



Planning and Development Acts 2000 to 2018

Planning Authority: Meath County Council

Planning Register Reference Number: KA/181213

Appeal by Maperath Herbal Limited care of Brock McClure Planning and Development Consultants of 63 York Road, Dún Laoghaire, County Dublin against the decision made on the 3rd day of December, 2018 by Meath County Council to grant subject to conditions a permission to Eoin and Olivia Sharkey care of Shay Scanlon Architect of Kilmore, Kilcock, County Meath in accordance with plans and particulars lodged with the said Council.

Proposed Development: (A) The retention of the extension of the existing detached agricultural shed. (B) The retention of the existing detached, single storey, stand alone, compost toilet. (C) The retention of the stand alone, mono-pitched, multi-purpose open shed, used for occasional agri-tourism based site visits. Along with retention of all associated ancillary works, services, service connections, landscape and site development works, associated with the above works at Maperath Farm, Maperath, Kells, County Meath.

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 relevant provisions of the Meath County Development Plan 2013-2019, the existing pattern of development in the area and the nature and scale of the development proposed for retention, it is considered that, subject to compliance with the conditions set out below, the development proposed to be retained would be acceptable and would not seriously injure the amenities of the area. The development proposed to be retained would, therefore, be in accordance with the proper planning and sustainable development of the area.

In deciding not to accept the Inspector's recommendation to refuse permission, the Board considered that the further information and updated drawings received from the applicant in respect of the underground soiled water tank within the main agricultural shed, the surface water drainage arrangements and landscaping provided sufficient information to satisfy the Board that effluent from the development can be satisfactorily treated and/or disposed on-site in a coordinated and sustainable manner, and would not adversely impact on human health and the environment.

Conditions

1. The development shall be retained and completed in accordance with the plans and particulars lodged with the application, as amended by further plans and particulars received by An Bord Pleanála on the 31st day of May, 2019, 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 and the development shall be retained and completed in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. (a) The detached compost toilet shall be moved from its current location to a position elsewhere on the site and more proximate to the mono-pitched multi-purpose shed, with the new location to be agreed with the planning authority. It shall be positioned at least 20 metres from the north-west boundary of the site.

- (b) The composted waste from the toilet shall be utilised within the confines of the subject site.

Reason: In the interest of public amenity and public health.

- 3. (a) The extension to the agricultural shed shall be used for agricultural purposes only (consistent with the definition of agriculture as set out in the Planning and Development Act 2000, as amended) and shall not be used for commercial purposes or human habitation. The standalone mono-pitched multi-purpose open shed shall be used for occasional agri-tourism based site visits only.
- (b) The single-storey side extension on the north-western façade of the agricultural shed shall be removed.
- (c) A landscaping scheme, consisting predominantly of trees, shrubs and hedging of indigenous species, in respect of the space between the north-western façade of the agricultural shed and the site boundary treatments shall be submitted to, and agreed in writing with, the planning authority within two months of the date of this Order. The boundary treatment and landscaping shall be carried out in accordance with the agreed scheme.

Reason: In the interest of clarity, orderly development and visual amenity.

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

Reason: In the interest of public health.

Dave Walsh

Member of An Bord Pleanála

**duly authorised to authenticate
the seal of the Board.**

Dated this day of 2019.