

An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2015

Wicklow County

Planning Register Reference Number: 15/1244

An Bord Pleanála Reference Number: PL 27.246217

APPEAL by Philip and Maria Gallagher of Templebodan, Lacken, Blessington, County Wicklow against the decision made on the 1st day of February, 2016 by Wicklow County Council to refuse permission in accordance with plans and particulars lodged with the said Council.

PROPOSED DEVELOPMENT: Retention of leanto structural steel shed of 125 square metres which is joined to an existing structural steel shed of 291.4 square metres. The structure for retention will be for use and support of sheep farming, all at Lacken, County Wicklow.

DECISION

GRANT permission for the above proposed development in accordance with the said plans and particulars based on the reasons and considerations under and subject to the conditions set out below.

MATTERS CONSIDERED

In making its decision, the Board had regard to those matters to which, by virtue of the Planning and Development Acts and Regulations made thereunder, it was required to have regard. Such matters included any submissions and observations received by it in accordance with statutory provisions.

REASONS AND CONSIDERATIONS

Having regard to the location of the proposed development in a rural area, the existing use of the site, the modest size of the extension to be retained in relation to the existing agricultural shed on this site and the planning history of the site, it is considered that, subject to compliance with the conditions set out below, the development proposed to be retained would not be prejudicial to public health, would not seriously injure the amenities of the area or of property in the vicinity and 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, 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 within three months from the date of this order and the development shall be carried out and completed in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. The shed shall be used solely for housing sheep/storage associated with the applicants' agricultural activities at this location and shall not be used for any other purpose.

Reason: In the interest of clarity and to protect the amenities of the area.

3. 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. In this regard uncontaminated surface water runoff shall be disposed of directly to soak pits on site in accordance with the requirements of the planning authority and all soiled waters shall be directed to a sealed tank to be provided on site, which shall be sized to provide a minimum 20 weeks storage, in accordance with details to be submitted to the planning authority for written agreement within one month of the date of this order.

Reason: In the interest of environmental protection, public health and to ensure a proper standard of development.

4. Dung and effluent generated by the 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, 2014, as amended.

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

**Member of An Bord Pleanála
duly authorised to authenticate
the seal of the Board.**

Dated this day of 2016.