



An
Bord
Pleanála

Inspector's Report R310557-21.

Development	Retention of an agricultural shed and the retention and completion of a second partly built agricultural shed.
Location	Tellarought, Carnagh, New Ross, Co. Wexford.
Planning Authority	Wexford County Council
Planning Authority Reg. Ref.	20201487
Applicant	Edward Murphy
Type of Application	Permission
Planning Authority Decision	Grant permission
Type of Appeal	Third Party
Appellant	Denis Doyle
Observers	Kathleen Heffernan
Date of Site Inspection	3/11/2021
Inspector	Siobhan Carroll

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1.0 Site Location and Description

- 1.1. The site is located in the rural townland of Tellarought, Carnagh, circa 500m from the village of Carnagh. New Ross is situated circa 7.4km to the north-west. The Regional Road the R734 which links the area to the south of New Ross and Hook Head is located circa 2.4km to the west of the appeal site.
- 1.2. The site has a stated area of 0.23 hectares. It is access off the local road from a private laneway. It is situated circa 180m from the junction between the laneway and the public road. The surrounding rural area is lowland in nature. The predominate land use is agriculture with a sporadic housing along the local roads.
- 1.3. The site contains the subject existing shed which it is proposed to retain. The subject agricultural shed has an area of 464.5sq m and a height of circa 6.75m. It is constructed with grey cladding. The partially built shed on site adjoins the existing shed to the west. The concrete floor plate is constructed and the steel portal frame with a number of sections of the roof is also in place. On inspection of the site, there were hay bales stored at the eastern end of the shed and also cladding of the type suitable to complete the construction of the shed itself.
- 1.4. The neighbouring dwelling to the south the appellants property, lies approximately 22m from the partially built shed. The neighbouring dwelling to the north-east is located 48m from the existing agricultural shed. To the north of the site there is a farmyard and associated agricultural buildings.

2.0 Proposed Development

- 2.1. Permission is sought for the retention of an agricultural shed and the retention and completion of a second partly built agricultural shed.

3.0 Planning Authority Decision

3.1. Decision

- 3.1.1. Permission was granted subject 6 no. conditions. Condition no. 3 specified that Storage Shed A shall operate as a machinery storage shed and dry storage only and shall not be used to house animals, animal manure and for any other purposes.

Condition no. 4 specified that Storage Shed B shall operate as a machinery storage shed and dry storage only and shall not be used to house animals, animal manure and for any other purposes.

3.2. Planning Authority Reports

3.2.1. Planning Reports

- Following the submission of further information which addressed the request for a full list of machinery and equipment stored in Shed A and details of surface water drainage/treatment and stormwater attenuation arising from the construction of both buildings and associated hardstands, and a further site visit which confirmed that the Shed A contained predominantly agricultural machinery and implements the Planning Officer was satisfied and permission was recommended.

3.2.2. Other Technical Reports

Senior Executive Scientist (Environment) – Permission is recommended subject to conditions requiring that (1) all design and construction standards shall be in accordance with Department of Agriculture and Food specifications – S100 Concrete Specification and S101 Minimum Specifications for the structure of Agricultural Buildings (2) All storm water from the proposed roof shall be diverted to existing storm water system (3) Storage Shed A for retention shall operate as machinery shed and shall not be used to house animals for any reason. (4) Storage Shed B for retention and completion shall operate as storage shed and shall not be used to house animals for any reason.

3.3. Prescribed Bodies

- None

3.4. Third Party Observations

- 3.4.1. The Planning Authority received 2 no. of submission/observations the issues raised are similar to those set out in the appeal and the observation to the appeal.

4.0 Planning History

- None

5.0 Policy Context

5.1. Wexford County Development Plan 2013-2019 (Extended)

5.1.1. Chapter 6: Employment, Economy and Enterprise

5.1.2. Section 6.4.6 Agriculture

- Objective ED20: To facilitate and support the development of sustainable agriculture practices and facilities within the County subject to complying with normal planning and environmental criteria and the development management standards in Chapter 18.

5.1.3. Chapter 14: Heritage:

5.1.4. Section 14.4: Landscape:

- Section 14.4.2: Landscape Character Assessment: (2) Lowlands:

The Lowland area generally comprises gently undulating lands and relates to extensive areas of the county. This landscape has characteristics which provide it with a higher capacity to absorb development without causing significant visual intrusion. The landscape is characterised by higher population levels and more intensive agriculture. It is punctuated by many of the county's hills and ridges, the more sensitive of which have been defined as Landscapes of Greater Sensitivity. N.B. The proposed development site is located within the 'Lowlands' landscape unit as identified on Map No: 13: 'Landscape Units and Features' of the Development Plan ('Landscape Character Assessment').

