



An
Bord
Pleanála

Inspector's Report ABP-304734-19.

Development	Retention of agricultural shed, store and wooden hoarding as an animal shelter site.
Location	Oldtown, Athgarvan, Newbridge, Co. Kildare.
Planning Authority	Kildare County Council.
Planning Authority Reg. Ref.	18/1113.
Applicant(s)	Sally McCaffrey.
Type of Application	Retention permission.
Planning Authority Decision	Refuse.
Type of Appeal	First Party
Appellant(s)	Sally McCaffrey.
Observer(s)	None.
Date of Site Inspection	06 th September, 2019.
Inspector	A. Considine.

1.0 Site Location and Description

- 1.1.1. The subject site is located on the Athgarvan -Twomilehouse road, 2.1km to the east of Athgarvan, and approximately 450m to the east of the M9 Motorway. The site is located 1.7km to the south of the M9 and M7 intersection and 4.2km to the south-east of Newbridge town. The wider area is generally rural in nature with a large quarry to the south-east of the site. There are a number of residential dwellings along the road in the vicinity of the appeal site. The maximum speed at this section of road is 80km/ph.
- 1.1.2. The site includes a number of buildings including the cottage, a masonry store and the agricultural shed. The site lies to the north of the local road and is accessed via a large splayed entrance which provides two entrances, one to the existing cottage and the other to the side of the cottage and to the existing shed and store. The entrance gates are +2m in height and are solid, with little opportunity to view into the site.
- 1.1.3. The agricultural shed to be retained is clad in corrugated metal sheeting and a single storey section to the south has a rendered finish. The shed is accessed via a double height doorway from the east and facing the gable of the house on the site. The shed is laid out with stables and it is noted that it was previously used to house horses. These stables are now used to house dogs. The area to the north of the shed – identified as a sand area - has been fenced to provide for larger outside dog runs. On the date of my inspection, there were 11 dogs. The masonry store is used as a staff room/kitchen, storage area and w.c facilities. It was advised on the date of my inspection that the dogs are walked in fields further to the north of the shed and house. The site area is stated as 1.3935Ha.

2.0 Proposed Development

- 2.1. Retention permission is sought for the use of a corrugated agricultural shed, masonry agricultural store and site as an animal shelter, retention of wooden hoarding / fence at the entrance to the premises along the Athgarvan – Twomilehouse county road and retention of vehicular access to cottage along the Athgarvan – Twomilehouse county road, all at Oldtown, Athgarvan, Newbridge, Co. Kildare.

3.0 Planning Authority Decision

3.1. Decision

The Planning Authority decided to refuse planning permission for the development for the following stated reason:

The traffic movements generated by the proposed development, in a location where sightlines are restricted in both directions, would endanger public safety by reason of traffic hazard and would, therefore, be contrary to the proper planning and sustainable development of the area.

3.2. Planning Authority Reports

3.2.1. Planning Reports

The initial planning report considered the proposed development in terms of the planning history, submission made and compliance with the Kildare County Development Plan 2017-2023. The report concludes requiring further information in relation to noise mitigation implemented and noise levels as well as access and sightlines. The report includes AA screening.

Following a receipt of the response to the FI request, the planning report notes the subsequent technical reports and concludes that planning permission should be refused for the roads and traffic reasons. This report formed the basis of the PAs decision to refuse permission for the retention of the development.

3.2.2. Other Technical Reports

Compliance / Unauthorised Development Section: Notes that the principle concern of complaint UD6570 related to the control of noise. This issue should be paramount in making any decision.

Senior Dog Warden, Kildare: Supports the development noting the arrangement in place since 2011 with the KWWSPCA to facilitate the transfer/rehoming of suitable dogs from the pound. The KWWSPCA are required to adhere to conditions and have assisted the Kildare Dog Warden Service greatly. The shelter is

extremely well run and is in full compliance with the requirements of the ISPCS Re-Homing Declaration.

The layout, daily exercise routine and limited intake policy are specifically designed to eliminate/minimise any inconvenience. The wooden hoarding / fence at the entrance is necessary to restrict entry and to minimise the possibility of a dog escaping.

Area Engineer: Applicant required to indicate how it is proposed to achieve the required sight lines at the entrance.

