



An  
Bord  
Pleanála

## Board Order ABP-315160-22

**Planning and Development Acts 2000 to 2022**

**Planning Authority: Cavan County Council**

**Planning Register Reference Number: 21/634**

**Appeal** by Barry Galligan care of Ian Wong of Latt, Cavan, County Cavan against the decision made on the 24<sup>th</sup> day of October, 2022 by Cavan County Council to grant subject to conditions a permission to Mervyn Clarke care of Smith Associates of Fairview House, Deanery Street, Belturbet, County Cavan in accordance with plans and particulars lodged with the said Council.

**Proposed Development:** Retention of storage compound and yard area as ancillary space for equestrian use, including stock piling of materials, equestrian props, storage containers, surplus lorry parking and associated works, all at Latt, Cavan, County Cavan, as revised by the further public notices received by the planning authority on the 27<sup>th</sup> day of September, 2022.

### **Decision**

**GRANT permission for the above development in accordance with the said plans and particulars for the reasons and considerations under and subject to the conditions set out below.**

*MAA*

## Reasons and Considerations

Having regard to the provisions of the Cavan County Development Plan 2022-2028, incorporating a Local Area Plan for Cavan Town, the location of the site within the established equestrian centre, and the nature and scale of the development proposed to be retained, it is considered that, subject to compliance with the conditions set out below, the development proposed to be retained would not seriously injure the residential or visual amenities of the area, would not be prejudicial to public health, would constitute an acceptable use at this location, would be in accordance with the provisions of the current development plan for the area, 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, as amended by the further plans and particulars received by the planning authority on the 13<sup>th</sup> day of September, 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 and the development shall be retained in accordance with the agreed particulars.

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

2. The storage compound and yard shall be managed in accordance with the following requirements:
  - (a) Material storage on site shall be restricted to those materials which are ancillary to the operation of the equestrian centre and materials required for the general maintenance and upkeep of the facility. Materials acceptable in this regard shall include top-soil, sand, gravel, stone, building materials or similar.
  - (b) The height of any materials stored on site shall not exceed three metres above ground level and shall not be positioned within 10 metres of the site boundaries.
  - (c) The maximum area to be covered by such material shall not exceed 30% of the site.
  - (d) No waste shall be stored on site, including construction and demolition waste.

**Reason:** In the interest of orderly development and visual and residential amenity.

3. Within three months of the date of this order, the developer shall submit a management plan for the site for the written agreement of the planning authority. This shall address measures for the management of the compound, including access arrangements, hours of operation, water quality mitigation measures, and noise and dust mitigation measures.

**Reason:** In the interest of public health and the residential amenity of the area.

4. Within three months of the date of this order, the developer shall submit a comprehensive landscaping and boundary treatment scheme for the site for the written agreement of the planning authority which shall include the following:
- (a) Details of proposed boundary treatments at the perimeter of the site, including heights, materials and finishes.
  - (b) Details of the retention of existing trees on site, except those required to facilitate the physical development of the site.

**Reason:** In the interest of visual amenity.

5. Within three months of the date of this order, the developer shall liaise with the planning authority in order to ascertain its requirements in relation to the disposal of surface water from the site. Surface water run-off from the site shall be managed in accordance with the detailed requirements of the planning authority.

**Reason:** In the interest of public health.



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**Martina Hennessy**

**Member of An Bord Pleanála**

**duly authorised to authenticate**

**the seal of the Board**

Dated this 16<sup>th</sup> day of January 2024.