

# An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2016

**Longford County**

**Planning Register Reference Number: 16/117**

An Bord Pleanála Reference Number: PL 14.247334

**APPEAL** by Linda and Jason Figgs care of Vitruvius Hibernicus of Convent Road, Longford against the decision made on the 15<sup>th</sup> day of September, 2016 by Longford County Council to grant subject to conditions a permission to Colm McGrath care of Cunningham Design and Planning Limited of Block C, N4, Axis Centre, Longford in accordance with plans and particulars lodged with the said Council.

**PROPOSED DEVELOPMENT:** Construction of an indoor horse riding arena with attached stables and all ancillary works at Leitrim, Newtownforbes, County Longford.

## **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 provisions of the Longford County Development Plan 2015-2021, the location of the site within an area of primarily agricultural uses and the existing equine facility on the site it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the residential amenity of adjoining properties and would, therefore, be in accordance with the proper planning and sustainable development of the area.

## CONDITIONS

1. The development 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 on the 25<sup>th</sup> day of August 2016 and by the further plans and particulars received by An Bord Pleanála on the 19<sup>th</sup> day of October, 2016 and 10<sup>th</sup> day of November 2016, in particular "Alternative Option A" 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 stables and indoor horse training area shall be used solely for the keeping and training of the applicants own horses/ponies and shall not be used for commercial purposes without prior written consent from the planning authority.

**Reason:** To protect residential amenity.

3. The landscaping scheme shown on the revised site layout plan submitted to the Planning Authority on the 25<sup>th</sup> August 2016 and shown on drawing number 01, "Alternative Option A" as submitted to An Bord Pleanála on the 19<sup>th</sup> day of October, 2016 and 10<sup>th</sup> day of November 2016 shall be carried out prior to commencement of development. All planting shall be adequately protected from damage until established. A mixture of native species shall be used. 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.

4. The developer shall facilitate the preservation, recording and protection of archaeological materials or features that may exist within the site. In this regard, the developer shall -
  - (a) notify the planning authority in writing at least four weeks prior to the commencement of any site operation (including hydrological and geotechnical investigations) relating to the proposed development,
  - (b) employ a suitably-qualified archaeologist who shall monitor all site investigations and other excavation works, and
  - (c) provide arrangements, acceptable to the planning authority, for the recording and for the removal of any archaeological material which the authority considers appropriate to remove.

In default of agreement on any of these requirements, the matter shall be referred to An Bord Pleanála for determination.

**Reason:** In order to conserve the archaeological heritage of the site and to secure the preservation and protection of any remains that may exist within the site.

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

**Reason:** To ensure adequate servicing of the development, and to prevent pollution.

6. Site development and building works shall be carried out only between the hours of 0800 to 1900 hours Mondays to Fridays inclusive, between 0800 hours to 1400 hours on Saturdays and not at all on Sundays and public holidays. Deviation from these times will only be allowed in exceptional circumstances where prior written approval has been received from the planning authority.

**Reason:** In order to safeguard the residential amenities of property in the vicinity.

7. 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, 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.

8. 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 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.

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

**Dated this            day of            2017.**