



An
Bord
Pleanála

Inspector's Report

ABP-312092-21

Development	Agricultural storage/hobby shop and horse stable with 2 loose boxes, tack room, grooms room and roofed dungstead and associated site works.
Location	Sunhill, Termonfeckin, Co Louth
Planning Authority	Louth County Council
Planning Authority Reg. Ref.	21199
Applicant(s)	Anthony McAuley.
Type of Application	Permission.
Planning Authority Decision	Grant
Type of Appeal	Third Party
Appellant(s)	Mr and Mrs Walsh
Observer(s)	None.
Date of Site Inspection	1 st April 2022.
Inspector	Lucy Roche

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1.0 Site Location and Description

- 1.1. The appeal site, with a stated area of 0.629ha, is located in the townland of Sunhill, in the rural area c900m northeast of the Termonfeckin. The site comprises agricultural lands situated to the rear (east) of a row of existing dwellings along the local secondary road the L6280-12. It contains a single agricultural storage building situated to the northwest corner of the site. Access to the site is via an existing agricultural gate to the southern boundary, along the L6284-18. The site forms part of a larger holding of c8 acres / 3.2ha.
- 1.2. The area immediately surrounding the site is characterised by extensive one-off rural dwellings in a linear pattern along the public road and agricultural lands. there is an existing gate on the northern side boundary which leads to an adjoining residential property owned by the applicant's son.

2.0 Proposed Development

- 2.1. Planning permission has been sought for:
 - The construction of a new agricultural storage/hobby shop building,
 - The construction of a new horse stable building with 2no. loose boxes, tack room, grooms room and roofed dung stead,
 - and all associated site development works to include:
 - Upgrade of entrance including removal of existing agricultural gate and relocation of new gate set back c15m from the edge of the public road
 - Provision of a permeable driveway c170m long together with a pull-in bay and permeable gravel finished yard area
 - Soakaways for the disposal of surface water
 - Minimum 4000litre soiled water holding tank
- 2.2. Significant further information was received on 14/10/2021. The further information submitted for the consideration of the planning authority included the following amendments to the design and layout of the proposed development:

- The relocation of the proposed stable building and dung stead further east within the site, away from existing residential properties.
- The reduction in the height of the proposed agricultural storage/hobby shop building by c0.5m
- The omission of the ‘Grooms Room’ with the stable building and its replacement with a third loose box along with elevational changes to accommodate same.
- The soiled water tank was upsized to 6500litres

2.3. The following table illustrates the main characteristics in terms of scale and design of the proposed structures (as amended). The figures in red indicate scale of the development as originally proposed.

structure	GFA (sqm)	Dimensions (m)		External Finishes	Design Features
Storage /Hobby Shop	c180	Height	6.35 (6.850)	Block work wall with render finish to lower walls, green cladding to upper walls and roof	Large Roller doors to front and rear elevations
		Depth	15.45		
		Width	12.45		
Stable Building	c98	Height	5.03	Render finish to external walls Selected tile/slate to roof	Veranda to front elevation
		Depth	5.43		
		Width	20		
Roofed Dungstead	c18	Height	4.3	Reinforced Concrete walls and steel framed lean-to roof with corrugated sheet finish	Walled on three sides with front elevation open. Capacity: 42,500m ³ (32,000m ³)
		Depth	5.225 (4.7)		
		Width	7.45 (4)		

2.4. For clarity I intend to consider the amended development only as part of this assessment

3.0 Planning Authority Decision

3.1. Decision

3.1.1. Louth County Council, by order dated 4th November 2021 issued a decision to grant permission for the proposed development subject to 5 no. conditions. The following conditions are of note:

Condition 2: *The development hereby permitted, including the stable, agricultural store and associated site development works, shall be used solely by the applicant for residential storage purposes incidental to the enjoyment of his dwelling and for the keeping of not more than four houses for his own recreational use.*

Existing buildings on site, the yard and associated land and the development hereby granted planning permission shall be not be used for any commercial, business, retail purposes or as a hobby shop building.

