



An
Bord
Pleanála

Inspector's Report

ABP-313567-22

Development	Development consisting of the construction of a new Agricultural Machinery Shed including all other ancillary site work and services.
Location	Killeenduff, Easkey, Co. Sligo
Planning Authority	Sligo County Council
Planning Authority Reg. Ref.	2276
Applicant(s)	Thomas Gallagher
Type of Application	Permission
Planning Authority Decision	Refuse Permission
Type of Appeal	First Party
Appellant(s)	Thomas Gallagher.
Observer(s)	None.
Date of Site Inspection	08th February 2023.
Inspector	Bríd Maxwell

1.0 Site Location and Description

- 1.1. This appeal relates to a site with a stated area of 0.648 hectares located within a rural area circa 2.5km to the southeast of the village of Easky in County Sligo. The appeal site forms part of a larger agricultural field pattern currently under grass. Front roadside boundary is defined by a low hedgerow. The landscape is relatively open with an extensive network of land drains including a number immediately to the east of the site. Levels on site rise gently towards the north and east. There are a number of dwellings in the vicinity including, a mobile home, a derelict dwelling and an occupied dwelling directly opposite. There are two dwellings and associated farm yards and sheds to the south which are in the applicant's family ownership.

2.0 Proposed Development

- 2.1. The application involves permission for the construction of a new agricultural machinery shed including all other ancillary site works and services. The proposed shed is 292m² with a maximum height of 5.85m and is finished in napped plaster to 2.1m with metallic grey profiled steel sheeting above. The proposed shed is set back 37m from the roadside boundary. Entrance is proposed via existing field entrance towards the southern end of the site frontage.

3.0 Planning Authority Decision

3.1. Decision

By order dated 21st April 2022 Sligo County Council issued notification of the decision to refuse permission for the following reason.

“Having regard to the excessive scale of the proposed development, its set back from the public road and the location of the site within an area of open rural landscape, it is considered that the proposed development would detract from the visual amenities of the area, would set an undesirable precedent for further such development at this rural location and would be contrary to the proper planning and sustainable development of the area.”

3.2. Planning Authority Reports

3.2.1. Planning Reports

Planner's report notes that the design of the shed incorporates two delivery entrances a customer entrance and reception area, the need for which is unclear. It is noted that there are derelict sheds in the southern section of the landholding. A proposal to replace these with a reduced scale shed could be explored. Refusal was recommended on visual amenity grounds.

3.2.2. Other Technical Reports

Environment Services report – Conditions to apply in the event of permission.

Area Engineer's report recommends a number of conditions to apply in the event of permission.

3.3. Prescribed Bodies

No submissions

3.4. Third Party Observations

No submissions.

4.0 Planning History

No planning history on the appeal site.

5.0 Policy Context

5.1. Development Plan

The Sligo County Development Plan 2017-2023 refers.

13.9 Miscellaneous Development Standards

13.9.1 Agricultural Developments

The Council will seek to ensure that agricultural activities are carried out to the highest environmental standards. Legal requirements relating to the collection, storage and management of agricultural wastes are detailed in the European Union (Good Agricultural Practice for Protection of Waters) Regulations 2014 (S.I. No. 31 of 2014). Agricultural stakeholders must comply with the requirements of the above regulations.

The Planning Authority will apply the following considerations when assessing applications for agricultural buildings:

Protection of residential amenity – sufficient distance to any dwellings in the vicinity;

Safe access – adequate sightlines from the points of access onto public roads;

Visual impact – new buildings should be located within or adjoining existing farmyard complexes where possible. Structures not forming part of a farm complex should be integrated into the landscape by means of appropriate siting, external colouring and screening.

Natural Heritage

It is the policy of Sligo County Council to:

P-NH-1 Protect, sustainably manage and enhance the natural heritage, biodiversity, geological heritage, landscape and environment of County Sligo in recognition of its importance for nature conservation and biodiversity, and as a non-renewable resource, in association with all stakeholders.