Following the submission of the response to the FI request, refusal is recommended on the grounds of serious concerns regarding the access and egress

Environmental Health Officer: Further information required in relation to a review of the noise mitigation measures recommended in the previous permission in the interests of public health and noise nuisance prevention grounds.

Following the submission of the response to the FI request, the proposal is deemed acceptable.

Chief Fire Officer: No objections subject to obtaining a Fire Safety Certificate.

Roads & Transportation: Further information required in relation to sight lines of 150m in both directions.

Water Services: No objection subject to compliance with conditions.

Environment Section: Following the submission of the response to the FI request, clarification is sought in relation to the noise monitoring results submitted.

3.2.3. Prescribed Bodies

Irish Water: No objection subject to compliance with conditions

Dept of Agriculture, Food and the Marine: Veterinary Inspectors have inspected the site over the past 2-3 years and have had no problems recommending that the ex-gratia payments be made. The

shelter has been found to be very suitable for the housing of animals waiting for new homes. The standard of work carried out is very good and the re-homing services provided excellent.

3.2.4. Third Party Submissions

Frances & Oliver Conway: Objects to the retention of the shelter and states that they have had nothing but trouble since the animal shelter opened in April 2014. A summary of the planning history is provided, noting the 2 year permission granted by the Board. It is submitted that the KWWSPCA have not complied with conditions and there has been no review with regard to the effects on the neighbouring residential amenity.

There is continued negative impact on residential amenity – the sheets of plywood erected have little noise attenuation and is not durable. Neighbours are still subject to noise generated by dozens of barking dogs. Until the shelter opened, residents lived comfortably in the area for over 40 years.

The assessment of the low traffic levels on the local road was incorrect and the road is used as a rat run by traffic avoiding the M7 motorway, and traffic levels are never low. The applicants have not demonstrated how they will achieve adequate sightlines at the entrance without requiring third party landowner support. Due to the bend in the road, required sightlines are not achievable without third parties. Third parties are not required to maintain or set back boundaries to provide sightlines for neighbouring properties. KWWSPCA are responsible for the safe access and egress from their property, for which they have failed.

Noise issues have not been addressed.

There is no need for the shelter as local authorities are responsible for the control of dogs. Kildare County Council have their own dog pound which has permission, under Part 8, for an extension which will more than double its size. KWWSPCA

indicates that 67 of the 100 dogs sheltered so far this year came from the Councils Dog Pound. Once the pound is extended, there will be no need for the shelter.

The site is currently rented and it is noted that the property was up for sale on the open market and KWWSPCA stated on their website that if the property was sold, they would have to move. There is no mention of this scenario in the application. It is submitted that the shelter has had adequate time to find a safe and more suitable location for their operation and have not progressed any alternatives.

Marie Whelan: Objects to the centre remaining at this location on the basis that the shelter continues to have a negative impact on her parents and the location is unsuitable for the operation as an animal shelter for reasons relating to:

- Traffic
- Road safety – unsafe access and egress
- Excessive noise
- Negative impact on residential amenity
- Lack of compliance with previous planning conditions

The issues raised reflect those raised by Mr. & Mrs. Conway. In addition, it is submitted that humans should have the same rights as animals which has not happened for her parents since the shelter opened. The shelter, and correspondence from the KWWSPCA have caused stress which is having a direct impact on her parents health, being the nearest neighbours.

The grant of permission from ABP was for 2 years only and did not state an option to reapply. As the property is rented on a short term basis, it would not be difficult to relocate the business to somewhere more appropriate and away from residential properties.

National Animal Centre: Submission supports the application for retention. It notes the shelter is operated on a voluntary basis with no paid staff who work closely with the ISPCA and the Kildare Dog Pound. It is submitted that although not a breeding premises, the facility is operating to the highest standards, as set out in the Dog Breeding Establishments Act 2010.

4.0 Planning History

The following is the relevant planning history pertaining to the subject site:

UD-6570: An Enforcement Notice was served on 20th April 2015 for the use of the site as an animal shelter, the construction of a wooden fence along the road, the material widening of a means of access and the erection of a mobile home.

PL09.246754 (PA ref 15/491): Planning permission was granted for a period of 2 years on the 19th of September 2016, following an appeal to the Board for the retention of use of corrugated agricultural shed, masonry agricultural store and site as an animal shelter, material alteration to masonry store used as ancillary space to animal shelter, retention of wooden hoarding/fence at the entrance to the premises along the Athgarvan-Twomilehouse county road and retention of vehicular access to the cottage along the Athgaran-Twomilehouse county road at Oldtown, Athgarvan, Newbridge, County Kildare.