Reason: In the interests of residential amenity, orderly development and to prevent unauthorised development

Condition 3; Restricts the hours of site development and building works

Condition 4: a. relates to the provision of adequate visibility at the site entrance
b. relates to the disposal of surface water
c. prevention of spillage or deposit of clay etc on public road
d. Provides that the applicant will be responsible for the full costs of repair of any damage caused to the adjoining road network

condition 5: Requires that the development be operated with no emissions or malodours, fumes etc

3.2. Planning Authority Reports

3.2.1. Planning Reports

- The Area Planner in their assessment had regard to the locational context of the site, to relevant planning policy; to the inter-departmental reports and the submissions made.
- In their initial assessment (April 2021) the Area Planner raised several issues relating to the proposed development including:
 - concerns regarding the intended use of the proposed development (personal or commercial),
 - the scale of development proposed (having regard to the overall land holding).
 - its potential impact on the amenities of adjoining properties:
 - The extent of roadside boundary hedgerow that it is to be removed
 - The volume and type of traffic movements to be generated a number of environmental matters relating to the volume and management of wastes arising (animal and domestic); the location of water bodies, staff numbers etc

They recommended that further information be sought in light of the issues raised.

- In their second report (November 2021) the Area Planner assessed the applicant's response to the further information request and deemed it acceptable. They recommended that permission be granted subject to condition.

3.2.2. Other Technical Reports

Infrastructure: Recommends a grant of permission subject to conditions

Environment: Initial report of the 29th March 2021 requests further information. The Area Planners report (November 2021) indicates that a subsequent report, received 21st October 2021, recommends that permission be granted subject to condition.

3.3. Prescribed Bodies

None

3.4. Third Party Observations

Third party submissions were received from Mr and Mrs Walsh, residents of Sunhill Termonfeckin, c100m to the north of the appeal site. The issues raised in the submissions are similar to those set out in the grounds of appeal.

4.0 Planning History

There does not appear to be any relevant planning history associated with the appeal site.

The following planning application to Louth County Council has been referenced by the applicant in their response to the grounds of appeal. It relates to a development proposal on the appellants lands which are located c100m to the north of the appeal site.

20/427 Permission granted (September 2020) for the construction of a first-floor extension over existing stables building for use as home gym along with all associated site works

5.0 Policy Context

5.1. Development Plan

5.1.1. The application was assessed by Louth County Council in accordance with the policies and objectives of the Louth County Development Plan 2015-2021. The Louth County Development Plan 2021-2027 was adopted by Louth County Council on the 30th of September 2021 and came into effect on the 11th of November 2021. I have assessed the proposal under the provisions of the operative Development Plan, namely the Louth County Development Plan 2021-2027.

5.1.2. Chapter 13 Development Management Guidelines.

Section 13.13.11.7 Provides guidance in relation to Agricultural Enterprises and Buildings

Section 13.16.17 relates to entrances and sightlines

5.1.3. Relevant Policy

SO13 Support the sustainable development of rural areas that are under strong urban influence to avoid over-development, while sustaining vibrant rural communities.

SO18 Afford suitable protection to the environment and natural resources of the County and ensure the fulfilment of environmental responsibilities.

ENV 21 To assess agricultural developments and associated agricultural waste matters within the County in accordance with the European Union (Good Agricultural Practice for Protection of Waters) Regulations 2017 for the purpose of preventing or eliminating the entry of polluting matters to waters.

5.2. **Natural Heritage Designations**

The appeal site is not located on or adjacent to a designated site. The following designated sites are located within 5km of the appeal site:

- The Boyne Coast and Estuary SAC (Site Code 001957) and NHA which are located c2.5km to the southeast of the site.
- Blackhill woods NHA located c1.2km to the northwest
- Castlecoo Hill located c1.1km to the northeast

5.3. **EIA Screening**

Council Directive 85/337/EEC (as amended) on the assessment of the effects of certain public and private projects on the environment (The EIA Directive) is designed to ensure that projects likely to have significant effects on the environment are subject to comprehensive assessment of their environmental effects prior to development consent being given.

