

# An Bord Pleanála



## Inspector's Report

**PL 25A.246083**

**DEVELOPMENT: -**

Retention of constructed shed, concrete yard, proposed erection of a dungstead and completion of wastewater system, ground works and landscaping for Equine / Agricultural purposes.

**Planning Authority:**

Westmeath County Council

**Planning Authority Reg. No:**

15/7120

**Applicant:**

Declan Ganley

**Application Type:**

Retention Permission and Permission

**Planning Authority Decision:**

Refuse

**First Party Appellant**

Declan Ganley

**Type of Appeal:**

First Party –v- Refuse

**Observers:**

Mark Kelly

**Date of Site Inspection:**

6 April 2016

**INSPECTOR:**

**Patricia Calleary**

## 1.0 INTRODUCTION

**PL 25A.246083** relates to a **first party appeal** against a decision to **refuse retention permission** for a constructed shed (425 sq.m), a perimeter concrete yard and a partially installed wastewater treatment system and also to **refuse permission** for the proposed erection of a dungstead, the completion of the partially installed wastewater system and all associated groundworks and landscaping. It is stated that the shed is proposed to be used for agricultural purposes which include the stabling of horses in one half and the storage of agricultural machinery and equipment in the remainder.

## 2.0 SITE LOCATION AND DESCRIPTION

The appeal site, with a stated area of 1.8Ha is located in the townland of Twyford, Baylin, c.5km east of Athlone, Co. Westmeath. It has an irregular shape and is accessed at the end of a private laneway at a point 400m from the local road, L-1427. This laneway also serves c.11 established rural houses, other agricultural landholdings and Baylin Cross which is a national monument.

The site is a field laid out in grassland and contains a large shed which is the subject matter of this appeal. The northern and western site boundaries comprises of mature hedgerows and the other boundaries consist of stock proof fencing with open views into the site. There was a single horse on the site on the day of my inspection.

The site directly abuts the sites of 2 neighbouring and the shed structure is shown located c.96m from the closest of these houses. The site is also adjacent to Baylin National School playing fields which lie to the rear of the school in the village. The adjoining area is predominately characterised by one-off houses and agricultural lands in and around Baylin village and the wider area has a rural character.

## 3.0 PROPOSED DEVELOPMENT

**Retention Permission** is sought to retain the shed constructed on site (c.425 sq.m) together with a concrete yard area surrounding the shed. **Retention permission** is also sought to retain a partially installed on-site wastewater system to serve a proposed toilet to be sited within the shed. **Permission** is sought to complete the wastewater treatment system and to construct a new dungstead.

The shed has a stated floor area of c.425 sq.m and a ridge height of c.6.3m. It is constructed of partial block walls to a height of c.2.5m and olive green corrugated insulated wall and roof panelling. It is positioned along the northern boundary on the highest part of the site and is surrounded by a substantial concrete yard on all sides varying in width between c.4m-12m. There is an underground concrete tank located east of the shed which is stated to store collected rain water from the roof of the shed. There is also a septic tank located on the western side of the shed.

The shed is currently laid out as open plan internally with 1 galvanised frame horse stall in place and another partially erected, each which are bolted to the shed floor. The planning drawings show a proposal to divide the shed into 2 equal spaces with a proposed separating 3m high concrete dividing wall separating each half. The intended internal arrangement of one half is marked with 2 'existing stalls' and 3 'stalls', a tack room, passageway and toilet. The other is shown laid out as open plan for storage of machinery. It is stated that the plant and machinery proposed to be stored would include the following:

- 1 no. Deutz Tractor
- 1 Front Loader with bucket
- 1 set of forks for front loader
- 1 tractor trailer
- 1 jeep trailer
- 1 Plant trailer
- 1 mini digger
- 1 dumper
- 1 Dyna pick up tipper
- 1 horse trap.

The application is accompanied by a Planning Statement, prepared by The Planning Partnership which provides the following details.

- Proposed development will be utilised for stabling of 5 horses owned by the applicant outside of the training season and on a permanent basis when they are retired from racing. Will also store dry bedding and feedstock.
- The application is related to the agricultural use of the applicant's landholding at Twyford, Baylin and will also serve for the storage

of agricultural machinery utilised on these and neighbouring lands.

