



An
Bord
Pleanála

Inspector's Report

ABP-309352-21

Development	Construction of a hay and machinery storage building.
Location	Shannongrove, Pallaskenry, Co. Limerick.
Planning Authority	Limerick City and County Council
Planning Authority Reg. Ref.	20680
Applicant(s)	Gill Langford.
Type of Application	Permission.
Planning Authority Decision	Grant Permission with conditions
Type of Appeal	Third Party
Appellant(s)	Maria Hibberd.
Observer(s)	None.
Date of Site Inspection	13 th April 2021.
Inspector	Bríd Maxwell

1.0 Site Location and Description

- 1.1. This appeal relates to an established rural dwelling site located at Shanongrove north of Pallaskenry Village adjacent to the south channel of the River Shannon. The area is characterised by extensive ribbon development of one-off houses. The appeal site abuts a cul de sac roadway which terminates at Ringmoylan Quay circa 400m to the north of the appeal site.
- 1.2. The appeal site extends to 0.75 hectares and is occupied by a residential dwelling and domestic garage and an L shaped stable block. The site also includes a recorded monument LI00001 described and appraised within the National Inventory of Architectural Heritage <http://www.buildingsofireland.ie/> as follows: A Freestanding circular-plan two-stage former windmill, built in 1735. Rubble stone walls having remains of render. Concrete support to west elevation. Segmental-arched opening with roughly dressed limestone voussoirs to south elevation. Segmental-arched opening having roughly dressed limestone voussoir to west elevation. This windmill was built by William Bury to grind wheat for the charter school, which he had established at the gates of Shanongrove in 1735, is an example of a small-scale enterprise for specific consumers. Although now derelict, this former windmill retains much of its original form and is a strong focal point and unusual feature within the surrounding landscape." The monument is located towards the north-western end of the site east of the dwelling and adjacent to the roadside. At the southern end of the site is an access roadway serving farmlands to the east. The adjoining site to the south of the site is occupied by a single storey dwelling and detached domestic garage.

2.0 Proposed Development

- 2.1. The application as set out involves permission for the construction of a hay and machinery storage building. The proposed building is to be located within an existing yard area towards the southern end of the site within 4m of the stable building. The shed is an A framed structure with a gross floor space of 93sq.m and a ridge height

of 4.5m. External finish is to include woodgrain effect PVC cladding with a metal profiled roof.

- 2.2. Application details indicate that the proposal is intended to store a horse trailer and quad bike and to store bags of bedding and hay with feed stored in sealed bins.

3.0 Planning Authority Decision

3.1. Decision

- 3.1.1 By order dated 21 January 2021 Limerick City and County Council issued notification of its decision to grant permission and 4 conditions were attached including condition 2 requiring that roof covering/siding shall be woodgrain PVC or Dark PVC coated steel painted in a dark colour. Condition 3 Machinery storage for agricultural purposes only and not for commercial purposes. Waste management plan to be submitted.

3.2. Planning Authority Reports

3.2.1. Planning Reports

Initial planning report recommended seeking additional information to include consideration of alternative locations for the proposed shed to the rear of the existing stable building. The second report following submission of additional information accepts the validity of the first party response argument regarding the unsuitability of alternative locations and recommends permission subject to conditions.

3.2.2. Other Technical Reports

Limerick City and County Council Archaeologist report indicates that there are no archaeological issues in regard to the application.

Environment Section. All effluent to be managed in accordance with European Union Good Agricultural Practice for Protection of Waters Regulations 2017 as amended. Construction work in accordance with Department of Agriculture Food and Marine Building Specification. Where hedgerow is to be removed replacement to be planted.

3.3. **Prescribed Bodies**

No submissions. I note that the file was referred by Limerick County Council to the Department of Culture Heritage and the Gaeltacht however no response was received.

3.4. **Third Party Observations**

3.4.1 Three third party submissions from the following local residents

Michael A Burke, Architectural Services on behalf of Marie Hibberd resident of the adjoining dwelling to the south.

James and Maeve Galvin. Ringmoylan.

Michael and Margaret Ryan, Shannongrove.

3.4.2 Submissions outline objection to the development on grounds of visual impact and negative impact on residential amenity and views to the river.

Shed should be constructed behind the building line.

Traffic impact

Fire safety hazard.

Potential to attract rodents

4.0 **Planning History**

09/687 Permission granted for the renovation and extension of dwelling including demolition of domestic garage provision of a detached garage the provision of a stable block and ancillary site works.

5.0 **Policy Context**

5.1. **Development Plan**

The Limerick County Development Plan 2010-2016 refers.