The proposed development is not of a type listed under Part 1 or 2 of Schedule 5 of the Planning and Development Regulations 2001 (as amended) nor is it considered a sub-threshold development for the purposes of Schedule 7 of the Planning and Development Regulations. An EIAR is not therefore required

6.0 The Appeal

6.1. Grounds of Appeal

This is a third-party appeal lodged by Mr and Mrs Walsh, residents of Sunhill, Termonfeckin, c100m north of the appeal site, against the decision of Louth County Council to grant permission for the proposed development. The grounds of appeal can be summarised as follows:

- They consider that the scope and extent of development and use proposed exceeds what is appropriate and acceptable for an agricultural field and has not been properly justified within context of the established use and zoning objective of the appeal site.
- They consider that proposed development is reflective of residential/domestic use which is contrary to the long-established agricultural use of the site and the objectives of the County Development Plan.
- They consider that the intended use of the development by the applicant and family members, as clarified in the applicants FI response, is an intensification of the use of the original proposal.
- They query the need for the proposed development. The applicant and his family have their own residential properties with sufficient space for storage.
- They query the information provided in relation to existing / proposed traffic movements to and from the appeal site.
- They consider that information provided by the applicant failed to provide the necessary clarity as to the true extent of potential domestic uses the agricultural shed would or could be put to in the future
- They note that 'condition 2' of the planning authority's grant of permission limits the use of the development '*solely by the applicant*' which they consider

is in contravention of the applicants proposed use (for the applicant and his family). They also consider that Condition 2 does not provide sufficient clarity as to use of the shed and that it is imprecise and unenforceable.

- They consider that the proposed development would introduce a substantial degree of new development to an undeveloped agricultural field and that the mass and scale of the development proposed in excess of need and function.
- They consider that the proposed development would introduce a distinctly industrial looking structure into the rural area which they consider would be visually discordant and physically obtrusive
- They consider that the proposed hard surfaced areas (gravel yard and access lane) represent an excessive and incongruous degree of physical development that would further encroach upon the rural landscape.
- They considered that the revised location of the stable block and manure shed is more physically prominent and visual intrusive
- They consider that the proposed development represents over development of a rural area that is under strong urban influence
- They consider that the proposed dungstead and the stockpiling of manure has the potential to impact on the amenities of adjoining properties (noxious smells, flies etc)
- They consider that the proposed development by reason of the multiple uses/activities proposed will generate levels of noise, light pollution, disturbance, disruption onto land that is materially different to those arising from existing agricultural practices
- They note that the appeal site is located within an area of high groundwater vulnerability and immediately adjacent to lands which are designated as being of extreme risk and karst geology
- They raise concerns regarding the design of the manure shed which they consider would not mitigate in any significant manner the possibility of rainwater infiltration and the possibility of contaminated runoff

- They consider that no consideration has been given to the potential impacts on existing water quality and adjoining wells from increase nitrate levels
- The provision of the required sightline distances depends on the neighbouring property owners permanently trimming back their boundary hedgerows which the applicant has no control over
- The drainage channel at the entrance is located downhill of the proposed soak pit – requiring water to drain uphill

6.2. Applicant Response

The applicant's response to the grounds of appeal can be summarised as follows:

- The proposed residential amenity agricultural storage /hobby shop building etc is solely for the applicant and his family, incidental to the enjoyment of his house and for the keeping of horses / ponies for recreational use
- The applicant and his wife purchased the subject lands in 1985. the applicant and his family have continually worked and used the land for almost 40 years. While the application was made in the applicants name it is understood the planning application is not solely for the benefit of the applicant but also the applicant's family.
- Historically the lands were used for traditional farming and horticultural purposes. the applicant is stepping back from farming to enjoy his senior years with and through his immediate family.
- The proposed development is a continuation of sustainable rural based agricultural and farm diversification use of agricultural lands for leisure and recreational related usage and assists with sustaining a vibrant rural community.
- The applicant and his immediate family reside in the rural area. They have a long association with the fishing industry and working on fishing trawlers to supplement small holding farm income. They have owned a boat for fishing for many years and participate in the sport of kayaking.
- The applicant's wife has been involved in cross county running for over 40 years

