



An
Coimisiún
Pleanála

Commission Order
ACP-323604-25

Planning and Development Act 2000, as amended

Planning Authority: Louth County Council

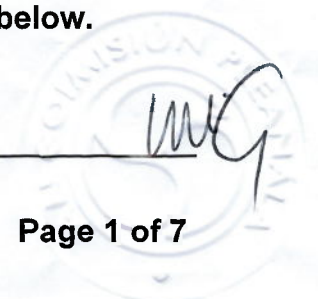
Planning Register Reference Number: 2460613

Appeal by Kieran and Marie Roche and others against the decision made on the 14th day of August 2025, by Louth County Council to grant, subject to conditions, a permission to Raymond Murphy and Gerard Murphy in accordance with plans and particulars lodged with the said Council:

Proposed Development: Permission to demolish two number existing poultry sheds and construct three number agricultural sheds and all associated site works and retention of an unauthorised development consisting of (1) demolition of an existing poultry shed (2) existing ground excavation works at Crossalaney Road, Millgrange, Carlingford, County Louth as revised by the further public notices received by the planning authority on the 22nd day of July 2025, which included the construction of a new agricultural entrance.

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 rural location of the site; the demonstrated need for the additional farm buildings to cater for grain, potato and machinery storage on this land holding as set out within the Teagasc correspondence submitted as part of the planning documentation, the established and permitted farm complex and practices on the holding; the character and pattern of development in the vicinity; and to the provisions within Section 13.13.11.7 (Agricultural Enterprises and Buildings) and policy objectives EE 61 and EE 62 in relation to supporting the agricultural sector and facilitating and supporting alternative farm enterprises within the Louth County Development Plan 2021-2027, it is considered that, subject to the conditions set out below, the proposed development would not seriously injure the amenities of the area, would generally be acceptable in terms of traffic safety and convenience, would not adversely impact on the landscape setting, nor adversely impact upon water quality nor give rise to disturbance of protected habitats or species in any European site. The proposed development, would, therefore, be in accordance with the proper planning and sustainable development of the area.

Appropriate Assessment Screening

The Commission completed an Appropriate Assessment screening exercise in relation to the potential effects of the proposed development on designated European Sites, taking into account the nature, scale and location of the proposed development in a serviced urban area, the Appropriate Assessment Screening Report and other documentation submitted with the application to Louth County Council, the Planning Inspector's report, and submissions on file received at application and appeal stage. In completing the screening exercise, the Commission adopted the report of the Planning Inspector and concluded that, by itself or in combination with other development in the vicinity, the proposed development would not be likely to have a significant

effect on any European Site in view of the conservation objectives of such sites.

Conditions

1. The development shall be retained, carried out and completed in accordance with the plans and particulars lodged with the application on the 11th day of October 2024, and as amended on the 22nd day of July 2025, 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 proposed development shall be retained, carried out and completed in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. The construction of the new agricultural entrance onto the adjoining public Road (Crosslaney Road) R744 and the set back to provide for the required visibility splay shall be completed in accordance with the details as submitted on the Site Plan (Drawings no. RM-1024-05-Rev B) received by the planning authority on the 22nd day of July 2025. Certification from a suitably qualified Consultant Engineer that these works have been completed shall be submitted to the planning authority prior to the commencement of the demolition of the poultry sheds and construction of the proposed three agricultural structures.

Reason: In the interests of traffic and public safety.

3. (a) A landscape masterplan prepared by a suitably qualified professional shall be submitted for the written agreement of the planning authority within three months of this grant of planning permission. The landscaping scheme shall be implemented in full within the first planting season following substantial completion of external construction works.
- (b) 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.
- (c) The eastern boundary treatment shall comprise a post and wire fence with a maximum height of 1.05 metres above ground level. The post and wire fence shall be backplanted with a native hedgerow as per the details submitted within Site Plan Drawing number RM-1024-05-Rev B, as received by the planning authority on the 22nd day of July 2025.

Reason: In the interests of residential and visual amenity.

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

Reason: In the interests of environmental protection, public health and to ensure a proper standard of development.

5. (a) The two poultry sheds shall be demolished in advance of construction works commencing on the three agricultural structures.
- (b) The use of the proposed three agricultural buildings shall be for the storage of agricultural produce and machinery associated with the landholding and the applicants farm enterprise only.

Reason: In the interest of clarity.

6. All waste generated by the proposed demolition and construction works shall be disposed of to an authorised waste facility which is suitably licensed.

Reason: In the interest of public health.

7. The external finishes of the proposed agricultural buildings shall comprise of concrete rising walls and a dark coloured (dark brown, green or grey) coloured cladding or otherwise to be agreed in writing with the planning authority prior to the commencement of development.

Reason: In the interest of visual amenity.

8. Site development, demolition and building works shall be carried out only between the hours of 0700 and 1900 from Mondays to Fridays inclusive, between 0800 and 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. Prior to the commencement of development, a Resource Waste Management Plan (RWMP) as set out in the Environmental Protection Agency's 'Best Practice Guidelines for the Preparation of Resource and Waste Management Plans for Construction and Demolition Projects' (2021) shall be prepared and submitted to the planning authority for written agreement. The RWMP shall include specific proposals as to how the RWMP will be measured and monitored for effectiveness. 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 proper planning and sustainable development.

10. All grain trailers that leave/visit the site shall be fitted with dust covers.

Reason: In the interest of public health.

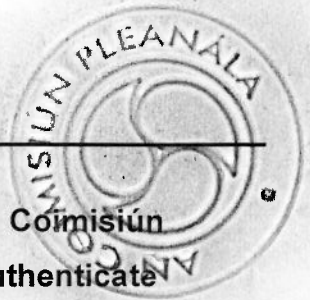
11. The developer shall pay to the planning authority a financial contribution in respect of public infrastructure and facilities benefiting development in the area of the planning authority that is provided or intended to be provided by or on behalf of the authority in accordance with the terms of the 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 Coimisiún 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.



Liam McGree

Planning Commissioner of An Coimisiún
Pleanála duly authorised to authenticate
the seal of the Commission.



Dated this 18th day of ~~SEPTEMBER~~ 2026