

Aislin Reilly

Mary

From: Bord
Sent: Wednesday 17 November 2021 17:07
To: Appeals2
Subject: FW: Response re Section 5 referral
Attachments: Letter to ABP 17.11.2021 - agricultural shed at Killugger.pdf

From: Peadar McDonald <Peadar.McDonald@wexfordcoco.ie>
Sent: Wednesday 17 November 2021 16:06
To: Bord <bord@pleanala.ie>
Subject: Response re Section 5 referral

Letter of response attached in relation to referral case ref ABP-311366-21.

Regards

Peadar McDonald
Senior Staff Officer
Planning Dept, Wexford Co. Council
Carricklawn, Wexford

053 9196513

Tá an t-eolas sa ríomhphost seo agus in aon chomhad a ghabhann leis rúnda agus ceaptha le haghaidh úsáide an té nó an aonáin ar seoladh chuige iad agus na húsáide sin amháin. Is tuairimí nó dearchthaí an údair amháin aon tuairimí nó dearchthaí ann, agus ní gá gurb ionann iad agus tuairimí nó dearchthaí Comhairle Contae Loch Garman. Má bhfuair tú an ríomhphost seo trí earráid, ar mhiste leat é sin a chur in iúl don seoltóir nó le customerservice@wexfordcoco.ie. Scanann Comhairle Contae Loch Garman ríomhphoist agus ceangaltáin le haghaidh víreas, ach ní ráthaíonn sé go bhfuil ceachtar díobh saor ó víreas agus ní glacann dliteanas ar bith as aon damáiste de dhroim víreas.

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An Bord Pleanála,
64 Malborough Street,
Dublin 1,
D01 V902.

17th November 2021

Ref ABP-311366-21

Subject: Exempt Development referral – shed at Killugger, Killinick, Co. Wexford.

Dear Sir / Madam,

Please find set out below our observations in response to the submission from Sheehan Planning on behalf of Premier Pigs, as outlined in your letter dated the 28th October 2021.

The purpose of our referral to An Bord Pleanála under Section 5 (4) of the Planning and Development Act 2000 (as amended) is to determine in the first instance whether the current use of the subject agricultural shed to house pigs is or is not development or is or is not exempted development, and secondly if the development works carried out to this shed including the additional floor area, the construction of slatted tanks, the raised ground level and the addition of a concrete ramp is or is not development or is or is not exempted development.

The agricultural shed which is the subject of this referral was not built in accordance with the dimensions submitted with the planning application, and the floor area is approximately two thirds larger (677 square metres) than the permitted floor area. Clarification in relation to the exempted development status of the shed is being sought regardless of the statutory limitation for enforcement action.

Clarification is also being sought regarding the exempted development status of the more recent alterations to this shed without a grant of planning permission, including the addition of slatted tanks inside the shed and the construction of a large concrete ramp outside the shed. The floor level of the shed has been raised by approx. 2 metres above ground level in order to incorporate slatted tanks directly below where the pigs are housed.

The concrete ramp involved external alterations to the permitted building and required the construction of an access ramp to enable the pigs to enter and leave the shed. These works are not confined to the interior of the shed and it is considered that the housing of pigs results in effluents and soiled water which cannot by their nature be contained within the structure itself.

Therefore the Planning Authority considers that section 4(1)(h) of the Planning and Development Act 2000 (as amended) is not applicable in relation to the slatted tanks and concrete ramp.

Yours faithfully,



Peadar McDonald
Senior Staff Officer



An Bord Pleanála,
64 Malborough Street,
Dublin 1,
D01 V902.

17th November 2021

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The agricultural shed which is the subject of this referral was not built in accordance with the dimensions submitted with the planning application, and the floor area is approximately two thirds larger (677 square metres) than the permitted floor area. Clarification in relation to the exempted development status of the shed is being sought regardless of the statutory limitation for enforcement action.

Clarification is also being sought regarding the exempted development status of the more recent alterations to this shed without a grant of planning permission, including the addition of slatted tanks inside the shed and the construction of a large concrete ramp outside the shed. The floor level of the shed has been raised by approx. 2 metres above ground level in order to incorporate slatted tanks directly below where the pigs are housed.

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Yours faithfully,



Peadar McDonald
Senior Staff Officer

AN BORD PLEANÁLA

18 NOV 2021

LTR DATED _____ FROM _____

LDG- _____

ABP- _____



Comhairle Contae
Loch Garman
Wexford County
Council

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