- The agricultural storage / hobby shop is a multifunctional building to provide secure storage and accommodate the applicant's family hobby/leisure equipment (boat and trailer, kayaks, horsebox. trailer, tractor, hay/straw and feed for horses etc)
- As detailed on the floor plans submitted (Drawing No. 03A-1363F.I) the scale of the proposed structure is the minimum required to accommodate the applicant's equipment
- The applicant his family and grandchildren already use the land for social and recreational activity however with adequate and proper facilities it results in the haphazard storage of equipment. The proposed development will provide much needed security and protection from the rain etc.
- The physical form and dimensions of the structures are designed with reference to the Department of agriculture design and specification sheets and are typical of agricultural and equine buildings
- The proposal to have 4 horses grazing on c8acres and spreading dung from 4 horses over the 8 acres will result in little risk of any negative impact on local residential amenities or groundwater quality to the subject site / applicant's landholding
- The stabling / grazing of horses on open countryside is a continuation of rural based activities and is to be encouraged.
- The existing agricultural entrance has been in use for almost 40years without incident. the proposed upgrade is to ensure compliance with current standards. Visibility at the entrance is achievable to meet the required standards. the cutting of hedges required to ensure continued visibility are within the control of the applicant.

The documentation submitted in response to the grounds of appeal also includes:

- A personal letter from the applicant in which he outlines his opinion of the appellants reasoning for the appeal, the use of their lands for the keeping of ponies and his and his immediate family's use of the subject land

- Letters from adjoining neighbours confirming that they have no objection to the proposed development

6.3. Planning Authority Response

The planning authority's response to the grounds of appeal can be summarised as follows:

- They consider that on balance the applicant has demonstrated the need for the proposed development of the scale proposed at this location and they note that conditions were attached to the grant of permission restricting the use of the structure for storage purposes only.
- They consider the relocated position of the stable building to be acceptable as it would assist in protecting the residential amenities of neighbouring properties
- They consider that the scale of the development proposed is justified and they consider the design, scale and form of development to be acceptable
- Based on the information submitted and the distance to neighbouring properties they are satisfied that the proposed development is in compliance with the relevant guidance from Teagasc and Department of Agriculture, food and the Marine in relation to waste disposal and building stables for horses and associated waste disposal and building stables for horses and associated waste disposal will not result in adverse impact on public health
- The scale of development for personal use by the applicant is not considered to result in significant adverse impact on residential amenity by reason of noise light or general disturbance
- They note that the Infrastructure Section is satisfied that the required sightline visibility can be provided without the requirement to remove existing hedgerow.
- Surface water drainage proposals were assessed and were considered appropriate
- They are of the opinion that the proposed development is acceptable having regard to the policies contain within the Louth County Development Plan

2015-2021 and the Louth County development Plan 2021-2027 and that the proposed development should be granted.

6.4. **Observations**

- None

7.0 **Assessment**

7.1. Having examined the application details and all other documentation on file, including all of the submissions received in relation to the appeal, and inspected the site, and having regard to relevant local/regional/national policies and guidance, I consider that the main issues in this appeal area as follows:

- Principle of Development - Nature, Scale and Design
- Impact on Residential Amenity and Groundwater Quality
- Vehicular Assess / Traffic
- Appropriate Assessment

7.2. Principle of Development - Nature, Scale and Design

7.2.1. The proposed development is located in a rural area identified in the Louth County Development Plan 2021-2027 (LCDP) as being under strong urban influence (Rural Policy Zone 2). It is a strategic objective of the LCDP to support the sustainable development of rural areas that are under strong urban influence to avoid over-development, while sustaining vibrant rural communities.

