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**Planning and Development Acts 2000 to 2018**

**Planning Authority: Fingal County Council**

**Planning Register Reference Number: F18A/0069**

**Appeal** by Cathal Boland of Stone Cottage, Drishogue Lane, Oldtown, County Dublin against the decision made on the 10<sup>th</sup> day of April, 2018 by Fingal County Council to grant subject to conditions a permission to Millview Farm care of Eddie Gribbin of 3 The Orchard, Oldtown, County Dublin in accordance with plans and particulars lodged with the said Council:

**Proposed Development:** Planning retention for a 666 square metres agricultural pack house, packing shed and fridge unit for which planning permission has been granted for a 502 square metres pack house and machinery store granted under planning register reference number F13A/0015 within the curtilage of a protected cottage, all at Drishoge, Oldtown, County Dublin.

**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**

It is considered that the development proposed to be retained fully complies with the zoning objective as it relates to the site and, subject to compliance with the conditions set out below, would not seriously injure the amenities of the area, would not be prejudicial to public health and would generally be acceptable in terms of traffic safety and convenience. The development proposed to be retained would, therefore, be in accordance with the proper planning and sustainable development of the area.

## **Conditions**

1. The development shall be retained in its entirety in accordance with the plans and particulars lodged with the planning application, except as may be required in order to comply with the conditions set out below. 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 of the date of this order and the development shall be retained in accordance with the agreed particulars.

**Reason:** In the interest of clarity.

2. The structure hereby permitted shall be used for agricultural purposes only, specifically the packaging and storage of locally produced agricultural produce. The structure shall not be let or used by third parties. The structure shall not be used for the keeping of animals or livestock. No direct retail trade or industrial activity shall be permitted in the structure. Any change of use from that specified above shall be the subject of a separate application for planning permission.

**Reason:** In the interest of orderly development and the protection of residential amenities.

3. Water supply and drainage arrangements, including the attenuation and 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 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 from 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.

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

**Dated this            day of            2018.**