Landscape Character assessment and protection policies

P-LCAP-1 Protect the physical landscape, visual and scenic character of County Sligo and seek to preserve the County's landscape character. Planning applications that have the potential to impact significantly and adversely upon landscape character, especially in Sensitive Rural Landscapes, Visually Vulnerable Areas and along Scenic routes, may be required to be accompanied by a visual impact assessment using agreed and appropriate viewing points and methods for the assessment.

As regards landscape character the site lies within a “normal rural landscape”. The R297 to the north is a designated scenic route.

5.2. **Natural Heritage Designations**

The site is not within a designated area. The nearest such sites include:

Aughris Head SPA within 9.5km to the east of the site

OK Mountains Bogs SAC 002006 7.5km to the south

Killala Bay / Moy Estuary SPA 004036 12.6km to the southwest.

Kilalla Bay Moy Estuary SAC 00458 15km to the southwest

Knockalongy and Knockjachgree Cliffs SAC 001669 13km to the southeast.

5.3. **EIA Screening**

Having regard to the nature and scale of the proposed development, and the receiving environment, it is considered that there is no likelihood of other significant effects on the environment. 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**

The grounds of appeal are summarised as follows:

- Shed is needed to house agricultural machinery.
- Applicant lives in the house next to the site on the family farm with his aunt and uncle and will take over the running of the farm when his uncle retires.
- Existing farm yard is not suitable location of the proposed machinery shed as it is used for housing animals and fodder
- Existing farm yard incorporates the historical family cottage dwelling which applicant does not wish to remove for heritage reasons.

- Proposed location would provide a safer vehicular entrance for large modern agricultural machinery.
- The shed will not be visible from the Main Road (Dromore West to Easky Road) there is an extensive farm yard located closer to the main road which is far more visible as demonstrated in photograph and aerial plan appended.

6.2. Planning Authority Response

The Planning Authority's response asserts that the need for delivery entrances, customer entrance and reception is unclear. A location adjacent to existing farm sheds in the southern section of the landholding should be explored as an alternative. Location in an open rural landscape at a set back from the public road will increase visual impact and proposal will detract from the visual amenities of the area and set an undesirable precedent for further such development contrary to the proper planning and sustainable development of the area.

7.0 Assessment

- 7.1. From my review of the file, all relevant documents and inspection of the site and its environs, I consider that the key focus for assessment relates to the principle of development, the scale of the shed structure and its visual impact and impact on the residential and other amenities of the area. The issue of appropriate assessment also needs to be addressed.
- 7.2. The proposed shed structure is substantial in scale 24.4m x 12.195m and 5.85m ridge height. I would tend to concur with the local authority planner that the scale of the proposal is of concern and that a need for a structure of this scale and nature has not been justified. Indeed, the provision of two delivery entrances and a customer entrance and reception is somewhat curious given the stated purpose of the proposed shed. I also note that the site layout plan refers to a proposed dwellinghouse though details are not provided.
- 7.3. In assessing the proposal in its detail, I consider that the siting of the proposed shed at such remove from the established dwelling and farm structures is of concern. I

would concur that the absence of a visual and practical integration with the established farmyard raises questions with regard to the exact nature and intended purpose of the proposed shed. As regards the scale and design of the proposal as set out I would consider that it is entirely inappropriate on this open and exposed site and a grant of permission would set an undesirable precedent for similar such development. I consider that the proposed shed would be an unduly obtrusive feature in the landscape and would detract from the established residential and rural amenities of the area. On this basis I recommend that the Council's refusal is upheld.

- 7.4. As regards Appropriate Assessment, having regard to the nature, scale and location of the proposed development and nature of the receiving environment and proximity to the nearest European Site, 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 a European site.

8.0 Recommendation

- 8.1. Refuse Permission for the following reason.

Reasons

It is considered that the proposed development, by reason of its siting and location remote from established agricultural structures and by reason of its scale, height and design is incompatible with this rural area, would result in haphazard development in a rural location and would be contrary to the rural development and landscape policies and agricultural development standards as set out in the Sligo County Development Plan 2017-2023. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

I confirm that this report represents my professional planning assessment, judgement and opinion on the matter assigned to me and that no person has influenced or sought to influence, directly or indirectly, the exercise of my professional judgement in an improper or inappropriate way.

Bríd Maxwell
Planning Inspector

03 April 2023