assessment Report. The Board subsequently directed that a Section 131 notice be issued circulating the applicant's response to the Section 132 notice to a Planning Authority.

At the meeting of the 25th day of August, the Board considered the submissions on the file and 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/equine use of the barn structure for which retention is sought, to the results of the Archaeological Impact Assessment and Visual Impact Assessment submitted by the applicant on the 8th day of June 2022, and to the location of the development below the brow of the hill upon which the National Monuments are located, it is considered that, subject to compliance with the conditions set out below, the proposed development would not detract from the visual amenity of the area, would not affect the setting of the National Monuments and would not impact on the scenic route. The proposed development 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 3rd day of September 2021 and the 8th day of June 2022, 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. The barn structure shall be used for agricultural purposes only.

Reason: In the interest of orderly development.

3. Water supply and drainage arrangements, including the disposal of surface water, shall comply with the requirements of the planning authority for such works and services.

Reason: In the interest of public health

4. The site shall be landscaped in accordance with a comprehensive scheme of landscaping which shall incorporate the mitigation measures set out in Section 5 of the Visual Impact Assessment received by An Bord Pleanála on the 8th day of June 2022, and details of which shall be submitted to, and agreed in writing with, the planning authority within 3 months of the date of this order. This scheme shall include the following:

(a) A plan to scale of not less than [1:500] showing –

(i) Existing trees, hedgerows specifying which are proposed for retention as features of the site landscaping,

(ii) The measures to be put in place for the protection of these landscape features during the construction of the dungstead and wastewater treatment plant with filter bed,

(iii) The species, variety, number, size and locations of all proposed trees and shrubs

(iv) Details of screen planting planted in groups and clusters along the western and southern aspects of the site comprising Scot's Pine (*Pinus sylestris*), Rowan (*Sorbus aucuparia*), Oak (*Quercus robus*),

(b) Specifications for developing earthen bunds on site, and

(c) 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 5 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.

5. 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.

Board Member

Maria FitzGerald

Maria FitzGerald

Date: 26/08/2022