The reason for the temporary permission was to allow a review of the effects on neighbouring residential amenity.

In its decision, the Board considered as follows:

Having regard to the provisions of the Kildare County Development Plan 2011-2017, in particular Section 10.4.10 Rural Enterprises, to the pattern of development in the area and to the nature and scale of the proposed development to be retained, it is considered that, subject to compliance with the conditions set out below, the proposed development to be retained would not give rise to traffic hazard, would not seriously injure the residential amenities of the area and would, therefore, be in accordance with the proper planning and sustainable development of the area.

In deciding not to accept the Inspector's recommendation to refuse permission, the Board accepted that the sightlines might not quite meet standards however based on the low traffic levels of the local road didn't consider it sufficient reason to merit a refusal in this instance.

5.0 Policy and Context

5.1. Development Plan

5.1.1. The Kildare County Development Plan 2017-2023 is the relevant policy document relating to the subject site. The development is considered under policies relating to rural enterprise and Chapter 10 is considered relevant in this regard as it deals with Rural Development. The animal shelter is considered as a Rural Enterprise, notwithstanding the fact that it is a registered charity and the facility is run by volunteers. Section 10.4.10 of the Plan notes that 'One-off enterprises in the rural area may be located in the open countryside only where the Council is satisfied that the enterprise is suitable for that location in the first place and that it will comply with the criteria outlined in Table 10.3.' The criteria for assessment of one-off enterprises in rural areas are listed as follows:

5.1.2. Proposals for the development of one-off new small-scale enterprises in rural areas outside of designated employment centres will be assessed against the following criteria:

As a general guide, development proposals shall be limited to small-scale business development with a floor area at circa 200 sq. m. and shall be appropriate in scale to its location;

- The development will enhance the strength of the local rural economy;
- The proposed development shall be located on the site of a redundant farm building / yard or similar agricultural brownfield site;
- There is a social and economic benefit to being located in a rural area;
- The proposal will not adversely affect the character and appearance of the landscape;

- The development will not be detrimental to the amenity of nearby properties, and in particular the amenities of nearby residents;
- The existing or planned local road network and other essential infrastructure can accommodate extra demand generated by the proposal;
- The proposal should be accompanied by a mobility plan catering for employees' home to work transportation;
- Adequate proposals to cater for any waste arising at the facility;
- All advertising should be kept to a minimum and be suitable in design and scale to serve the business;
- Proper planning and sustainable development;
- The proposals should conform to other objectives of the County Development Plan.

5.1.3. In terms of relevant policies, Section 10.5 of the Plan deals with Rural Development Policy and Section 10.5.6 of the Plan deals with Policies relating to Rural Enterprise and the following are considered relevant:

RE 2: Liaise and co-operate with statutory, local development, sectoral community / voluntary agencies and groups to develop economic, social and cultural benefits for the rural community.

RLE 2: Encourage the sustainable and suitable re-use of farm buildings in the county and to ensure that such works, where relevant, have regard to Re-Using Farm Buildings – A Kildare Perspective produced by Kildare County Council in 2006.

RLE 4: Encourage the development of alternative rural based small-scale enterprises. The Council will consider the use, nature and scale of developments when assessing such applications. In addition, the Council will also consider the requirement to locate such developments in rural areas.

RLE 10: Ensure that applicants comply with all other normal siting and design considerations including the following:

- The ability of a site in an unserved area to accommodate an on-site waste water disposal system in accordance with the County Kildare Groundwater Protection Scheme, and any other relevant documents / legislation as may be introduced during the Plan period.
- The ability of a site in an unserved area to accommodate an appropriate onsite surface water management system in accordance with the policies of the Greater Dublin Strategic Drainage Study (2005), in particular those of Sustainable urban Drainage Systems (SuDS).
- The need to comply with the requirements of The Planning System and Flood Risk Management Guidelines for Planning Authorities, Department of Environment, Heritage and Local Government (2009).

5.1.4. Chapter 17 of the Development Plan deals with Development Management Standards and Section 17.7.1 deals with stopping distances and sightlines. It is noted that sightline requirements are determined by the Council on a case by case basis and factors including the type, speed limit and condition of the road are taken into consideration. Where sightlines are inadequate, and would give rise to a traffic hazard, development will not be permitted.

