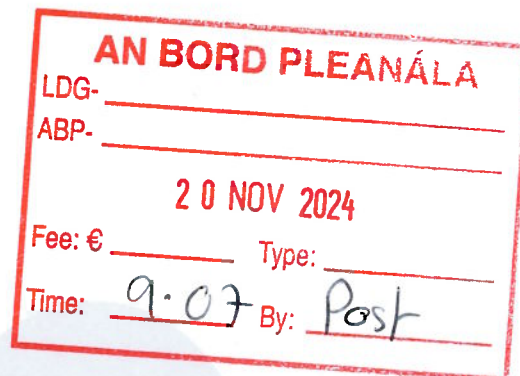


19-11-2024

An Bord Pleanála
64 Marlborough Street
Dublin 1
D01 V902



A.B.P. Ref: ABP-320954-24

Planning Ref: 20081365

Applicant: GERRARD & PHILIP STAFFORD

Location: KILLUGGER, KILLINICK

Proposal: Agricultural shed - change of use from class 6 to class 7

A Chara

With respect to the above appeal and in accordance with Section 129 of the Planning and Development Act 2000, the Planning Authority requests that the following issues be taken into account when deciding the above mentioned file:

Site Description:

Existing farmyard complex located off the N25 at Killugger, about 2.4km northwest of Killinick. The farmyard is surrounded by agricultural land and is known to be in use as a pig-rearing facility in recent times. The eastern-most shed is set back about 90m from the N25, while the western-most shed is about 160m from the R739 Kilmore Road. The nearest residential property (excluding the dwelling associated with the site) is located about 130m northeast of the application site.

Relevant History:

20100598 - PAULA STAFFORD - CONSTRUCT AN AGRICULTURAL SHED AND ASSOCIATED SITE WORKS

Decision (Grant / Refuse) – Granted subject to conditions

Commenced? – Yes

Contributions paid? - Yes





Site layout as per 20100598

20081365 – GERRARD & PHILIP STAFFORD – CONSTRUCTION OF A NEW AGRICULTURAL SHED AND ANCILLARY SITE WORKS.

Decision (Grant / Refuse) – Granted subject to conditions

Commenced? – Yes

Contributions paid? – Yes (refunded as nitrates compliant)



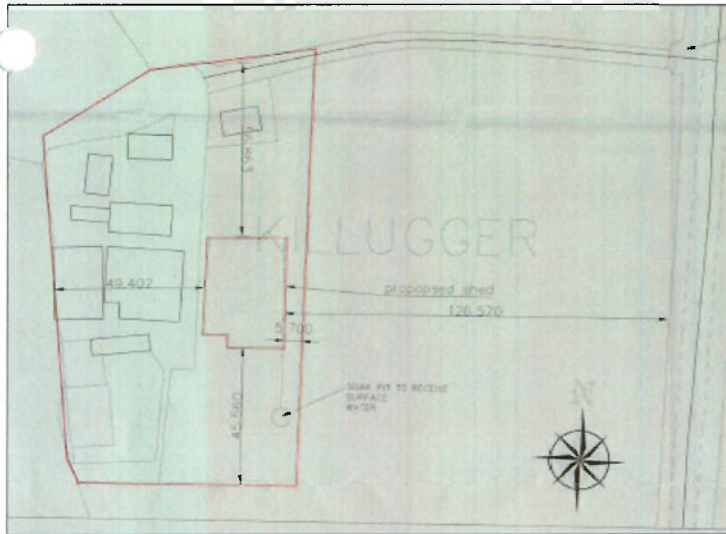
Site layout as per 20081365

20032095 – GERARD & PHILIP STAFFORD – ERECTION OF AN AGRICULTURAL SHED

Decision (Grant / Refuse) – Granted subject to conditions

Commenced? – Yes

Contributions paid? – n/a



Site layout as per 20032095

Wexford County Council would like to note the appellant's grounds for appeal and respond as follows:

The existing farmyard complex contains a number of agricultural sheds, three of which were permitted for development within the last 20 years (2003, 2008 and 2010 – see 'Site History' above). The floor area alone of the three sheds most recently permitted exceeds 2,491 sq.m. and the ridge heights of these three sheds all exceed 10.6m (the highest being 12.4m). Based on the conditions and limitations of both Class 6 and Class 7, a change of use for any of the sheds on this site would require planning permission, as the floor area exceeds 100 sq.m. and the height exceeds 8.0m where the sheds are within 100m of a public road (N25 to the east).

Moreover, the sheds on site are known locally to be used for pig rearing / finishing, and where the sheds were previously used for the housing of cattle, as per Class 6, the change of use to housing of pigs, as per Class 7, is not exempted development, and such a change of use requires planning permission.

This is especially so where pig farming is concerned, as such development is required to be screened for Environmental Impact Assessment (Part 1 of Schedule 5, article 17).

Overall having regard to the details concerning the referral it is considered that the development consisting of a change of use from Class 6 to Class 7 of the 'Exempted Development Regulations – Rural' is development and is not exempted development, as the aggregate floor area exceeds 100 sq.m. and ridge height exceeds 8.0m where the structures are within 100m of a public road.



Conia Hunt

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Planning Department
Wexford County Council
County Hall
Wexford**