5.1.5. Chapter 18: Development Management Standards:

- Section 18.23: Agricultural Buildings:

The Council will encourage and facilitate agricultural development subject to the following criteria:

- The impact on the character and amenity of the immediate and surrounding area.
- There are no suitable redundant buildings on the farm holding to accommodate the development.
- The proposal will not impact negatively on the traffic and environment of the area.
- The Council recognises the need for agricultural buildings and acknowledges that there is often a requirement for these structures to be significant in scale. Notwithstanding this, these buildings will be required to be sympathetic to their surroundings in terms of scale, materials and finishes. The building should be sited as unobtrusively as possible and the finishes and colours used must ensure the building will blend into its surrounding and landscape. The use of appropriate roof colours of dark green and grey will be required. Where cladding is proposed, it shall be dark in colour also.

5.2. Natural Heritage Designations

5.2.1. The following Natura 2000 sites are located in the general vicinity of the proposed development site:

- River Barrow & River Nore (Site Code 0002162) is situated 5.8km to the west of the appeal site.
- Bannow Bay SAC (Site Code 000697) is situated 10.4km to the south-east of the appeal site.
- Bannow Bay SPA (Site Code 004033) is situated 12km to the south-east of the appeal site.

5.3. EIA Screening

5.3.1. Having regard to the nature and scale of the proposed development, the site location outside of any protected site and the nature of the receiving environment, the limited ecological value of the lands in question, and the separation distance from the nearest sensitive location, 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

A third party appeal was submitted by BPS Planning Consultants on behalf of the appellant Denis Doyle. The issues raised are as follows;

- The appellant's dwelling and part of his farmyard is located to the south of the application site. The remainder of his farmyard is located to the north of the application site.
- It is considered that the proposal may be contrary to Objective ED20 of the Development Plan which aims 'to facilitate and support the development of sustainable practices and facilities within the county subject to complying with normal planning and environmental criteria and the development management standards in Chapter 18'.
- It is considered that the retention of the sheds would be contrary to Section 18.23 of the Development Plan which refers to Agricultural Buildings. It is submitted that the proposal impacts negatively on the character of the immediate area including the appellant's dwelling and farmyards. It would impact negatively on the area by introducing shed structures of a scale and type that are more commercial in nature than agricultural. The scale of the proposed sheds are considered disproportionate to the needs of a small sized farm. The scale of the development is not considered sympathetic to the appellant's dwelling and farmyards. The sheds are sited in an location which renders them obtrusive.
- It is considered that no adequate details have been provided with the application which state why a part-time farmer requires 910.3sq m of sheds. No details were provided regarding what machinery would be stored in the sheds and what scale of hay/straw is proposed to be stored in the sheds.

- It is submitted that the conditioned uses of the sheds does not justify the proposed area of 910.3sq m.
- It is considered that the scale of shed A cannot be justified to serving a small farm. It is stated that shed A did not replace a previous derelict shed on site.
- It is considered that the scale of shed B cannot be justified to serving a small farm. It is stated that shed B did not replace a previous derelict shed on site.
- It is submitted that the size of agricultural sheds is an important issue in a planning assessment however the Planning Authority did not address this.
- It is stated that on reviewing the application cover letter and the planning assessment of the Planning Authority that it is clear that the applicant is not a farmer, does not live on the site and works in the construction industry. The appellant is concerned that the scale of the proposed sheds and their conditioned use for machinery and other storage may result in them being used for the storage of construction vehicles unrelated to farming.
- It considered that the retention of Shed B would impact negatively on the appellant's residential and visual amenities. The location of Shed B would negatively impact views from the appellant's rear windows. It would have a negatively visual impact on the appellant's residential and visual amenities by way of visual overbearing and visual obtrusion.
- It is considered that proposed Shed B would negatively impact on the privacy and quiet nature of the appellant's property. If the sheds were used to store machinery associated with the applicant's work in construction it would cause significant, negative and permanent impact on the appellant's property.
- It is stated that the location of Shed B would result in the removal of an existing agricultural access between the appellant's farmyards and that it would remove the visual link between the appellant's farmyards which would reduce the security of the farm.
- The proposed finished floor level of Shed B is approximately 1m above that of the appellant's dwelling and farmyard to the south. Concern is expressed that surface water could potentially discharge from the application site into the appellant's property.

