



An
Bord
Pleanála

Board Order ABP-305767-19

Planning and Development Acts 2000 to 2019

Planning Authority: Fingal County Council.

Planning Register Reference Number: F19A/0345.

Appeal by Helen Ward care of Hughes Planning and Development Consultants of 70 Pearse Street, Dublin against the decision made on the 27th day of September, 2019 by Fingal County Council in relation to the application by Helen Ward for permission for development comprising (i) relocation of the existing vehicular farm site entrance, (ii) removal of section of existing hedgerow and provision of new boundary treatment to match existing native hedgerow, (iii) provision of a new vehicular farm entrance (off local primary road L1040) serving an overall farm holding of 38.83 hectares, with associated infrastructure and, (iv) all associated site development works necessary to facilitate the development, all on lands at Wolganstown, Oldtown, County Dublin (which decision was to grant subject to conditions a permission for (i) relocation of the existing vehicular farm site entrance, (ii) removal of section of existing hedgerow and provision of new boundary treatment to match existing native hedgerow and (iv) all associated site development works necessary to facilitate the development and to refuse permission for (iii) provision of a new vehicular farm entrance (off local primary road L1040) serving an overall farm holding of 38.83 hectares, with associated infrastructure).

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 'RU' zoning objective for the site as set out in the Fingal Development Plan 2017-2023, and the nature and use of the proposed development, it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the amenities of the area, would be acceptable in terms of traffic safety and convenience and would not be contrary to the objectives of the planning authority as set out in the Development Plan. The proposed development 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, and by the further plans and particulars received by An Bord Pleanála on the 24th day of October, 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 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 proposed entrances shall be solely used for agricultural purposes and shall not be used for any other purpose.

Reason: In the interest of clarity.

3.
 - (1) All necessary measures shall be taken by the contractor to prevent the spillage or deposit of clay, rubble or other debris on adjoining roads during the course of the works.
 - (2) The applicant shall be responsible for the full cost of repair in respect of any damage caused to the adjoining public road or footpath arising from the construction work and shall either make good any such damage forthwith to the satisfaction of Louth County Council or pay to the Council the cost of making good any such damage on a demand thereof being issued by the Council.

Reason: To protect the amenities of the area.

5. Drainage arrangements, for 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.

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

Dated this day of 2020