7.2.2. The appeal site comprises c0.629ha (as stated) of agricultural land that forms part of the applicant's larger land holding of c8acres (c3.2ha). These lands are not directly related to the applicant's family home however it would appear from the information provided by the appellants, that the applicant lives locally, c585m to the west of the appeal site. It would also appear from the plans submitted (site layout plan Drawing No.02B-1363) that both the applicant's son and daughter own/occupy residential properties on lands directly adjacent to the appeal site.

7.2.3. The applicant is seeking permission for the construction of an agricultural storage /hobby shop building, new horse stables, dungstead, yard and associated site development works. In accordance with the details submitted in support of the application the proposed works are solely for the applicant and his families' purposes, incidental to the enjoyment of his house and for the keeping of horses / ponies for recreational use. The appellants have however raised concerns regarding the scale and intended use of the proposed development. They consider that proposed development is reflective of residential/domestic use which they contend would be better located within the curtilage of the applicant's family home and which they consider would be contrary to the agricultural use of the site. They also consider that the proposed development would result in the physical and visual encroachment of the rural area.

7.2.4. In accordance with the details submitted in support of the application, the applicant intends to keep four horses / ponies on this holding for recreational use. The keeping of horses is I consider an appropriate use of agricultural lands in the rural area and therefore I have no objection in principle to the provision of stables and ancillary services including waste storage facilities on these lands. The proposed stable building, comprising 3no loose boxes, tack room and storage area, is to be located to the north of the site, c3m from the party boundary between the appeal site and the applicant's son's property. The structure has a gross floor area of c98sqm will rise to c 5.03m in height and is to be finished with rendered walls and a tiled or slate roof. The design incorporates a pillared porch / veranda across the full length of the front (south) elevation. I am satisfied that the scale and design of the proposed structure is appropriate for the nature of the development proposed and for its location in a rural area.

7.2.5. In addition to the stable building the applicant is seeking permission to construct an agricultural storage / hobby building. This structure, which is to be located to the west of the site approximately 4m from the western site boundary, has a stated gross floor area of 180sqm, would rise to 6.35m in height and is to be finished in a mix of render block walls and cladding. The design incorporates double height roller doors to its front (south) and rear (north) elevations. The design is that of a standard

agricultural storage building and is I consider appropriate for location within the rural area.

- 7.2.6. In accordance with the details submitted the proposed shed is to be used for the storage of farm machinery (including tractor, trailer, and horse box) and animal feed as well as for the storage of various leisure / recreational equipment (fishing / leisure boat, kayaks, vintage car). I have no objection in principle to the provision of a structure for the storage of agricultural machinery and animal feed on these lands nor do I have any objection in principle to use of such a structure for the ancillary storage of personal leisure / recreational equipment. While I do accept that such equipment is normally stored within the curtilage of the family home, I note that the proposed structure is intended to serve both the applicant and his family and that both the applicant's son and daughter own/occupy residential properties on lands within the immediate vicinity of the appeal site, I therefore consider that there is sufficient justification for the location of this proposed storage structure on these lands and I consider that the intended use of this structure would be compatible with its rural location and adjoining residential properties. I would however recommend that a condition be attached to any grant of permission requiring that the use of the proposed building be restricted to the uses specified and not used for any commercial purposes.
- 7.2.7. The scale of the proposed structure at 180sqm is I consider relatively large particularly having regard to the existing storage building on site, however following consideration of the information submitted in support of the application, including the draft floor plan Drawing No. 03A1363-FI submitted to the planning authority on the 14th October 2021, which details how the proposed structure is intended to be used, I am satisfied that the applicant has adequately justified the need for a storage structure of size / scale proposed. in relation to the existing storage building on site, I am satisfied following site inspection, that this structure due to its design and structural condition etc would not provide for an adequate level of security or protection from the weather and as such does not meet the storage needs of the applicant.