- Concern is expressed that the proposed development would seriously injure the amenities and depreciate the value of the appellant's property.
- It is considered that permission should be granted for the retention of Shed A and refused for the retention of Shed B.

6.2. Applicant Response

A response to the third party appeal was submitted by Hughes Planning and Development Consultants behalf of the applicant Edward Murphy. The issues raised are as follows;

- It is contended in the appeal that the development does not comply with the provisions of the Wexford County Development Plan. This contention is fully refuted. The application site is unzoned and therefore it may be considered that agricultural related uses are the most suitable and preferred uses. Accordingly, the provision of 2 no. agricultural sheds are considered to be compliant with the unzoned land designation.
- Section 18.23 of the Wexford County Development Plan 2013-2029 relates to 'Agricultural Buildings'. This section of the plan states the following:
 'The Council will encourage and facilitate agricultural development subject to the following criteria:
 - The impact on the character and amenity of the immediate and surrounding area.
 - There are no suitable redundant buildings on the farm holding to accommodate the development.
 - The proposal will not impact negatively on the traffic and environment of the area.

'The Council recognises the need for agricultural buildings and acknowledges that there is often a requirement for these structures to be significant in scale. Notwithstanding this, these buildings will be required to be sympathetic to their surroundings in terms of scale, materials and finishes. The building should be sited as unobtrusively as possible and the finishes and colours used must ensure the building will blend into its surroundings and landscape.'

The use of appropriate roof colours of dark green and grey will be required. When cladding is proposed it shall be dark in colour also.'

- It is considered that the proposed development is fully compliant with Section 18.32 of the Development Plan. Wexford County Council recognises the requirement for large agricultural buildings in certain circumstances. The proposed development would have a combined area of 909.8sq m within 2 no. structures. It is suggested in the appeal that the scale of the proposal is disproportionate to the needs of the applicant. This assertion is refuted. The applicant is the landowner of a substantial landholding comprising circa 15.55 hectares. The provision of the proposed structures as a machinery shed (Shed A) and a fodder store (Shed B) is considered of an appropriate scale to support the overall farm holding.
- The appeal refers to the use of the subject sheds. The appellant claims that the farm is not of a sufficient size to warrant the sheds. It is submitted that this claim has been made on no supporting grounds. The applicant is a landowner of a large area of land which comprises 15 hectares. These lands are indicated on the Site Location map submitted with the application. The appellant claims that the sheds may not be used for the permitted storage. The applicant confirms that the purpose of the sheds. Shed A is to be used to store agricultural machinery and Shed B is to be used as a fodder store. The proposed uses were accepted by Wexford County Council who conditioned the uses of the sheds as such.
- In relation to the issues of impact on residential and visual amenity the applicant refutes the claims that the residential and visual amenities afforded to the appellant would be negatively impacted. The appellant is considered to have a very minimal visual link to his farmlands to the north of the site. The appellant's dwelling is located on substantially lower ground to the subject site and the shared boundary comprises a hedgerow which reduces visibility. It is considered that the appellant's desire to view his lands to the north of the appeal site is not an appropriate reason for preventing the development at the site. It is submitted that the sheds are located at an appropriate distance from the appellant's dwelling and therefore are not considered to reduce any levels of amenity. The proposed sheds are located to the north of the appellant's

dwelling and would not result in any reduction in residential amenity including overshadowing or loss of daylight/sunlight, overbearing or loss of privacy.

- The appeal refers to the removal of an existing agricultural access and potential security risk. It is contended in the appeal that the proposal removes an existing access from his dwelling to the northern lands through the application site. In response to this, it is stated that the appellant does not have a right of way to enter the subject yard for access to the northern lands and no agreement has been made between the applicant to allow such access. A letter from Kelly Colfer Son & Poyntz Solicitors has been submitted which provides details on the applicant's lands and concludes that there are no existing right of way at the site.
- In relation to the issue of surface water run-off, it is submitted that any and all surface water which arises at the appeal site will be diverted in accordance with the conditions attached to the grant of permission. The applicant will ensure that the surface water does not enter the appellant's dwelling or property. At further information stage it was detailed that there is an existing drain to the bottom yard which diverts surface water from the site and yard. The applicant proposes to install a new storm-water attenuation tank and hydrobrake. The water would then be discharged through a field owned by the applicant. The applicant has therefore taken measures to ensure that surface water will not be dispersed to the adjoining dwelling of the appellant.
- It is stated in the appeal that the proposal would result in depreciation of the value of properties in the vicinity. This claim is refuted. The proposed development is not considered to have any significant impact on the property values of the appellant's dwelling or any nearby dwelling. The proposed development comprises the retention of 2 no. agricultural sheds which is a common feature in rural areas.
- In conclusion, it is submitted that the issues raised by the appellant have been comprehensively addressed. The proposed development is appropriate for the subject site, given the rural and agricultural nature of the use.