5.2. **Natural Heritage Designations**

The site is not located within any designated site. The closest Natura 2000 site is the Pollardstown Fen SAC (Site Code 000396) which is located approximately 7.8km to the north west of the site. Mouds Bog SAC (Site Code 002331) is located approximately 8.3km to the north west of the site.

Red Bog, Kildare SAC (Site Code 000397) is located 14km north east of the site and Poulaphouca Reservoir SPA (Site Code 004063) is located 14km east of the site.

5.3. EIA Screening

Having regard to nature and scale of the development, together with the brownfield nature of the site, there is no real likelihood of significant effects on the environment arising from the proposed development. The need for environmental impact assessment can, therefore, be excluded at preliminary examination and a screening determination is not required.

6.0 The Appeal

6.1. Grounds of Appeal

This is a First party appeal against the decision of the Planning Authority to refuse planning permission for the proposed development. The submission provides a background to the KWWSPCA registered charity and the work they do. In addition, it provides information in terms of the number of animals rehomed in 2018, details of funding and the impact their work has had on the put-to-sleep rate in the Kildare Dog Pound, reducing same from 80% to less than 10% in the past seven years. The appeal is summarised as follows:

- When entering the property, there is room for 2 cars in front of the gates, ensuring there are no safety issues.
- There are good sightlines to the left and the issue to the right arises from a field hedge which has been allowed to grow too high.
- Ownership of the hedge is unclear and it is indicated that Kildare Co. Co. planted the hedge.
- Regardless of ownership, KCC can require the hedge to be trimmed or removed as a public safety concern, as laid out in Section 70 of the Roads Act 1993. The owner / occupier of land is obliged to take all reasonable steps to ensure that trees or vegetation is not a hazard or potential hazard to persons using a public road.
- There have been no accidents entering or leaving the property in the 5 years that KWWSPCA has been resident in the shelter.

- Vehicle traffic is low and the issue of egress would be an issue for anyone owning or using the property even if it reverts to a stable yard.
- On a typical day, only 4-5 cars enter and leave the site. Visitors arrive between 1-3pm.
- On the small number of open days, where there are higher volumes of traffic, there is always someone at the front of the property ensuring safe access of vehicles.

In order to improve the facilities, KWWSPCA is currently looking to move to a new location. A fundraising campaign started in January and the applicant is looking for a new site on which to build a new shelter. The appeal of KCCs decision is to provide extra time to facilitate this move, in the interest of the animals and as a matter of public interest. It is requested that the Board provide the KWWSPCA a 2 year period in which to make the move. Any necessary traffic mitigation measures during this time will be considered.

6.2. Planning Authority Response

The Planning Authority submitted a response to the first-party appeal. The response maintains the position that the traffic movements generated by the proposed development, in a location where sightlines are restricted in both directions, would endanger public safety by reason of a traffic hazard and would, therefore, be contrary to the proper planning and sustainable development of the area. It is requested that the Board uphold the decision to refuse retention permission for the development.

6.3. Observations

There is one observation noted in relation to this appeal, submitted by Frances & Oliver Conway. The observation reflects the objections to the development as submitted to Kildare County Council during their assessment of the retention application and is summarised as follows:

- Planning history and non-compliance issues.
- Continued negative impact on residential amenity

- Road safety and sightlines

It is submitted that Kildare Co. Co. made the correct decision in line with proper and sustainable planning and public safety to refuse the planning application.

7.0 Assessment

Having undertaken a site visit and having regard to the relevant policies pertaining to the subject site, the nature of existing uses on and in the vicinity of the site, the nature and scale of the proposed development and the planning history associated with the site, I consider that the main issues pertaining to the proposed development can be assessed under the following headings:

