



An
Bord
Pleanála

Board Order
PL 09.248194

Planning and Development Acts 2000 to 2017

Planning Authority: Kildare County Council

Planning Register Reference Number: 16/714

Appeal by Pat Cleary of Larch Hill House, Larch Hill, Monasterevin, County Kildare against the decision made on the 3rd day of March, 2017 by Kildare County Council to grant subject to conditions a permission to Liam Reidy care of Alan Meredith of Old Grange, Monasterevin, County Kildare in accordance with plans and particulars lodged with the said Council.

Proposed Development: Retention of alterations to ground level, retention of agricultural shed and all associated site works at Lughil, Monasterevin, County Kildare.

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 nature of the development proposed for retention, which is required in connection with a working farm and its location in a rural area, it is considered that, subject to compliance with the conditions set out below, the development proposed for retention would not seriously injure the amenities of the area, would not be prejudicial to public health 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.

Reason: In the interest of clarity.

2. The shed shall be used for agricultural purposes only, excluding the housing of animals.

Reason: In the interest of environmental protection.

3. All uncontaminated roof water from the building shall be collected and discharged in a sealed system, to adequate soakpits.

Reason: In the interests of environmental protection and public health.

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 three months of the date 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.

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

Dated this day of 2017