- Shed is a necessary supporting structure for related agricultural landholding which applicant is seeking to expand.
- Proposes to divide the structure internally to separate the stabling of horses from agricultural machinery store.
- A dungstead will be constructed on site, designed in accordance with DAFM Document S108.
- Subject lands do not have any special designations.
- Lands currently occupied for grazing of a single horse and for producing home grown vegetables for applicant's own use.
- Shed houses plant which applicant purchased to facilitate works at Dún na Sí Amenity and Heritage Park in Moate, Co. Westmeath and which he uses on his agricultural landholding.
- Currently stores vintage cars in shed as part of applicant's hobby, incidental to the principal use for agricultural purposes.
- Structure located 96m from nearest residential property.
- Applicant erroneously considered the proposal was exempted development and when served with a planning enforcement notice, set about to remedy the unauthorised status.
- Solely agricultural and equine uses intended.

3 no. 3-D visualisations of the proposed internal arrangement accompany the planning application.

The application includes a list of 4 horses and photocopies of their passports. It also includes what appear to be records of payments made for training of horses elsewhere.

#### **4.0 PLANNING AUTHORITY'S DECISION**

The Planning Authority issued a decision to **refuse permission** with 6 stated reasons summarised under:

1. Contrary to policy P-EQ2 of the current Westmeath County Development plan (CDP).
2. Elevated site and prominent location - contrary to Policy P-NH1 of the CDP.
3. Vulnerable groundwater - contrary to P-LLM1 of the CDP.
4. Establishment of a new farm is contrary to P-AB1 of the CDP.

5. Establishment of new farm inappropriate due to deficiencies of rural road network structure and sightlines.
6. Development may cause pollution, contrary to Sections 9.5 and 9.7 and Policies P-GW4, P-WST1 and P-WST4 of the CDP.

#### 4.1 Planning report by Planning Authority

The planning report states that the application was lodged following an enforcement notice being served on the applicant. The following points are set out in the report.

- Structure is poorly sited at the highest point of the landholding and is accessed at end of private cul-de-sac.
- Site is located 150m from Baylin Cross, a national monument.
- Site is located on the perimeter of Twyford House historic Demense and separates this demesne and the high cross.
- Previous inspections revealed the shed was used to store domestic goods, antique cars, a boat and tractor.
- No evidence of the building having been in agricultural use.
- Lack of evidence that the structure will be used to house high value race horses.
- Design is a standard industrial unit.
- Sightlines considered sub-standard.
- Rainwater supply only proposed as a water supply which is considered inadequate for the stated use.
- Requirement for the need for a toilet and septic tank is unclear. Length of percolation trench is inadequate.
- No Appropriate Assessment issues would arise.

Inspectors Note for clarity: Planners report states that no internal or external reports were on file at the time of writing planning report. Report is signed 22 December 2015. There is an internal engineering report on file dated 22 December 2015.

A recommendation to **Refuse Permission** issued.

#### 4.2 Submissions/Observations

2 no. third submissions were lodged. The following is a summary of the points raised in both submissions.

- Building is owned by Midland Industrial Maintenance Ltd. and could be used for this purpose.
- At 3m in width, laneway too narrow to accommodate passing traffic; poor road surface and structure with no footpaths; poor visibility at junction.
- Lane also provides residential access to 11 homes and 4 agricultural land holdings and to Bealin (Baylin) High Cross.

- Poor visibility on to busy public road which would be unsuitable for large trailed vehicles.
- Effects on drainage and potential for increase in flooding which regularly occurs adjacent to neighbouring house.
- Not at all convinced that the shed will be utilised as agricultural use given the recent activity noted including a van with Midland Industrial Maintenance logo frequenting the site.

### 4.3 Interdepartmental reports

#### Athlone Municipal District Engineer report

- No objection subject to conditions (surface water, roadside parking, roadside drainage, sightlines, compliance with DAFM specifications, operation, topsoil handling, wastewater disposal).

### 4.4 Prescribed Bodies

- The application was referred to **DAHG** (Built Heritage & Natural Heritage Units), **An Taisce** and the **Heritage Council**. No responses are on file.

### 5.0 PLANNING HISTORY

- No relevant planning history; 1 invalid planning application for same development description on the site prior to this current application.

### 6.0 FIRST PARTY APPEAL

A **first party** appeal was submitted on behalf of the applicant by 'The Planning Partnership' planning consultancy. The main grounds of the appeal are summarised under. It is stated that the applicant would willingly accept a condition restricting the use of the building for agricultural purposes.