6.3. Planning Authority Response

- None received

6.4. Observations

An Observation was received from Kathleen Heffernan. The issues raised are as follows;

- The observers concerns relate to the partially constructed agricultural shed. It is located 24.38m from the rear of the observer's family home.
- The shed has a height of 6.7m and is a seven span structure and it is linked to the original shed. The proposed shed would have a major visual impact and would in loss of light.
- The location of the shed overlooks the observer's family home. The visual connection between the observer's family home and the farmyard is impacted due to the location of the shed.
- Noise and disturbance generated by the use of the shed would impact the observer's family home.
- The ground level of shed B is higher than the ground level of the observer's family home by circa 1m. Concern is raised that run-off water from the shed could cause flooding of the neighbouring property.
- Concern is expressed that given the size of the sheds that they could be potentially used for commercial storage.

7.0 Assessment

The main issues in this appeal are those raised in the grounds of the appeal and it is considered that no other substantive issues arise. Appropriate Assessment also needs to be addressed. The issues can be dealt with under the following headings:

- Development Plan policy
- Residential and visual impact
- Drainage

- Other issues
- Appropriate Assessment

7.1. Development Plan policy

- 7.1.1. The appellant contends that the proposed development is contrary to Development Plan policy in respect of agricultural development. It stated in the appeal that the proposal may be contrary to Objective ED20 of the Development Plan which aims ‘to facilitate and support the development of sustainable practices and facilities within the county subject to complying with normal planning and environmental criteria and the development management standards in Chapter 18’.
- 7.1.2. It is also contended in the appeal that the proposed retention and completion of the subject sheds would be contrary to Section 18.23 of the Development Plan which refers to Agricultural Buildings. It sets out that the Council will encourage and facilitate agricultural development subject to an assessment of the impact on the character and amenity of the immediate and surrounding area, that there are no suitable redundant buildings on the farm holding to accommodate the development and that the proposal will not impact negatively on the traffic and environment of the area. It is set out in this section of the Plan that the Council recognises the need for agricultural buildings and acknowledges that there is often a requirement for these structures to be significant in scale.
- 7.1.3. It is contended that the proposed development would negatively impact on the character of the immediate area which includes the appellant’s dwelling and farmyards. In relation to this matter, I shall address it in the section 7.2 of the report. The appeal raised the potential use of the subjects sheds and also questioned the requirement for sheds of the scale proposed.
- 7.1.4. In response to these matters it is stated in the first party submission that they refute the contention that the development does not comply with the provisions of the Wexford County Development Plan. It is stated in the response that the site located in an unzoned rural and that therefore it may be considered that agricultural related uses are the most suitable and preferred uses. I would concur with this assertion. Accordingly, the proposed 2 no. agricultural sheds is a development which is

appropriate to the rural area subject to all other planning considerations being satisfactorily addressed.

- 7.1.5. In relation to the proposed use of the agricultural sheds, the appeal raised concern that the sheds could be used for the storage of construction vehicles unrelated to farming. The scale of the proposed sheds is also questioned in relation to the applicant's landholding. In respect of the proposed use of the sheds the Planning Authority sought further information on the matter. The applicant was requested to provide an itinerary of all machinery and equipment stored in Shed A. In response to the matter a list of farm machinery stored in the shed was provided. Furthermore, I note that the report of the Planning Officer dated the 19th of May 2021 where it was confirmed that a further site inspection took place which confirmed that the shed contained predominantly agricultural machinery and implements. In response to the matter the applicant confirms the purpose of the two sheds. Shed A is to be used to store agricultural machinery and Shed B is to be used as a fodder store. On inspection of the site, I noted that Shed A was locked and that there were hay bales stored at the eastern end of the shed and also cladding of the type suitable to complete the construction of the shed itself. Having regard to the details provided with the application and also the details provided with the response to the appeal, I am satisfied that the proposed use of the sheds is solely for agricultural purposes.
- 7.1.6. In relation to the scale of the sheds I note that Shed A has an area of 464.5sq m and that Shed B has a proposed area of 445.8sq m. The combined floor area of the sheds is circa 910.3sq m. The first party dispute the assertion in the appeal that the scale of the proposal is disproportionate to the needs of the applicant. In response to the matter, it is highlighted in the appeal response that the applicant is the landowner of a substantial landholding comprising circa 15.55 hectares. The applicant's landholding is indicated on the map submitted with the application. These lands adjoin and in are in the immediate vicinity of the subject sheds. I am satisfied that the applicant's landholding at 15.55 hectares requires the proposed sheds for the storage of machinery and equipment used on the landholding and also to store fodder associated with the overall farm holding.

