

An
Coimisiún
Pleanála

Commission Order
ABP-321470-24

Planning and Development Acts 2000 to 2022

Planning Authority: Cork County Council

Planning Register Reference Number: 24536

Appeal by Patrick Murphy care of Vincent O'Mahony Associates of 10 Market Street, Skibbereen, County Cork against the decision made on the 22nd day of November, 2024 by Cork County Council to refuse permission for the proposed development.

Proposed Development: Retention of agricultural shed for storage of machinery and hay and associated site development works at Colla, Schull, County Cork.

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 established nature of the farming activities in the vicinity of the site and the provisions in objective EC 8-15 of the Cork County Development Plan 2022-2028, to support such uses, and having regard also to its location in a greenbelt location where it is an objective to preserve lands for agricultural uses, as stated in Objective RP 5-19, it is considered that the provision of ancillary facilities for agricultural storage for the developer's agricultural landholding, would not materially contravene the Development Plan, notwithstanding the location of the subject site in the vicinity of residential properties, and being within a scenic rural area classed as a High Value Landscape which includes a protected scenic route and which are protected by Objective GI 14-9 and Objective GI 14-10 in the said development plan. Furthermore, it is considered that subject to compliance with the conditions set out below, the development proposed to be retained, by reason of the hillside setting, would not adversely impact the visual amenities or landscape character of the area, would not unduly detract from the residential amenities of the neighbouring properties, would not give rise to disturbance, or be prejudicial to public health, and would be acceptable in terms of traffic safety. The development proposed to be retained would, therefore, be in accordance with the proper planning and sustainable development of the area.

Conditions

1. The development shall be carried out, completed and 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, 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 within three months of the date of this Order and the development shall be carried out, completed and retained, in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. (a) The use of the machinery storage shed shall be limited to agricultural use and shall not be sold, let or otherwise transferred or conveyed, save as part of the overall landholding.
- (b) The building shall not be used for human habitation, animal housing or any commercial purpose other than a purpose incidental to farming, whether or not such use might otherwise constitute exempted development.

Reason: In the interest of clarity and orderly development, to ensure that the use of the building provides for activities appropriate to the rural area, and to prevent pollution.

3. The site shall be operated in accordance with the requirements as outlined in the European Union (Good Agricultural Practice for Protection of Waters) (Amendment) Regulations, 2022, as amended.

Reason: In order to prevent pollution and in the interest of amenity

4. The landscaping scheme shown on Site Layout (Landscaping Plan), drawing number AOC 02, as submitted to An Bord Pleanála on the 17th day of December 2025, shall be carried out within the first planting season of the date of this Order.

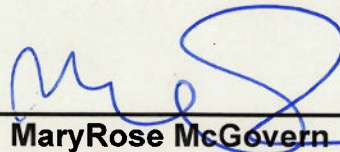
Reason: In the interest of visual amenity and biodiversity.

5. Prior to the completion of the development proposed to be retained, details shall be submitted to the planning authority for the restoration of the existing front boundary hedge, and its augmentation along the eastern site frontage, except to the extent that it is necessary to provide for the entrance to the site, not exceeding 4.5 metres. All planting shall be adequately protected from damage until established. Any plants which die, are removed or become seriously damaged or diseased, within a period of five years from the completion of the development shall be replaced within the next planting season with others of similar size and species, unless otherwise agreed in writing with the planning authority.

Reason: In the interest of visual amenity and biodiversity.

6. The disposal of surface water shall comply with the requirements of the planning authority for such works and services. Prior to the completion of the development proposed to be retained, the developer shall submit details for the disposal of surface water from the site for the written agreement of the planning authority.

Reason: To prevent flooding and in the interests of sustainable drainage.



MaryRose McGovern

Planning Commissioner of An Coimisiún

Pleanála duly authorised to authenticate
the seal of the Commission.



Dated this 30th day of July 2025.