- Planners report fails to acknowledge partially constructed stables, agricultural and equine equipment.
- 'High spec industrial' reference by Planning Authority stated without having regard to the need for and proposed use to stable thoroughbred racehorses.
- Planning Authority failed to consider the detailed information provided in support of the application.

- Westmeath Co Council engineering report considered application acceptable subject to conditions and this advice was not considered in the assessment of the application by the Planning Authority. Highlighted the date of engineering report was 22<sup>nd</sup> December 2015 and decision date of refusal was 29<sup>th</sup> December 2015.
- Land is not a new farm yard as was used for grazing of dry stock by previous owner prior to applicant's purchase of same in 2012.
- Building to be used as 'hobby' agricultural use to keep horses during off-season and on retirement [from training]. Will also be used to store agricultural and land maintenance equipment as well as turf cutting equipment. Equipment will be given on loan locally to others with an interest in agriculture.
- Solid waste may be removed from the site twice per month.
- Premises will be registered for equine purposes under separate statute.
- Premises is not intended for Mr. Ganley's business (Midland Industrial Maintenance) which is located and centred around Limerick.
- Sufficient space for both keeping of out of season horses and storage of agricultural equipment.
- Appropriately sited against a strong landscaped backdrop and agricultural context.
- Location is not considered visually sensitive.
- Separated 96m from closest house and will not unduly impact on neighbouring residential amenity.
- Applicant has undertaken extensive field drainage works to improve drainage on site.

### Wastewater Treatment

A site characterisation assessment report in accordance with 'EPA Code of Practice for Wastewater treatment and disposal systems serving single dwellings – October 2009', (COP), prepared by ORS consulting engineers accompanies the appeal and considered under.

- Groundwater vulnerability is classified as high with locally important (Li) classification. An R1 groundwater protection response classification applies to the site.
- Proposes the development would be served by an Aswaflo Effluent Treatment system (4-8 PE).
- Potential for groundwater contamination will be little or none (provided recommendations are implemented correctly).

- A site layout plan with the details of the effluent treatment and polishing filter are presented.

### Traffic

A Transport statement prepared by Transport Insights accompanies the appeal, the main points which are summarised under.

- Traffic movement as a result of the development is estimated to be low (c. 3.3 one way vehicle movements or an additional 4.7% increase).
- Road can accommodate the low forecast increase in traffic.
- Visibility at junction acceptable as within 50 km/hr speed limit.
- No road traffic collisions recorded at the junction on RSA website for the 8 most recent years for which data is available.

## **7.0 OBSERVATIONS**

An observation was received from Mark Kelly, who states that he lives adjacent to the site. The principle points are summarised under.

- Concerns regarding the effect of structure on natural drainage of field especially area closest to his house.
- Risk of flooding of house and percolation area.
- Concerns regarding actual use of the shed and not convinced it would be used for agricultural purposes given sightings of Midland Maintenance Ltd. van and other activity at the shed.
- Concern regarding devaluation of his house.

The Development Applications Unit of the NPWS were invited by the Board to comment on the appeal. No response was received within the statutory period.

## **8.0 RESPONSES**

### **8.1 Planning Authority's response to First Party Appeal**

No response received.

### **8.2 First Party's Response to Observation**

A response to the first party's observation was received. A flood risk Assessment, prepared by Hydro Environmental Services, is also included.



The main points of the overall response are summarised under:

- Photograph presented shows no more than wet ground and water ponding rather than severe flooding.
- Site is not at risk of flooding. Pluvial flooding in localised area of field is essentially only ponding.
- OPW records indicate no history of fluvial or pluvial flooding on site.
- Local installed drainage regime will reduce environmental risks.
- Proposed on-site wastewater system is suitable for the site.
- No objection to a condition which would limit the use of shed to agricultural use only.
- Applicants business /commercial operations are principally located in Limerick.
- Transport Insights concluded that proposal would not have any detrimental impacts on road conditions.
- 100m separation distance between shed and houses relates to exempted development which is not being claimed by applicant.
- Landscape buffer will offer protection to residential amenity.

### **8.3 Planning Authority's Response to Observation**

No response received.

## **9.0 POLICY CONTEXT**

### **9.1 Westmeath County Development Plan 2014-2020**

The Development Plan recognises that the equine industry is important both from an economic and cultural perspective.

#### **Equine Policies**

- P-EQ1 - To support equine related activities (e.g. farriers, bloodstock sales etc.) of an appropriate size and at suitable locations.
- P-EQ2 - To ensure that equine based developments are located on suitable and viable landholdings and are subject to normal planning, siting and design considerations and related establishments.