1. Planning History & Principle of Development
2. Residential Amenities
3. Roads & Traffic
4. Appropriate Assessment

7.1. Planning History & Principle of Development:

- 7.1.1. The subject appeal is the second arising from the operation of the animal shelter on the site. The previous planning application to retain the shelter was permitted by Kildare County Council and following a third party appeal, the Board decided to uphold the grant of planning permission with the inclusion of condition 2 which stated 'This permission for retention is limited to a duration of two years only', the reason being, 'to allow a review of the effects on neighbouring residential amenity.' The most recent application to retain the shelter has been refused by Kildare County Council on traffic grounds. The first party is the appellant in this case. The KWWSPCA is looking for a further two year temporary permission in order to facilitate the moving of the shelter from the subject site. A fundraising drive has been underway in order to secure the funds necessary to facilitate the proposed move.
- 7.1.2. In terms of the principle of the development, the policies and objectives as set out in the Kildare County Development Plan, 2017-2023 is the relevant policy document. The appeal relates to the retention of an animal shelter operated by Kildare West and Wicklow SPCA (KWWSPCA) at Oldtown, Athgarvan, Newbridge, Co. Kildare.

This is a registered charity and the shelter is operated by volunteers. The shelter works with the Kildare Dog Pound and the majority of the animals who are brought to the shelter come from the Pound for rehoming rather than being put to sleep. In this context, it is the stated policy of the Council, policy RE 2 refers, to 'liaise and co-operate with statutory, local development, sectoral community / voluntary agencies and groups to develop economic, social and cultural benefits for the rural community.' I am satisfied that the principle of the proposed development complies with the thrust of this policy.

7.1.3. Further to the above, the Board will note that the shelter was developed at the site of an existing residential site which included a large agricultural building, previously used to house horses. While I note that there has been a dispute as to the nature of the previous use of the site as a riding school, I would agree with previous inspector that the presence of well established agricultural buildings on the site clearly identifies that the site has been used to house animals, prior to the arrival of the animal shelter. In this context, policy RLE 2 is considered relevant which seeks to 'encourage the sustainable and suitable re-use of farm buildings in the county and to ensure that such works, where relevant, have regard to Re-Using Farm Buildings – A Kildare Perspective produced by Kildare County Council in 2006.'

7.1.4. Overall, I conclude that the operation of an animal shelter at this location is acceptable in principle.

7.2. Residential Amenities

7.2.1. The third-party objectors to the retention of the animal shelter, and observer in this appeal, have stated that their residential amenities have been seriously compromised by the KWWSPCA operations for the last 5 years, and continues to be so daily. The significant issues relate to noise and traffic – which I will discuss further below.

7.2.2. In the context of the planning history of the site, the Board will note that the applicant submitted a Noise Assessment which indicated that the predicted noise level at the then appellants property would be 60sB(A), which is above the EPA guideline limit of 55dB(A) during the day. While the dogs are indoors overnight, the primary background noise is from the M7 motorway. As part of the previous grant of planning

permission, mitigation measures required the installation of a barrier on the western boundary. These works have been carried out and following a request for an updated noise survey, the EHO noted that the development was acceptable. While the Environment Section of KCC requested further assessment, I note that the planning officer, while noting concern, did not pursue this request.

- 7.2.3. In the context of the planning history and the information presented, I note the mitigation measures proposed in the Noise Assessment, and efforts to comply with these requirements. I also acknowledge the third-party frustrations, I would agree with the previous inspector that the noise levels can be reduced to acceptable levels. On the day of my site inspection, I observed 11 dogs within the outside runs. I was present on the site for approximately 50 minutes without any significant noise impacts noted. That said, I do acknowledge that a 50 minute window does not imply that that significant noise levels do not arise at the shelter at times.
- 7.2.4. The difficulty here is the fact that the site is located in a rural area, and the operation is centred around the welfare of animals. The site has a history of animals being present on the site, and in this regard, subject to full compliance with the mitigation measures of the Noise Assessment, I am satisfied that the development is acceptable.

7.3. Roads & Traffic

- 7.3.1. The site is located on a local road where the speed limit of 80km/ph is in place. In the context of the road alignment, I would not consider that 80km/ph is an appropriate speed to drive, however I do accept that it is the limit. The reason for refusal by Kildare County Council relates solely to roads issues and in particular, restricted sightlines at the entrance. The Board will note that under the previous appeal the Transportation Department of Kildare County Council accepted the proposal from the applicant to only use the entrance to the cottage and noted no objection to the development subject to conditions requiring the applicant to submit detailed drawings of the revised proposals. This did not happen.
- 7.3.2. In addition to the above, I note the concerns of the previous inspector in relation to the issue of sightlines. When coupled with the fact that the achievement of sightlines require third parties to reduce/remove hedgerows and that there has been an

increase in traffic movements since the shelter opened at this location, the proposals were not considered acceptable from a road safety perspective. The previous inspector recommended refusal of planning permission on the grounds of traffic hazard and restricted sightlines. The Board, however, decided not to accept the Inspectors recommendation to refuse permission. It was accepted that the sightlines did not quite meet standards, however, based on the low traffic levels of the local road, didn't consider it sufficient a reason to merit a refusal.