- 7.2.8. While the proposed development is likely to be visible (in part) from the public road network and from adjoining properties, I am satisfied that the application site can accommodate a development of the height and scale proposed without having a significant negative impact upon the visual amenities of the area. The proposed development would in my opinion form a cluster with existing structures both on and within the vicinity of appeal site and as such would not appear overly incongruous or visually intrusive. Any impact arising from the proposed gravel driveway and yard area would in my opinion be minimal.
- 7.2.9. In conclusion, on the basis on the information available and having visited the site, I consider that the proposed development in terms of its nature, scale and design would be appropriate at this rural location and that it would not contravene or undermine the objectives for the area as set out in the County Development Plan, in particular strategic objective SO13.

7.3. Impact on Residential Amenity and Groundwater Quality

- 7.3.1. As previously established, I am satisfied that the nature and scale of the development proposed would be compatible with adjoining land uses (agricultural and residential). While I acknowledge that the proposed development has the potential to increase the level of activity on the applicant's landholding, I am satisfied that the nature and scale of development proposed is such that is unlikely to generate levels of noise, light pollution or disturbance to a degree that would significantly impact the residential amenities of adjoining properties.
- 7.3.2. The proposed stable building is to be served by an effluent / soiled water holding tank and dungstead / manure pit. The applicant is proposing to operate a "dry bedding" system whereby straw and wood shavings are utilised, and soiled water is separated from solids. As required and depending on usage the bedding and dung is to be removed to the proposed dungstead from where it will be periodically spread on the applicant's land holding as fertiliser. The dungstead, comprises a roofed structure enclosed by re-enforced concrete walls on three sides and open to the front

(south) elevation. The structure has been sized to store manure and soiled bedding for at least 18 weeks.

- 7.3.3. The appellants have raised concerns in relation to the proposed dungstead and the stockpiling of manure and the potential impacts of same on the amenities of adjoining residential properties due to the release of foul odours and the attraction of flies' other vermin etc. They have also raised concerns in relation to the design of the proposed dungstead and potential for rainwater to enter the structure, mix with the dry bedding and result contaminated runoff discharging directly to ground.
- 7.3.4. The proposed dungstead and effluent / soiled water holding tank are located to the northeast corner of the site and to the east of the proposed stable building. There are four residential properties within 100m of the proposed dungstead; the closest residential property (excluding those owned/occupied by family members) is located on lands to the west of the appeal site. The Board will note that in response to the planning authorities request for further information, the stable building, dung stead and effluent holding tank were relocated further east within the site, to increase the separation distance between these structures and the adjoining residential property to the west. As a result of these amendments the proposed dungstead is to be located c54.5m from the western site boundary (previously 44m); the appellant's property is located c80m to the north of the dungstead. Having regard to the nature and scale of the proposed development, its location in a rural area and the separation distance available between the proposed effluent storage facilities and adjoining residential properties I consider that the proposed development would be unlikely to have a significant negative impact upon the residential amenities of adjoining properties.
- 7.3.5. Details on the sizing and design of the proposed dungstead and effluent / soiled water storage tank have been set out in the submission from Hydrocare Environmental Ltd, submitted to the planning authority on the 14th October 2021 in response to the further information request. This document references the guidance documents and standards relevant to the design of dungstead / manure pits and soiled water tanks and outlines how the proposed waste storage facilities have been designed and sized to accord with same. The proposed dungstead / manure pit is to

be constructed in accordance with Department of Agriculture, Food and the Marine specification S108 (June 2017) which requires that “*Where walls are provided fully around three side of a roofed manure pit, the provision of channels and collection tank is optional if the manure pit base is sloped toward the back of the manure pit so that effluent is retained in the manure pit*”. In accordance with the details submitted from Hydrocare Environmental Ltd “*the manure pit must include a roof and the base must be sloped toward the back*” however it would not appear that the design of the proposed dungstead / manure pit as detailed on Drawing No.05-1363-FI includes a sloped base and as such there is a risk of contaminated runoff. I am satisfied however that this is a design issue that can be addressed by way of condition.