#### **General Agricultural Policies**

P-GA1 – To support To support agricultural development as a contributory means of maintaining population in the rural area and

sustaining the rural economy, whilst maintaining and enhancing the standing of the rural environment and through application of the Water Framework and Habitats Directives.

### **Agricultural Buildings Policy**

P-AB1 - To take account of the following in relation to proposals for new Agricultural buildings:

- Proximity to adjacent dwellings.
- The rural character of the area.
- Utilisation of natural landscape and land cover as screening.
- Waste management in terms of storage and disposal.
- Environmental carrying capacity.

### **Section 14.6.2 - New Buildings/Structure**

- New buildings for industrial or farm related commercial enterprises on farm holdings may be acceptable if they are small scale and can be satisfactorily integrated into an existing group of buildings.

### **Natural Heritage Policy**

- P-NH1 - To protect, manage and enhance the natural heritage, biodiversity, landscape and environment of County Westmeath, in recognition of its importance as a non-renewable resource, unique identifier and character of the county and as a natural resource asset.

### **Landscape Management Policy**

- P-LLM1 - To require that development is sensitively designed, so as to minimise its visual impact on the landscape, nature conservation, archaeology and groundwater quality.

### **Groundwater Policy and Objectives**

- P-GW4 - To protect groundwater resources and associated habitats and species, in accordance with the requirements of the Groundwater Directive (2006/118/EC).

### **Wastewater Policy and Objectives**

- P-WST1 - To promote the provision of safe and secure wastewater infrastructure to ensure that public health is protected and permitted development is within the environmental carrying capacity and does not negatively impact upon habitat quality or species diversity.

- P-WST4 - To require that wastewater treatment and disposal systems for new single houses are implemented in accordance with the 2009 EPA Code of Practice Wastewater Treatment and Disposal Systems serving single houses (p.e.<= 10).

## 10.0 ASSESSMENT - FIRST PARTY APPEAL

I have read and considered the contents of the application, grounds of appeal, planning policy and observations on file. I have also attended the site and environs. The following assessment covers my considerations of the key planning issues and also encapsulates my *de novo* consideration of the application. I consider the key issues in determining the application and appeal before the Board are as follows:

1. Principle of the development
2. Traffic and Access
3. Drainage
4. Appropriate Assessment

I will deal with these issues as set out under the respective headings. At the outset, I note that the application is made for **retention permission** for development and **permission** to complete works which are ancillary to the main development. In accordance with the Development Management Guidelines for Planning Authorities, 2007, my assessment of this appeal is dealt with in the same way as if the development were entirely proposed.

### 10.1 Principle of the Development

The development description states that one half of the shed would be used to **house race horses** in periods out of training and on retirement and the other half would be used to **store machinery** which is stated is for **agricultural use**. Should this be the case, the development would fall within an agriculture use and equine use category and my assessment would be made on that basis. The Westmeath County Development plan 2014-2020 is supportive of equine related development (P-EQ1) and agricultural development (P-GA1).

However, notwithstanding the significant information submitted with the application and appeal, I am not satisfied that sufficient objective evidence has been presented which support the stated agricultural and equine uses. The applicant lists an array of plant and equipment where

an attempt is made to link this with private agriculture purpose including the use of the plant on the applicant's own landholding, giving the plant on loan to neighbours and for cutting of turf for his own use. No maps have been presented of any landholding outside of the single field (1.8Ha) within which the shed itself is located and which the applicant stated he purchased in 2012.

In relation to the stated use in connection with keeping of horses, I am equally unconvinced. The building is not akin to a typical horse house or to the Department of Agriculture, Food and the Marine specification document (S156) for horse facilities, including the 'American barn' design. For example, under S156 there is a requirement for a 2m wide service passageway behind horse stalls. The provision for passageways are not presented on the application drawing and I noted on the day of my inspection that there was none physically present or space provided for them behind the one stall or part of a second stall erected. Permanent open ventilation as prescribed under S156 (normally a 300mm opening at ridge level), has not been provided in the shed at present or presented on the drawings. Channels to collect wash-water, which should be located behind each stall and routed to a soiled water tank are not in place. The application makes no reference as to how the soiled wash water would be collected or disposed of and I note that no provision has been made in the concrete floor of the wider shed area for collection of wastewater through shallow drainage channels.

