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**Planning and Development Acts 2000 to 2019**

**Planning Authority: Meath County Council**

**Planning Register Reference Number: TA/191835**

**Appeal** by Keith Brunkard and Hilda Cullivan of Blackwater House, The Moy, Summerhill, County Meath and by Hilda's Homemades of Blackwater House, The Moy, Summerhill, County Meath against the decision made on the 25<sup>th</sup> day of February, 2020 by Meath County Council to grant subject to conditions a permission to Cathal McGrath care of Val O'Brien and Associates of G2 The Steelworks, Foley Street, Dublin in accordance with plans and particulars lodged with the said Council:

**Proposed Development:** Retention of an existing agricultural livestock isolation shed together with an adjoining tool store and medicine store/portacabin and the four-horse stable block and all associated site works at Agher, Summerhill, 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 nature, scale and appearance of the agricultural structures in the submitted documentation and for which retention permission is sought, the modest nature, extent and overall built form of these structures, the nature of the receiving environment, the pattern of development in the vicinity, its separation distances from existing residential properties and the provisions of the Meath County Development Plan 2013-2019, 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 or of property in the vicinity, would not be prejudicial to public health, would not be likely to cause a deterioration in the quality of waters in the area and would be acceptable in terms of traffic safety and convenience. The proposed development 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 retention permission for a number of the structures, the Board considered that the location and use of Sheds A1 and A2 would not be out of character with general agricultural uses in this rural area and would not cause pollution or significant nuisance, by means of noise, dust or odours, to residential properties in the vicinity, subject to compliance with the conditions attached to this permission and the requirements of the planning authority.

## Conditions

1. The development shall be retained and completed 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. 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 retained and completed in accordance with the agreed particulars.

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

2. Within one month of the date of this Order, the applicant shall submit a site layout plan, clearly indicating the exact distance of Sheds A1, A2 and C from the site boundaries for the written agreement of the planning authority.

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

3. (i) Water supply and drainage arrangements, including the disposal of surface and soiled water, shall comply with the requirements of the planning authority for such works and services.  
  
(ii) The development shall be operated in such a way that it does not result in pollution of any watercourse and that it will not give rise to a nuisance either to persons at any premises in the neighbourhood or to persons lawfully using any public place in the neighbourhood.

- (iii) All uncontaminated roof water from the structures and any associated yard waters shall be separately collected and discharged in a sealed system to adequate soakpit(s) and shall not discharge, or be allowed to discharge, to the slurry storage tanks or to the public road. Details of inspection chambers to be installed on all surface water collection pipes prior to discharge to soakpit(s) shall be submitted to, and agreed in writing with, the planning authority, within three months of the date of this Order.

**Reason:** In order to avoid pollution and to ensure that the capacity of effluent and storage tanks is reserved for their specific purposes.

4. The applicant shall not use an automatic mobile feeder system at or within Shed A1 (the livestock isolation shed).

**Reason:** In the interest of residential amenity.

5. Details of all external lighting arrangements proposed to serve the three sheds and their associated yard areas shall be submitted to, and agreed in writing with, the planning authority within three months of the date of this Order. It is recommended that external lighting system should be directional and cowled to reduce, as far as possible, the light scatter over the surrounding rural area.

**Reason:** In the interest of visual amenity and in the interest of protecting the open rural countryside from unnecessary light pollution and in the interest in protecting the biodiversity and natural habitats that it contains.

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**Dave Walsh**

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

**Dated this            day of            2020**