7.2. Residential and visual impact

- 7.2.1. It is contended in the appeal that the location of Shed B would impact negatively on the appellant's residential and visual amenities. The appellant states that the location of Shed B would have a negatively visual impact on the appellant's residential and visual amenities by way of visual overbearing and visual obtrusion. The proposed location of Shed B was raised as the appellant considered that it would result in the remove the visual link between the appellant's farmyards which would reduce the security of the farm.
- 7.2.2. It is also raised in the appeal that Shed B would negatively impact on the privacy and quiet nature of the appellant's property, if the sheds were used for the storage of machinery associated with the applicant's work in construction.
- 7.2.3. Firstly, in respect of the proposed use of Shed B as assessed in Section 7.1 of this report, I am satisfied that the applicant has confirmed that Shed B will be used as a fodder store. In relation to the matter of the use of the subject sheds the Planning Authority attached conditions which specified that the uses be limited to the storage of machinery and as dry storage for Shed A and that the use of Shed B be limited to the storage of fodder and as dry storage. I consider that this satisfactorily addresses the matter. Accordingly, should the Board decide to grant permission I would recommend the attachment of a similarly worded condition to ensure that the use of the sheds is limited to storage associated with the agricultural uses which have been specified by the applicant. Accordingly, I am satisfied that the proposal would not unduly impact upon the residential amenities of the property in terms of noise or disturbance.
- 7.2.4. In relation to the potential visual impact of the subject sheds, the overall design and layout of the proposed development is typical of similar agricultural structures common to rural areas. The subject sheds are situated to the north-west of the lane and they are partially screened by the mature tree planting along the southern site boundary. Shed B is setback 45m from the entrance to the site and therefore would only be visible from close range views. Accordingly, having regard to the foregoing, and in light of the site context, including the screening offered by the surrounding landscape and other features, I am satisfied that the proposal will not unduly impact on the visual amenity of this rural area.

- 7.2.5. In relation to the design of agricultural buildings it is advised in Section 18.32 that these buildings will be required to be sympathetic to their surroundings in terms of scale, materials and finishes. The building should be sited as unobtrusively as possible and the finishes and colours used must ensure the building will blend into its surrounding and landscape. The use of appropriate roof colours of dark green and grey will be required and where cladding is proposed, it shall be dark in colour also. I note that Shed A is constructed with a grey cladding. I consider that it would be appropriate if Shed B featured the same or similar coloured external finish. Accordingly, I would recommend the attachment of a condition requiring that the roof and elevational cladding of the shed proposed to be retained and completed shall be coloured to match the existing shed.
- 7.2.6. With regard to the impact on residential amenity, I note that the Shed B which it is proposed to retain and complete is situated a minimum distance of 22m from the appellant's dwelling. The southern site boundary adjoins the appellant's property. While I note there is an agricultural gate on the southern boundary between the properties, which provides some limited views of Shed B from the appellant's property, I note that this boundary is predominately defined by high mature trees and hedgerow which I consider satisfactorily screen the subject shed. Accordingly, having regard to the separation distance provided and the existing boundary screen, I do not consider that Shed B would be visually intrusive or otherwise impact on the residential amenities of the appellant through overlooking, overshadowing or overbearing impacts.
- 7.2.7. Regarding the matter of Shed B resulting in result in the remove the visual link between the appellant's farmyards which would reduce the security of the farm, the response from the first party stated they consider that there is a very minimal visual link to his farmlands to the north of the site. The first party response noted that the appellant's dwelling is located on lower ground to the subject site and the shared boundary which comprises a hedgerow reduces visibility. They contend that the appellant's desire to view his lands to the north of the appeal site is not an appropriate reason for preventing the development at the site. I consider the points made by the first party in relation to the matter reflect the site context and counter the argument made by the appellant.

