

An
Bord
Pleanála

Board Order
ABP-312092-21

Planning and Development Acts 2000 to 2021

Planning Authority: Louth County Council

Planning Register Reference Number: 21199

Appeal by Matt and Meabh Walsh care of EHP Services of 154 Riverside Drive, Red Barns Road, Dundalk, County Louth against the decision made on the 4th day of November, 2021 by Louth County Council to grant subject to conditions a permission to Anthony McAuley care of Declan P. Walsh and Company of Main Road, Tullyallen, Drogheda, County Louth in accordance with plans and particulars lodged with the said Council:

Proposed Development: Construction of a new agricultural storage/hobby shop building, construction of a new horse stable building with two number loose boxes, tack room, grooms room and roofed dungstead, and all associated site development works at a site at Sunhill, Termonfeckin, Drogheda, County Louth. Further public notices were received by the planning authority on the 14th day of October, 2021.

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 provisions of the Louth Development Plan 2021-2027, to the pattern of development in the area and the nature and scale of the development proposed, it is considered that, subject to compliance with the conditions set out below, the proposed development would be an acceptable form of development, would not give rise to traffic hazard, would not seriously injure the residential or visual amenities of the area or give rise to environmental pollution; 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 14th day of October, 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. Notwithstanding the exempted development provisions of the Planning and Development Regulations, 2001, and any statutory provision amending or replacing them, the use of the proposed agricultural storage/hobby shop building shall be restricted to the storage of the farm machinery, animal feed and domestic storage as described in the details submitted to the planning authority on the 14th day of October, 2021 and to An Bord Pleanála on the 21st day of December, 2021, unless otherwise authorised by a prior grant of planning permission. No commercial activity is hereby permitted.

Reason: To clarify the permission granted and to protect the amenities of property in the vicinity.

3. Details of the materials, colours and textures of all the external finishes to the proposed buildings shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interest of the visual amenities of the area.

4. Before any other development commences, the entrance to the site from the public road shall be upgraded in accordance with the plans and particulars submitted on the 14th day of October, 2021, in particular Site Layout Plan (Part 02A), drawing No.02A-1363-F.I.

Reason: In the interest of traffic safety.

5. Surface water from the site shall not be permitted to drain onto the public road. Prior to commencement of development, the applicant shall submit for the written agreement of the planning authority adequate proposals to ensure compliance with the requirements of this condition.

Reason: In the interest of traffic safety.


6. The proposed Dungstead/Manure pit shall be constructed in accordance with Department of Agriculture, Food and the Marine specification S108 Minimum Specification for Manure Pits and Dungsteads (edition applicable at the time of commencement of construction)

Reason: In order to avoid pollution and to protect residential amenity.



7. 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 within three weeks of the date of this Order 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.



Terry Ó Niadh

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

Dated this 11th day of July, 2022

