

Jennifer Sherry

From: Bord
Sent: Monday 7 October 2019 12:34
To: procbordemail
Subject: FW: PL - DM - RAS51941 Peter Cafferky, Derek Hynes & Tommy Gallagher
Attachments: Peter Cafferkey.pdf

From: Avril Young [mailto:avril.young@meathcoco.ie]
Sent: Monday 7 October 2019 12:31
To: Bord <bord@pleanala.ie>
Cc: Mary Loughran <MLoughran@meathcoco.ie>
Subject: PL - DM - RAS51941 Peter Cafferky, Derek Hynes & Tommy Gallagher

Please find attached response from Meath County Council re appeal submission on above application.

Original in post.

Regards

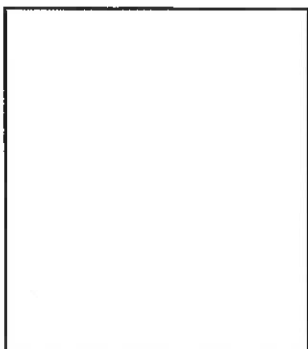
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PLANNING SECTION

07th October 2019

Our Ref: RA/S51941

Your Ref: ABP-305436-19

An Bord Pleanála
64 Marlborough Street
Dublin 1

File Number: RA/S51941

ABP: 305436-19

Applicant: Peter Cafferky, Derek Hynes & Tommy Gallagher

Development Address: Jarretstown, Dunboyne, Co Meath

Development Description: Whether or not the subdivision of the unit into two separate units is or is not development, or is or is not exempted development? Whether the use of part of the existing building for use for storage of materials is or is not development or is or is not exempted development? Whether the use of the yard Area 3 for the storage of materials is or is not exempted development?

Dear Sir/Madam,

1.0 Introduction

Meath County Council issued a declaration on 22nd August 2019 stating that the proposed development is **development requiring planning permission**.

2.0 Referral

The abovementioned Section 5 Declaration, ref. RAS51941, is the subject of a Referral to An Bord Pleanála, as Referral ref. no. ABP-305436-19 relates.

An Bord Pleanála is affording the Planning Authority an opportunity to comment on the Referral submission made on behalf of the applicants.

Response to Referral submission

The Referral submission has been examined by the Planning Authority. The Planning Authority is satisfied that the matters outlined above in the submission were considered in the course of its assessment of the Section 5 Declaration application, reg. ref. no. RAS51941, as detailed in the Planning Officer's Report and recommendation to refuse the Section 5 exemption certificate dated 22nd August 2019.

In relation to the first Grounds of Referral, as raised by the applicant/ referrer, i.e. '*the subdivision of the unit into two separate units*', it is considered that this issue is comprehensively addressed and evaluated in the Planning Officer's Report and recommendation dated 22nd August 2019. The referrer references Section 4 (1) (h) of the Planning and Development Act, 2000, as amended. The Board will note the permitted external appearance of the building, as per planning reg. ref. no. P75/1168 and

planning reg. ref. no. P78/1501, which does not include a large full height double door to the rear of unit no. 1, as constructed.

In addition, the Board will note the permitted character/ use of the building, as permitted under planning reg. ref. no. P75/1168 which is stipulated under condition 1 to be '*restricted to redistribution of animal feedstuffs and activities incidental thereto, and that in particular, processing of feedstuffs or other manufacturing activities shall not be carried on.*'

The subdivision of the subject unit into two separate units is considered to materially affect the external appearance of the structure so as to '*render the appearance inconsistent with the character of the structure/ neighbouring structures.*'

In relation to the issue of the use of part of the existing building for the storage of materials, this issue is again appraised and evaluated as part of the initial assessment, as per the Planning Officer's Report and recommendation to refuse the Section 5 exemption certificate dated 22nd August 2019.

Regarding the final Ground of referral, as raised by the applicant, in relation to the use of the yard Area 3 for the storage of materials, it is considered that this issue was also appropriately appraised and assessed, as per the Planning Officer's Report and recommendation to refuse the Section 5 exemption certificate dated 22nd August 2019.

3.0 Conclusion

The Planning Authority respectfully requests that An Bord Pleanála uphold its decision to issue a declaration on 22nd August 2019 stating that the proposed development is **development requiring planning permission.**

Yours faithfully,



On Behalf of Meath County Council