

Planning and Development Acts 2000 to 2022

Planning Authority: Westmeath County Council

Planning Register Reference Number: 22/225

Appeal by Thomas McKeon of Ballysallagh, Ballynacargy, Mullingar, County Westmeath against the decision made on the 6th day of September, 2022 by Westmeath County Council to grant subject to conditions a permission to William Maxwell care of Larkin Tynan Nohilly of Blackhall Place, Mullingar, County Westmeath in accordance with plans and particulars lodged with the said Council.

Proposed Development: Construction of a new farm entrance and all ancillary works such as stone wall to part of road frontage, fencing and hedging in creation of new sightlines, all at Ballysallagh, Ballynacargy, 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 use of the subject site for agricultural purposes, the lack of direct access to the landholding from the public road, the design and scale of the farm entrance and the adequate sightlines available in both directions at the proposed entrance along the Regional Road (R393), it is considered that, subject to compliance with the conditions set out below, the proposed development would be acceptable in terms of traffic safety and would, therefore, be in accordance with the proper planning and sustainable development of the area.

Conditions

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

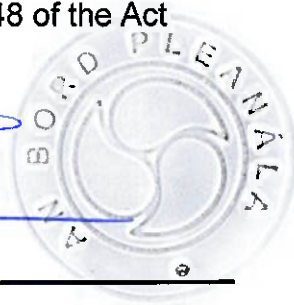
Reason: In the interest of clarity.

2. All uncontaminated surface water shall be collected and discharged within the subject site and shall not discharge onto the public road.

Reason: In the interest of traffic safety.

3. 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.



Joe Boland

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

Dated this *27TH* day of *October* 2023.