

Planning and Development Acts 2000 to 2022

Planning Authority: Wexford County Council

Planning Register Reference Number: 20221702

Appeal by Margaret Morrissey of Coolattin, Bunclody, Enniscorthy, County Wexford against the decision made on the 13th day of September, 2023 by Wexford County Council to grant, subject to conditions, a permission to Coolattin Farms Limited care of Patrick Nolan Planning and Design of 62 Weafer Street, Enniscorthy, County Wexford in accordance with plans and particulars lodged with the said Council.

Proposed Development: Construction of an agricultural shed with solar pv panels on roof and install solar pv panels on roof of existing agricultural shed, all with associated site works, Coolattin, Bunclody, County Wexford.

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 Wexford County Development Plan 2022-2028, to the location of the proposed development alongside an established farmyard and to its nature and scale, it is considered that, subject to compliance with the conditions set out below, the proposed development 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. 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 18th day of August, 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 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 structure shall be for agricultural use and shall not be used for any other purposes without a further grant of permission.

Reason: In the interest of clarity and orderly development.

3. Water supply and drainage arrangements, including the disposal of surface water, shall comply with the requirements of the planning authority for such works.

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

4. The roof and elevational cladding of the proposed structure shall be coloured to match the existing farm complex, details of which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of work on site.

Reason: In the interest of visual amenity.

5. In the event of significant glint and glare occurring from the development, as identified by the planning authority, the developer shall carry out a detailed glint and glare assessment of impacts on the adjoining residential properties and on road users. Any assessment shall be submitted to the planning authority, for written agreement, and the development shall be modified to reduce any significant impacts on residential properties and road users.

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

6. All design and construction standards shall be in accordance with the following Department of Agriculture, Food and the Marine specifications:
 - (a) S100 Minimum Specification For Concrete Composition Used In Agricultural Structures;
 - (b) S101 Minimum Specifications For The Structure Of Agricultural Buildings; and

- (c) S109 Minimum Specification For Structures For Grain Storage On Farm.

Reason: In the interest of public health and the proper planning and sustainable development of the area.

7. The grain store shall not be used to house animals or animal manures for any reason.

Reason: In the interest of public health.

8. Site development and building works shall be carried out only between the hours of 0700 to 1900 Mondays to Fridays inclusive, between 0800 to 1400 hours on Saturdays and not at all on Sundays and public holidays. Deviation from these times will 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. During the operational phase of the proposed development the noise level shall not exceed

(a) 55 dB(A) rated sound level between the hours of 0700 to 2300, and


(b) 45 dB(A) 15min and 60 dB LAfmax, 15min at all other times, corrected for a tonal or impulsive component) as measured at any point along the boundary of the site.

Procedures for the purpose of determining compliance with this limit shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

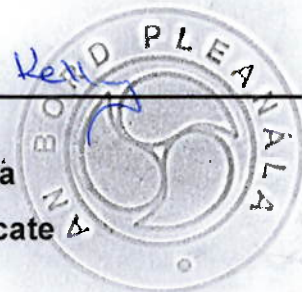
Reason: To protect the residential amenities of property in the vicinity of the site.

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.



Eamonn James Kelly
Member of An Bord Pleanála
duly authorised to authenticate
the seal of the Board.



Dated this 9th day of September, 2024.