

Planning and Development Acts 2000 to 2021

Planning Authority: Westmeath County Council

Planning Register Reference Number: 21/161

Appeal by Michael Lynn of Ballyote, Ballinea, Mullingar, County Westmeath and by Pat Lynn of Ballyote, Ballinea, Mullingar, County Westmeath against the decision made on the 6th day of August, 2021 by Westmeath County Council to grant subject to conditions a permission to Aguiar Bloodstock Limited care of Plandai Design of Kilkeelan, Athboy, County Meath in accordance with plans and particulars lodged with the said Council.

Proposed Development: Planning permission to construct two number stable blocks consisting of 32 number horse stables in each block (total number of stables 64 number). Each stable block will consist of a tack room and feed store/handling area. One stable block will include two number wash down areas total of (95.6 square metres). Total area comprising of the two stable block is (2,033.60 square metres). Permission is also sought for proposed eight-bay horse walker (196.06 square metres), two number horse lunge rings (201.06 square metres each) and manure storage area/dungstead (280 square metres) and associated ancillary works. Permission is also sought for a cross country gallop, all at Ballynaclin, Ballinea, Mullingar, 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.

Reasons and Considerations

Having regard to the long-term agricultural use of the site, the rural location, the policies of the Westmeath County Development Plan and the pattern of the existing development in the area, it is considered that, subject to compliance with the conditions detailed below, the proposed development would not seriously injure the visual or residential amenities of the area and 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, as amended by the further plans and particulars submitted on the 16th day of July, 2021, 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. Water supply and drainage arrangements for the site, including the disposal of surface and soiled water, shall comply with the requirements of the planning authority for such works and services. In this regard-
- (a) uncontaminated surface water run-off shall be disposed of directly in a sealed system, and
 - (b) all soiled waters shall be directed to a storage tank. Drainage details shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

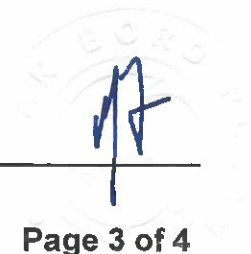
Reason: In the interest public health.

3. All uncontaminated roof water from buildings and clean yard water shall be separately collected and discharged in a sealed system to existing drains, streams or adequate soakpits and shall not discharge or be allowed to discharge to the foul effluent drains, foul effluent and slurry storage tanks or to the public road.

Reason: In the interest of public health.

4. Details of the finishes of the agricultural shed, the location of fencing of paddocks and other areas and the design shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interest of visual amenity.

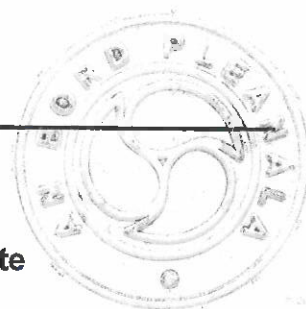


5. The developer shall pay to the planning authority a financial contribution in respect of public infrastructure and facilities benefiting development in the area of the planning authority that is provided or intended to be provided by or on behalf of the authority in accordance with the terms of the Development Contribution Scheme made under section 48 of the Planning and Development Act 2000, as amended. The contribution shall be paid prior to commencement of development or in such phased payments as the planning authority may facilitate and shall be subject to any applicable indexation provisions of the Scheme at the time of payment. Details of the application of the terms of the Scheme shall be agreed between the planning authority and the developer or, in default of such agreement, the matter shall be referred to An Bord Pleanála to determine the proper application of the terms of the Scheme.

Reason: It is a requirement of the Planning and Development Act 2000, as amended, that a condition requiring a contribution in accordance with the Development Contribution Scheme made under section 48 of the Act be applied to the permission.



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



Dated this 3rd day of May 2022.