



Planning and Development Acts 2000 to 2018

Planning Authority: Westmeath County Council

Planning Register Reference Number: 18/6202

Appeal by Jason and Olive Tanner care of David Mulcahy Planning Consultants Limited of 67 The Old Mill Race, Athgarvan, County Kildare against the decision made on the 9th day of August, 2018 by Westmeath County Council to grant subject to conditions a permission to John and Dorothy Hanlon of Castlelost West, Rochfortbridge, County Westmeath in accordance with plans and particulars lodged with the said Council:

Proposed Development: Retention and completion of horse stable, fodder and bedding store, tack room and waste disposal system at Castlelost West, Rochfortbridge, County Westmeath.

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 Westmeath County Development Plan 2014 to 2020, and to the nature, design and scale of the development proposed for retention and completion, it is considered that, subject to compliance with the conditions set out below, the development proposed for retention and completion 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 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 the 4th day of September 2018, 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. (a) The development shall only be used in association with the existing dwelling house and shall not be used for any commercial purposes.
- (b) The openings shall be relocated on the western elevation of the building and no openings shall be permitted on the eastern elevation.
- (c) The dungstead shall be located on the western side of the development as illustrated on Drawing Number 181-320-ORS-Z1-00-DR-ZM-200 submitted to An Bord Pleanála on the 3rd day of October, 2018.
- (d) Additional native species hedging shall be planted along the site boundary to the east of the stable building.

Reason: In the interests of clarity and to protect the residential amenities of neighbouring houses.

3. The external finishes and materials shall match the external finishes and materials on the existing house and garage.

Reason: In the interest of visual amenity.

4. All existing trees and hedgerows shall be preserved on the site.

Reason: In the interests of visual amenity and biodiversity.

5. The developer shall submit details in relation to the design, specifications and capacity of the underground soiled water storage tank and a minimum of 18 weeks storage shall be provided in this tank. Within three months of the date of this Order, details showing how it is intended to comply with these requirements shall be submitted to the planning authority for agreement in writing.

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

6. Animal waste 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 Union (Good Agricultural Practice for Protection of Waters) (Amendment) Regulations, 2018.

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

7. The area to the immediate north of the neighbouring residential site to the east, which may be used as a paddock, shall be maintained as a no-spread zone for the entire width of the neighbouring site and the entire depth of the paddock, and shall be permanently kept free from animal manure from the dungstead and wastewater from the underground storage tank.

Reason: In the interests of residential amenity and public health and to prevent pollution of groundwater wells.

8. The site works and building works required to complete the development shall only be carried out between 0800 hours and 1800 hours from Mondays to Fridays, between 0800 hours and 1400 hours on Saturdays and not at all on Sundays or public holidays.

Reason: To safeguard the residential amenities of adjacent dwellings.

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

Dated this day of 2019.