I note the list of 4 no. race horses and copies of passports included with the planning application. All horses are required to have passports but that does not provide any evidence that they are or will be housed in the subject building. The applicant has not produced evidence of registration as an equine premises as is required under '**Application for registration of an Equine Premises under the Control on Places where Horses are Kept Regulations 2014 (S.I. No 113 of 2014)**'. The requirement for registration also extends to the use of land for keeping of horses and the applicant states the land is currently used for grazing of one horse. While accepting that such a registration requirement is provided under separate statute, it is very relevant to this planning application. In the appeal, the applicant states that he will register the premises. I note that planning permission is not a pre-requisite to register the shed or the land.

On the day of my inspection, I noted there was 1 erected 'stall' complete and 1 partially complete both which were new, clean and unused. I also

noted fresh straw bedding in around the stall area but the straw was dry and clean and the floor beneath was equally dry and perfectly clean. I note the applicant puts forward that he had to cease plans because of enforcement proceedings but nonetheless, I find it unusual that there was absolutely no evidence of the shed having been used to house horses. I also noticed the lighting and heating was set out as a single arrangement and was very atypical for a shed which is planned to be sub-divided and used as 2 distinct units. On the day of my inspection, there was some plant and equipment located within the shed (mini-digger, tractor, trailer, horse box, horse trap) and there was substantial lengths of fixed metal shelving on the side and end walls with an array of items such as fuel in containers, chainsaws, cement and various items which lie beyond the requirement for normal agricultural use or the keeping of horses, particularly where there is no evidence of an agricultural landholding outside of the site on which the shed has been constructed.

A small dungstead (c.3.2m x 3.5m x 1.5m high) is shown proposed on the drawing which accompanied the appeal and it is stated that it will be fitted with an 8m<sup>3</sup> leak proof effluent tank.

In the appeal, the applicant states that *'while Mr. Ganley is not formally or commercially involved in agriculture he has a requirement for an agricultural shed or store at his established landholding'*.

In the absence of sufficient documentary evidence, I remain unconvinced that the building is associated with agricultural activity or the keeping of horses. Previous inspections by the Planning Authority revealed the shed was used to store domestic goods, antique cars, a boat and a tractor.

The applicant has not sufficiently demonstrated that the proposed structure is used or intended to be used for agricultural and equine purposes. I find it most difficult to link the array of machinery with the single field surrounding the shed and with the idea that it would be used for that field and on loan to neighbours. I note that Midland Industrial Maintenance are the stated owners of the appeal site. The applicant states that the business is located in Limerick and the shed is distanced from the business. A google search of the business brings up the address as being located at Baylin, Athlone, Co. Westmeath.

The applicant has clearly not provided an agricultural based need for the proposed structure at this location including any reference to farming

lands or supporting maps. While I am cognisant that the public notices imply the use of the building is agricultural related, the documentary and visual evidence do not support the stated use. I note that the applicant would be agreeable to a planning condition restricting the use of the shed for agricultural use. However, I consider that this type of condition would be difficult to enforce, and would not resolve the wider principle of the development.

In the absence of clear evidence, and having the precautionary principle in mind, I conclude that an agricultural need for the scale and extent of the development proposed to be retained and completed has not been justified in serving an agricultural landholding. Having regard to its height, scale and mass, I consider that in the absence of such justification, the development of the shed, which is poorly sited on an elevated point in the landscape should be refused retention permission and permission to complete ancillary works as it would interfere with the character of the landscape which it is necessary to protect, and accordingly would contravene P-NH1 (which seeks to protect the character of the landscape) and P-LLM1 (which requires development to be sensitively designed to minimise its visual impact on the landscape) of the Westmeath County Development Plan 2014 – 2020. The development proposed to be retained and completed would therefore be contrary to the proper planning and sustainable development of the area.

Note: In my consideration of this application and appeal, I noted that there are policies in the Westmeath County development plan which support the development of the rural economy through promoting rural enterprises and agricultural related industrial development. I did not pursue these policies in my assessment in the context of the applicant's stated uses of the shed which were very specific to the applicant's own use for agricultural and equine purposes.

## **10.2 Traffic and Access**

The development is currently accessed from a private laneway/cul-de-sac c.425 metres long which serves c. 11 one-off houses, agricultural lands and provides access to Baylin cross, a national monument. The laneway connects to the L-1427 at Baylin village. The carriageway is narrow (3m) and has a poor structural capacity with pot holes in parts. It is not in the charge of the Local Authority.