7.4. Vehicular Assess / Traffic:

- 7.4.1. The appeal site is currently served by an existing agricultural entrance gate off the public road, L6284-18 to the south of the site. The site layout plan submitted on the 14th October 2021 (Drawing No.02A-1363-FI) details sight visibility in excess of 75.0m in both directions from a setback of 4.5m, which would accord with the standards set out in the County Development Plan. Following site inspection, I am satisfied that sightline distances are available without further interference of the roadside boundary.
- 7.4.2. The applicant has submitted proposals to up-grade the entrance by removing the existing agricultural gate and installing a new gate c15m from the edge of the public road. The splay area of the new entrance is to be bounded by post and wire fencing and native hedgerow planting. The proposed works would allow for the provision of a dwell area for vehicles entering and existing the site, which would allow for safer traffic turning movements at the entrance.
- 7.4.3. In accordance with the details submitted the proposed development is likely to generate a maximum of six to eight traffic movements per day. While I note that the appellants have queried whether this figure is inclusive of or is in addition to the traffic movements currently generated on site (four traffic movements per day), I am

satisfied that in either case the site entrance as proposed would be of adequate standard to accommodate the volume of traffic generated.

7.4.4. I note that the applicant is proposing to install a surface water drainage channel at the entrance, in accordance with the details submitted this channel will connect to the proposed on-site soakaway which is located c150m north and uphill of the drainage channel. While the feasibility of this proposal is unclear, I am satisfied that this matter may be addressed by way of condition. The provision of a permeable finish to the driveway / hard surface areas (as proposed) should help to ensure that the proposed development does not result in a notable increase in the volume of surface water on the driveway or in the vicinity of the entrance.

7.5. Appropriate Assessment

7.5.1. The site is not located within any designated site. The closest Natura 2000 site is the Boyne Coast and Estuary SAC (Site Code 001957) which is located c2.5km to the southeast of the site.

7.5.2. Having regard to the nature and scale of the proposed development, comprising an agricultural storage / hobby shop building, stable building and dung stead, the nature of the receiving environment and separation distances involved to adjoining Natura 2000 sites, no appropriate assessment issues arise and I do not consider that the proposed development would be likely to have a significant effect individually or in combination with other plans or projects on any European site. Appropriate assessment is therefore not required.

8.0 **Recommendation**

8.1. I recommend that planning permission be granted for the proposed development subject to condition as outlined below.

9.0 Reasons and Considerations

Having regard to the provisions of the Louth Development Plan 2021-2027, to the pattern of development in the area and the nature and scale of the development proposed, it is considered that, subject to compliance with the conditions set out below, the proposed development would be an acceptable form of development, 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.	<p>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 14th October 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 prior to commencement of development and the development shall be carried out and completed in accordance with the agreed particulars.</p> <p>Reason: In the interest of clarity.</p>
2.	<p>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 agricultural storage/hobby shop building shall be restricted to the storage of the farm machinery, animal feed and domestic storage as described in the details submitted to the Planning Authority on the 14th day of October 2021 and to the Board on the 21st December 2021, unless otherwise authorised by a prior grant of planning permission. No commercial activity is permitted.</p> <p>Reason: To clarify the permission granted and to protect the amenities of property in the vicinity</p>

3.	<p>Details of the materials, colours and textures of all the external finishes to the proposed buildings shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.</p> <p>Reason: In the interest of the visual amenities of the area.</p>
4.	<p>Before any other development commences the entrance to the site from the public road shall be upgraded in accordance with the plans and particulars submitted on the 14th Day of October 2021, in particular Site Layout Plan (Part 02A), drawing No.02A-1363.</p> <p>Reason: In the interests of traffic safety</p>
5.	<p>Surface water from the site shall be not be permitted to drain onto the public road. Prior to the commencement of development the applicant shall submit to and for the written agreement of the Planning Authority adequate proposals to ensure compliance with the requirements of this condition.</p> <p>Reason: In the interest of traffic safety.</p>
6.	<p>The proposed Dungstead / Manure pit shall include a roof and the base shall be sloped toward the back.</p> <p>Reason: In order to avoid pollution and protect residential amenity</p>
7.	<p>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 within three weeks of the date of this Order 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</p>

	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.
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Lucy Roche
Planning Inspector

16th June 2022