



An
Bord
Pleanála

Board Order
ABP-316071-23

Planning and Development Acts 2000 to 2022

Planning Authority: Cavan County Council

Planning Register Reference Number: 22372

APPEAL by Tomás Wilson care of Liam Madden of Vitruvius Hibernicus, 9 Convent Road, Longford against the decision made on the 24th day of February, 2023 by Cavan County Council to grant permission, subject to conditions, to Hanley Energy care of Niall Smith Architects of Hall Street, Kingscourt, County Cavan for the proposed development.

Proposed Development: The construction of single storey extensions to front/side/rear of the existing manufacturing facility with toilets, staff facilities and offices, re-cladding and alterations to front and side elevations of existing two-storey adjoining building, connection to all existing services, upgrade existing waste water treatment system and percolation area, landscaping, boundary treatments, retain signage with external lighting and associated site works at Corrycholman, Kingscourt, County Cavan as amended by the revised public notice received by the planning authority on the 30th day of January, 2023.

Decision

REFUSE permission for the above proposed development in accordance with the reasons and considerations set out below.

Reasons and Considerations

1. Having regard to:

- (a) the location of the site within a rural area,
- (b) the proposed expansion of the existing industrial/commercial site onto agricultural land, and
- (c) Objective RE01 and Section 12.4 of the Cavan County Development Plan 2022 – 2028, in relation to rural enterprise,

it is considered that, in the absence of any stated site-specific advantages or requirements for the applicant's non-rural based enterprise to be located on the existing site, the scale of the proposed expansion onto agricultural land within this rural area by means of the proposed building extension and accompanying enlarged parking and circulation area, the proposed development would be contrary to Objective RE01 and would contravene the relevant provisions of the development plan. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

2. Having regard to the existing works at the application site incorporating the provision of a yard surface, car parking spaces, and a retaining wall adjacent to the regional road, which do not appear to have the benefit of planning permission, and in the absence of specific referencing to these in the statutory notices accompanying the planning application and the absence of full detailed plans and particulars of these elements, submitted formally with the planning application in accordance with the

relevant requirements of the Planning and Development Regulations 2001, as amended, to enable a determination of the proposed development and any elements of the development for which retention permission is sought, it is considered that any further development on the existing working site or adjoining land would be premature, in advance of a full planning assessment of these works and in advance of any possible regularisation of these works, which do not appear to have the benefit of planning permission.



Chris McGarry

Member of An Bord Pleanála

**duly authorised to authenticate
the seal of the Board.**

Dated this 16th day of April 2024.