7.2.8. Accordingly, I do not consider that the development for which retention permission and for which retention and completion of development is sought would have a significant negative impact on residential or visual amenities.

7.3. **Drainage**

7.3.1. The appeal raises the matter of surface water drainage. Specifically, concern is expressed that due to the difference in floor level of Shed B and the appellant's dwelling to the south of circa 1m that there is a possibility that flooding may occur.

7.3.2. The first party in response to the matter stated the issue of surface water run-off was addressed with the further information which was submitted to the Planning Authority on the 30th of April 2021. As detailed in the further information response, I note that there is an existing drain to the bottom yard which diverts surface water from the site and yard. As indicated on the Site Layout Plan it is proposed to install an attenuation tank fitted with a hydrobrack. It is proposed that the sheds will have gutters fitted which will discharge to gully traps and into the attenuation tank. Following the collection of surface water within the new surface water drainage system it is proposed that the water would then be discharged through a field owned by the applicant.

7.3.3. Accordingly, having regard to the detailed proposals provided in respect of the treatment and disposal of surface water generated on the site, I am satisfied that the scheme has been designed to ensure that surface water does not enter the appellant's dwelling or property.

7.4. **Other issues**

Agricultural access

7.4.1. The matter of the removal of an existing agricultural access is raised in the appeal. The appellant submits that the proposed development would result in the removal an existing access from his dwelling located to the south of the appeal site to the lands located to the north of the appeal site through the site.

7.4.2. In response to these matters, the appeal response from the first party states that the appellant does not have a right of way to enter the subject yard for access to the

northern lands and that there is no agreement between the applicant and the appellant to allow such access. The first party response to the appeal includes a letter from Kelly Colfer Son & Poyntz Solicitors. The letter provides details in relation to the applicant's lands. It is confirmed in the letter that there are no existing right of way at the site.

- 7.4.3. It is not within the remit of the Board to determine legal interests and/or obligations held by the applicant. Accordingly, I do not consider that these matters are reasonable and substantive grounds for refusal of the proposed development.

7.5. Appropriate Assessment

- 7.5.1. The appeal site is remote from any European site. The nearest Natura 2000 sites are River Barrow & River Nore is situated 5.8km to the west of the appeal site. Bannow Bay SAC is situated 10.4km to the south-east of the appeal site. Bannow Bay SPA is located 12km to the south-east of the appeal site. There is no hydrological connection to the River Barrow & River Nore SAC and having regard to the inland location of the appeal site it has no known connectivity with the very distant coastal European sites and it has no known habitat to support any of the Special Conservation Interests of these European sites.
- 7.5.2. Having regard to the nature, scale, and location of the proposed development, the nature of the receiving environment, and the separation distance to the nearest European sites, it is concluded that no Appropriate Assessment issues arise as the proposed development would not be likely to have a significant effect individually or in combination with other plans or projects on any European site.

8.0 Recommendation

- 8.1. Having regard to the foregoing, I recommend that the decision of the Planning Authority be upheld in this instance and that permission be granted for the proposed development for the reasons and considerations and subject to the conditions set out below:

9.0 Reasons and Considerations

- 9.1.1. Having regard to the existing pattern of development in the area, and to the nature, use and extent of the subject development, it is considered that, subject to compliance with the conditions set out below, the proposed development and the development for which retention is sought 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.

10.0 Conditions

1. The development shall be retained, 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 30th day of April 2021, 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 and the development shall be retained, carried out and completed in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. The use of the agricultural storage sheds shall be confined to storage use connected with the agricultural use of the farm holding but shall not be used for animal housing or storage of animal manure. It shall not be used for commercial purposes, sublet or sold separately from the farm holding.

Reason: In the interest of clarity, orderly development and the amenities of the area.

3. All surface water shall be collected and disposed of within the curtilage of the site. No surface water from roofs, paved areas or otherwise shall discharge onto the public road or adjoining properties.

Reason: In the interest of clarity, orderly development and the amenities of the area.

4. The roof and elevational cladding of the shed proposed to be retained and completed shall be coloured to match the existing shed on site.

Reason: In the interest of visual amenity.

5. 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 Bord 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.

Siobhan Carroll
Planning Inspector

30th of November 2021