

An
Bord
Pleanála

Board Order ABP-317208-23

Planning and Development Acts 2000 to 2022

Planning Authority: Galway County Council

Planning Register Reference Number: 22/1120

Appeal by Eddie and Mary McCormack of Carnmore, Oranmore, County Galway against the decision made on the 8th day of May, 2023 by Galway County Council to refuse permission.

Proposed Development: Retention of new machinery and fodder storage shed. Retention of revised yard level. Permission to demolish existing storage and agricultural storage sheds, works to improve sight lines to existing local access road, and to construct new agricultural entrance off local access road, all at Carnmore West, Carnmore, Oranmore, County Galway.

Decision

GRANT permission for the above development based on the reasons and considerations under and subject to the conditions set out below.

Reasons and Considerations

Having regard to the Galway County Development Plan 2022-2028, and the nature and scale of the proposed development and development proposed to be retained, it is considered that, subject to compliance with the conditions set out below, the proposed development and development proposed to be retained would not seriously injure the amenities of property in the vicinity, would not be prejudicial to public health, would be acceptable in terms of traffic safety and visual amenity, and would, therefore, be in accordance with the proper planning and sustainable development of the area.

Conditions

1. The development shall be retained, carried out and completed 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 11th day of April, 2023, 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, carried out and completed in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. This permission relates to the retention of an agricultural shed (217.6 square metres), to retain a revised yard level and access ramp, to demolish existing storage and agricultural storage sheds (sheds A, B and C) and to construct a new agricultural entrance off the local access road (L71206). This permission does not refer to any other structure or access point.

Reason: In the interest of clarity.

3. The use of the shed proposed to be retained shall be limited to agricultural use only, which may include for activities associated with farming and machinery storage purposes. The shed proposed to be retained shall not be sold, let or otherwise transferred or conveyed, save as part of the overall landholding.

Reason: To ensure that the use of the building provides for activities appropriate to a rural area.

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

Reason: In the interest of protecting the character of the area.

5. A comprehensive boundary/entrance treatment and landscaping scheme shall be submitted to, and agreed in writing with, the planning authority. This scheme shall include the following:
- (a) Details of boundary/entrance treatments along the southern boundary of the site adjoining the public road, including heights, materials and finishes.
 - (b) Details of boundary treatments and landscaping measures for the remainder of the site.

Upon receipt of written agreement from the planning authority, the developer shall fully implement the approved details within six months, unless otherwise agreed in writing with the planning authority.

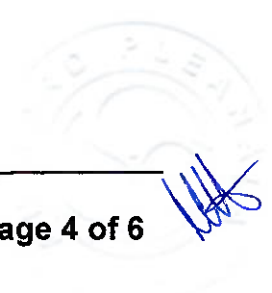
Reason: In the interest of visual amenity and traffic safety.

6. Drainage arrangements, including the disposal of surface water, shall comply with the requirements of the planning authority for such works and services. No surface water from the development shall discharge onto the public road or adjoining properties. Drainage details shall be submitted to, and agreed in writing with, the planning authority within three months of the date of this Order, and the developer shall submit written confirmation, accompanied by photographs, to demonstrate that the said works have been satisfactorily undertaken.

Reason: To ensure adequate servicing of the development, and to prevent pollution.

7. Access to the site shall be via the proposed entrance on the western boundary. No additional access points shall be permitted without prior approval from the planning authority.

Reason: In the interest of traffic safety.



8. Site development and building works shall be carried out only between the hours of 0800 to 1900 Mondays to Fridays, inclusive, between 0800 hours to 1400 hours on Saturdays and not at all on Sundays or public holidays. Deviation from these times shall only be allowed in exceptional circumstances where prior written approval has been received from the planning authority.

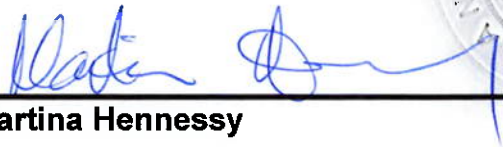
Reason: In order to safeguard the residential amenities of property in the vicinity.

9. Prior to commencement of development, the developer shall prepare a Resource Waste Management Plan (RWMP) as set out in the EPA's Best Practice Guidelines for the Preparation of Resource and Waste Management Plans for Construction and Demolition Projects (2021), including demonstration of proposals to adhere to best practice and protocols. The RWMP shall include specific proposals as to how the RWMP will be measured and monitored for effectiveness; these details shall be placed on file and retained as part of the public record. The RWMP shall be submitted to the planning authority for written agreement prior to commencement of development. All records (including for waste and all resources) pursuant to the agreed RWMP shall be made available for inspection at the site office at all times.

Reason: In the interest of sustainable waste management.

10. 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.



Martina Hennessy
Member of An Bord Pleanála
duly authorised to authenticate
the seal of the Board

Dated this 15th day of March 2024.