The traffic impact report submitted by the applicants in support of their appeal states that there will be very low increase in traffic with 3.3 additional one way vehicle movements per day or c.4.7% increase in traffic on the laneway. It is stated that the development would not give rise to an unacceptable traffic hazard.

However, this report is based on a stated agricultural use which is contrary to the evidence presented with the application and appeal. Nonetheless, there is no evidence to conclude that there would be a significant increase in traffic as a result of the development of a shed. On balance and because of the plant and equipment stored in the shed, I expect it would not be moved many times in any one day. Having regard to the substantive reason for refusal on the principle of the development, I do not consider it would be appropriate or necessary to refuse the application on traffic grounds.

### **10.3 Drainage**

At the outset, I concur with the Planning Officer in that the reason for a toilet in an agricultural store / horse stabling is unclear. There is no requirement under the DAFM specification (S156) for provision of toilets in horse stables.

In relation to the disposal of wastewater from the septic tank, a site characterisation assessment report in accordance with 'EPA Code of Practice for Wastewater treatment and disposal systems serving single dwellings – October 2009' accompanied the application. A new site characterisation report accompanied the appeal and I have considered this later report in my assessment.

The category of Aquifer is identified as locally important (L1) with a vulnerability classification of 'High', representing a GWPR response of R1 under the EPA COP 2009.

The trial hole was excavated to a depth of 2.2m below ground level (BGL) and bedrock was not encountered. The trial hole assessment submitted submits that groundwater was not encountered when tested in January 2016. The site characterisation recorded a 'T' value of 8 (min/25mm), indicating good draining sub-soil percolation characteristics. An Aswaflo 4-8 PE Wastewater Treatment system followed by a soil polishing filter (40m<sup>2</sup>) is recommended by the assessor.

A site layout drawing of the proposal to decommission the septic tank and the replacement with a proposed effluent treatment system and polishing filter section is also included with the appeal.

In relation to the surface water, the drawings presented with the appeal show a proposal to incorporate gullies into the concrete yard to remove clean surface water to a soakaway. While this would be done retrospectively, it would be technically possible. No design of the soakaway were presented with the application or appeal.

I am satisfied, given the limited wastewater which would result from a single toilet proposed that the wastewater generated can be adequately drained and disposed of without significant risk of ground water pollution and that permission should not be refused for this reason.

Given the limited run-off which would result, the space available and having regard to the proposals for collecting rain water from the roof of the building, I am equally satisfied that surface water could be adequately drained.

I note that the lower part of the site on which the shed is located was wet underfoot with a small area of water ponding. I am satisfied that it is localised and that the addition of the shed structure would not pose a significant risk to flooding of the adjoining house site or its percolation area.

#### **10.4 Appropriate Assessment**

The site lies c.600m north of Carn Park Bog SAC (Site Code: 002336) and 2.7km north east of Crosswood Bog SAC (Site Code 004016). It lies 3.6 km south east of Lough Ree SAC (Site Code 00040) and SPA Site Code 004064. Middle Shannon Callows SPA (004096) and River Shannon Callows SAC (000216) is located 7.6m to the south west of the site.

Having regard to the nature and limited scale of the proposed development and to the nature of the receiving environment, I am of the opinion that no appropriate assessment issues arise. It is not considered that the proposed development would be likely to have a significant effect individually or in combination with other plans or projects on a European site.



## 11.0 CONCLUSIONS AND RECOMMENDATION

I recommend that **retention permission** be **refused** for the development proposed to be retained and **permission** be **refused** for the development proposed to be completed for the reason and considerations outlined below.

### REASON AND CONSIDERATIONS

1. It is considered that the agricultural need for the scale and extent of the shed structure and ancillary works proposed to be retained and completed has not been demonstrated in terms of serving an agricultural landholding. Having regard to its height, bulk and mass, it is therefore considered that in the absence of such justification, the development which is visually prominent in a rural context would interfere with the character of the landscape which it is necessary to protect and accordingly would contravene P-NH1 (which seeks to protect the character of the landscape) and P-LLM1 (which requires development to be sensitively designed to minimise its visual impact on the landscape) of the Meath County Development Plan 2014 – 2020. The development proposed to be retained and completed would therefore be contrary to the proper planning and sustainable development of the area.

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Patricia Calleary  
Senior Planning Inspector  
28 April 2016

**Appendix:**  
Site Location Maps and Photographs