- 7.3.3. On the date of my inspection, I did not witness any significant traffic on the local road. I waited outside the gate to be let in for approximately 8-10 minutes with only 1 car passing in this time. I also note that visitors to the shelter are welcome between 1-3pm with any visits outside these times are by appointment only. I would not consider that the development gives rise to significant volumes of traffic and while I agree that the sightlines are somewhat restricted to the right on exit, it did not prove problematic or unsafe, in my opinion. That said, I do acknowledge that the sightlines do not meet the standards required.
- 7.3.4. It must be noted that the existing site, including the buildings and facilities, have been present and operational in some form or other, for many years as a home and an agricultural business. Having consulted 'googlemaps', I note that the two entrances to the site were in place when the imagery was captured in April 2009. The roadside hedges comprised low hedges to the right (west) of the entrance and the vegetation in and around the entrance to the site appeared to be have been well maintained. In the past 10 years, the vegetation and boundaries have grown and matured, which have affected the available sight distances.
- 7.3.5. In the context of the history of the site, and its use as a facility which trained horses, as per the third party, and a riding school as per the applicant, it is clear that members of the public visited the site prior to the occupation by the KWWSPCA. In this regard, I consider that the issue of increased traffic movements needs to be considered. Given the restricted hours of visiting without an appointment, I do not consider that the increase is exceptional. I would accede that the running of 'open days' have the potential to generate increased traffic volumes which may give rise to concerns.

7.3.6. While I acknowledge the third party concerns, and those of the Planning Authority, I do not consider that there has been a significant reduction in the available sight distances at the entrance, for which the PA considered acceptable under the previous application. That said, I also acknowledge that the sightlines are restricted at the entrance. No evidence of increased traffic volumes using the local road have been submitted and no details of any accidents occurring in the vicinity of the shelter could be found. I consider it reasonable that the KWWSPCA be afforded the two years requested to facilitate the shelters move from the subject site. In the event of any further applications, a full traffic assessment, to include traffic figures, should be required.

7.4. **Appropriate Assessment**

The site is not located within any designated site. The closest Natura 2000 site is the Pollardstown Fen SAC (Site Code 000396) which is located approximately 7.8km to the north west of the site. Mouds Bog SAC (Site Code 002331) is located approximately 8.3km to the north west of the site. Red Bog, Kildare SAC (Site Code 000397) is located 14km north east of the site and Poulaphouca Reservoir SPA (Site Code 004063) is located 14km east of the site.

Overall, I consider it is reasonable to conclude on the basis of the information available that the proposal individually or in combination with other plans or projects, would not adversely affect the integrity of a Natura 2000 site having regard to the nature and scale of the proposed development and separation distances involved to adjoining Natura 2000 sites. It is also not considered that the development would be likely to have a significant effect individually or in combination with other plans or projects on a European Site.

8.0 Recommendation

I recommend that planning permission be granted for the proposed development for the following stated reason and subject to the following stated conditions.

9.0 Reasons and Considerations

Having regard to the pattern of permitted development in the area, to the provisions of the Kildare County Development Plan 2017-2023, in particular Section 10.5 Rural Development Policy and Section 10.5.6 Rural Enterprise, to the pattern of development in the area and to the nature and scale of the proposed development to be retained, it is considered that, subject to compliance with the conditions set out below, the proposed development to be retained would not give rise to traffic hazard, would not seriously injure the residential or visual amenities of the area and would, therefore, be in accordance with the proper planning and sustainable development of the area.

10.0 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 12th day of September, 2018, further information received 3rd day of May, 2019, and details submitted to the Board on the 24th day of June, 2019, 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. This permission for retention is limited to a duration of two years only.

Reason: In the interest of clarity.

3. All conditions attached to previous grant of planning permission, ABP ref PL09.246754 shall be strictly adhered to.

Reason: In the interests of the proper planning and sustainable development of the area.

A. Considine

Planning Inspector

30th September, 2019