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**Planning and Development Acts 2000 to 2020**

**Planning Authority: Cavan County Council**

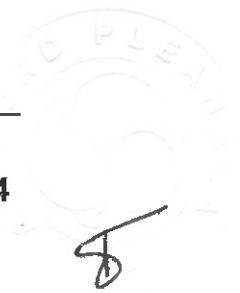
**Planning Register Reference Number: 20/504**

**Appeal** by Darragh Elliott care of McGill Planning Limited of 45 Herbert Lane, Dublin against the decision made on the 22<sup>nd</sup> day of January, 2021 by Cavan County Council to grant subject to conditions a permission to Virginia Wai Chun Ng care of J.M. Johnston Project Management and Building Design Consultants of 53 Church Street, Cavan in accordance with plans and particulars lodged with the said Council.

**Proposed Development:** Retention permission for as constructed roofed structures within walled garden of Drumbar House for agricultural use and general storage use. Proposed development will include for a reduction in the height of a section of the existing roofed structures at Drumbar House, Drumbar, County Cavan. Drumbar House, Farnham (CV44074) is listed as a protected structure in the current Cavan County Development Plan.

**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.

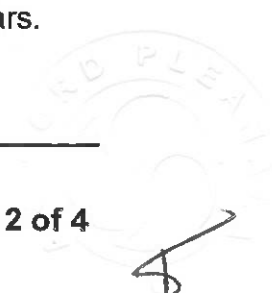
## Reasons and Considerations

Having regard to the zoning of the site for existing residential use, the proposal to use the structures proposed for retention for general storage and for poultry rearing, the nature of the works carried out to provide the structures, and the reversibility of these works and the context of the existing buildings and structures within the walled garden at Drumbar House, it is considered that, subject to compliance with the condition set out below, the proposed retention of the roof structures would not detract from the visual or residential amenities of the area, would be ancillary to the use of the dwelling and would, therefore, be in accordance with the proper planning and sustainable development of the area.

## Conditions

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

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



2. Within six months of the date of this Order, works required to lower the section of roof 'C', in accordance with the proposals made in the application documents, shall be carried out to the written satisfaction of the planning authority.

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

3. The structures proposed for retention shall be used solely for purposes incidental to the enjoyment of the dwelling as such and shall not be used for trade or commerce.

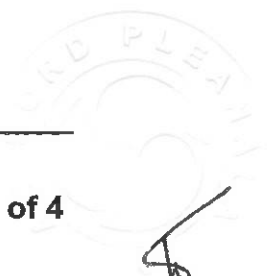
**Reason:** In the interest of clarity.

4. 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.

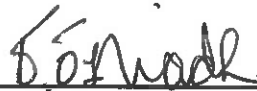
5. All effluent generated by the proposed development shall be disposed of by spreading on the adjoining land, which shall not be used as pasture, or by other means acceptable in writing to the planning authority. The location, rate and time of spreading and the buffer zones to be applied shall be in accordance with the requirements of the European Union (Good Agricultural Practice for Protection of Waters) (Amendment) Regulations, 2017, as amended.

**Reason:** In the interest of environmental protection.



6. This permission shall be granted on a temporary basis for a period of five years. After this period, the development shall be removed unless, prior to the end of the expiry period, permission may be granted for its continuation.

**Reason:** To recognise the temporary nature of the structures and in the interest of architectural heritage.



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Terry Ó Niadh

**Member of An Bord Pleanála**

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

Dated this 25 day of October, 2021.