5.2. Natural Heritage Designations

The site is within 300m of the following designated sites.

The River Shannon and River Fergus Estuaries SPA Site Code 004077

Lower River Shannon SAC Site Code 002165

6.0 The Appeal

6.1. Grounds of Appeal

6.1.1 The appeal is submitted by Michael A Burke Associates Architectural Services, Pallaskenry on behalf of Maria Hibberd, Shannongrove who resides in the dwelling adjacent to the south of the appeal site. The submission is summarised as follows:

- No objection in principle to the construction of a shed.
- More appropriate location is suggested behind the building line.
- This relocation to the rear would ensure buffering visually and in terms of noise by appellant's garage.

6.2. Applicant Response

6.2.1 The response by Tom Carew and Partners Consulting Engineers on behalf of the first party is summarised as follows:

- Proposed shed location is within the existing farmyard in line with the existing stable block.
- Location proposed by the appellant is unsuitable as it would block the river view from the road, is in an area of filled ground unsuitable for building, is remote from services and would interfere with farm access.

6.3. Planning Authority Response

The Planning Authority did not respond to the grounds of appeal.

7.0 Assessment

7.1. The main issues raised within the grounds of appeal relate to the impact of the development on the residential and visual amenities of the area. The issue of appropriate assessment also needs to be addressed. As regards visual impact the appellant has sought the relocation of the proposed shed southwards adjacent to the farm roadway and in line with the appellants garage on the neighbouring site. As outlined within the first party response to the appeal this location would not be feasible in terms of tying in with the workings of the adjacent stable block. I consider that the proposed location is acceptable in terms of its visual impact. Given the distance of 22m from the southern boundary of the site with the adjacent dwelling and the scale and height of the structure I do not consider that the proposal will be unduly prominent and it will visually amalgamate with the existing structures on the site. As regards noise impacts given the nature of the proposal which is intended to store a horse trailer and quad bike, bedding and hay and feed stored in sealed bins, the level of noise arising is not likely to be significant. Any environmental impacts can be readily mitigated by standard good practice. Given the location of the site within a rural area and having regard to the established stable block on the site I consider that the proposal is acceptable and will not give rise to significant negative impacts on residential or other amenities of the area. As regards the recorded monument the shed is sufficiently distant from the windmill ruin and is buffered by the stable block. I note that the Limerick County Archaeologist indicated no archaeological issues in regard to the development.

7.2 As regards appropriate assessment the Lower River Shannon SAC is located 300 metres to the north and north west of the appeal site. The qualifying interests associated with the SAC in the general area of the appeal site are mudflats and sandflats not covered by seawater at low tide, Atlantic salt meadows, Otter and Bottlenose Dolphin habitats. The River Shannon and River Fergus Estuaries SPA is located 400 metres to the north of the appeal site. The qualifying interests for the

SPA are a variety of coastal and estuarine birds including Cormorant, Light Bellied Brent Goose and Lapwing. The broad conservation objectives for both SAC and SPA are to maintain the favourable conservation condition of these interests. Having considered the information available, given the scale of the development proposed, the nature of the receiving environment, the site location outside of the identified European sites, the downstream separation distances involved, it is my opinion that the proposed development would not be likely to have a significant effect on either SAC or SPA sites and would not undermine or conflict with the Conservation Objectives applicable for each site. No appropriate assessment issues arise and I consider that the proposed development would not be likely to have a significant effect individually or in combination with other plans or project on a European site.

8.0 Recommendation

Having regard to the foregoing I recommend that permission be granted, subject to the conditions for the reasons and considerations as set out below.

Reasons and Considerations

Having regard to the nature and extent of the proposed development and to the history of on-site equine activity, and to the existing character and pattern of development in the vicinity, it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the amenities of the area or of property in the vicinity and 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 except as may otherwise be required in order to comply with the following conditions. Where such

conditions require points of detail to be agreed with the planning authority, these matters shall be the subject of written agreement and shall be implemented in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. All uncontaminated roof water from building and clean yard water shall be separately collected and discharge in a sealed system to existing drains streams or adequate soakpits and shall not discharge or be allowed to discharge to foul effluent drains, foul effluent and slurry storage or to the public road.

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

- 3 Notwithstanding the exempted development provisions of the Planning and Development Regulations 2001, and any statutory provision amending or replacing them, the use of the proposed development shall be restricted to hay/ feed storage and machinery storage as specified in the lodged documentation, unless otherwise authorised by a prior grant of planning permission.

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

Bríd Maxwell
Planning Inspector

12th May 2021