



An
Bord
Pleanála

Board Order
ABP-313712-22

Planning and Development Acts 2000 to 2022

Planning Authority: Wicklow County Council

Planning Register Reference Number: 22/166

Appeal by Susan Chadwick of Highfield House, Boherboy, Dunlavin, County Wicklow against the decision made on the 16th day of May, 2022 by Wicklow County Council to grant subject to conditions a permission to Peter Grace care of Cronin Planning and Design Consultancy of Station Road, Dunlavin, County Wicklow in accordance with plans and particulars lodged with the said Council:

Proposed Development: Agricultural machinery storage shed, concrete yard with new effluent storage tank, extension to existing slurry storage tank, retaining wall and all ancillary site works at Boherboy, Dunlavin, County Wicklow.

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 planning history of the site, to the location of the proposed development within an established farmyard and to its nature and scale, it is considered that the proposed development, subject to compliance with the conditions set out below, would be an appropriate land use in this rural and agricultural area, would not seriously injure the amenities of the area or of property in the vicinity, would not be prejudicial to public health, and would be acceptable in terms of traffic safety and convenience. 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, as amended by the further plans and particulars submitted on the 22nd day of April, 2022, 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 shed shall be restricted to the storage of agricultural machinery, as set out in the details received by the planning authority on the 22nd day of April, 2022 and shall not be used for commercial activity, unless otherwise authorised by a prior grant of planning permission.

Reason: In the interest of clarity.

3. The roof and elevational cladding of the proposed machinery shed shall be coloured to match the existing farm complex. Details in this regard shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interest of visual amenity.

4. All foul effluent and slurry generated by the proposed development and in the farmyard shall be conveyed through properly constructed channels to the proposed and existing storage facilities. No effluent or slurry shall discharge or be allowed to discharge to any stream, river or watercourse, or to the public road.

Reason: In the interest of public health.

5. 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 order to ensure that the capacity of effluent and storage tanks is reserved for their specific purposes.

6. Slurry generated by the proposed development shall be disposed of by spreading on land, or by other means acceptable in writing to the planning authority. The location, rate and time of spreading (including prohibited times for spreading) and the buffer zones to be applied shall be in accordance with the requirements of the European Union (Good Agricultural Practice for the Protection of Waters) Regulations, 2017, as amended.

Reason: To ensure the satisfactory disposal of waste material, in the interest of amenity, public health and to prevent pollution of watercourses.



Mick Long

Member of An Bord Pleanála

duly authorised to authenticate
the seal of the Board.

Dated this 15 day of August 2023.