

The Secretary An Bord Pleanála 64 Marlborough Street, Dublin 1 D01V902	AN BORD PLEANÁLA LOC: <u>042569-21</u> AEP: _____ 13 AUG 2021 Fee: € <u>220</u> - Type: <u>canal</u> Time: _____ By: <u>hand</u>	William & Susan Allen Ballyreagh, Enniskerry, Co. Wicklow A98HV02
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Re:	Section 5 Declaration by Wicklow County Council dated 22nd July 2021. A question has arisen as to whether or not the construction of an agricultural structure on lands at Ballyreagh, Enniskerry is or is not exempted development, Director of Services Order No.: 290/2021 Exemption Ref No. Wicklow County Council - Ex 38/2021 Date August 13, 2021
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Dear Secretary,

We wish to appeal the Decision by Wicklow County Council, re the above, that the proposal for an agricultural building on our lands is not Exempted Development. We enclose the fee of 220 euro the stated fee for First Party appeal. Please also see the attached supporting documents -

Appendix A – Comparable Agricultural Buildings and Location Map

Appendix B – Viewpoint Photographs and Location Map

Appendix C – Paddock and Proposed Agricultural Building Location Image

Appendix D – Dept of Agriculture, Food and Marine – Folio Reference

Appendix E – Aerial Image, Site Plan (A-1) and General Arrangement Drawing (A-2)

Our grounds of Appeal are stated below together with supporting documentation.

The Main Reasons for the Declaration by Wicklow County Council are as follows:

- a) The proposed structure due to its location within a highly (visual) sensitive rural area, designated area of outstanding beauty has the potential to interfere with the character of the landscape and with prospects of special amenity value, the preservation of which is an objective of a development plan for the area.
- b) It cannot be determined based on the information available that the structure is to be used exclusively for agricultural purposes.
- c) The proposed structure is located within 100m from a number of houses and written consent from the owners/occupiers of these properties have not been submitted.

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Our Response

Reason (a)

Whilst we agree with the objectives of the Development Plan, we contend that as the area is predominately rural, the inclusion of agricultural buildings is an integral element within the landscape. There are many similar agricultural structures within the area (See Appendix A) which are acceptable and give a rural character to the area. We have included pictures of agricultural buildings viewed from the public road of properties in the vicinity of the development:

- Indicative Location Map of Images
- Img 1+ 2 - Ballyross Farm – A98 D927
- Img 3 – Horse Stables located at Bahana
- Img 4 – Farm buildings of Bahana Farm

The proposed agricultural building at Ballyreagh will include green metal sheeting to ensure that it blends into the natural landscape of the surrounding woodlands on the property and in order to align with Volume 3 Wicklow County Development Plan – Appendix 5.3.4 Landscape Assessment criteria to ensure minimal to no impact based on the agricultural shed's location and appropriate mature tree shielding of the structure from various view points.

In addition, the Agricultural Buildings support animal welfare including storage of feedstuffs (Hay, Haylage), Machinery Storage, Animal Shelter from the Elements to name such examples. The proposed use for the agricultural building on our lands is for agricultural purposes only. The building is to be partitioned to include tillage storage (Hay, Straw, Haylage), Shelter for Livestock (Sheep, Pigs, Horses) and to a lesser extent secure Machinery Storage to facilitate the maintenance of our lands.

The views from the adjacent public road(s) and indeed from the public road at the northern side of the valley (Knockree Hostel Road) is obscured by existing forestry and ditches as exemplified by Appendix B. This will ensure that views will not be impacted by the development of this agricultural building. We have attached photos of the general area to support this response from various viewpoints as referenced on the location aerial photograph.

- Indicative Location Map of Images
- Location A - Img. 5– View from Knockree Hostel in direction of subject agricultural building location
- Location B - Img. 6-8 – View from Knockree (Coillte Car Park adjacent to Knockree Youth Hostel)
- Location C - Img 9-11 – View from Knockree Hostel Road
- Location D – Img 12-14 – View from Ballyreagh Public Road overlooking proposed agricultural building location

Furthermore, with respect to the paddock and location of the subject agricultural shed, we have enclosed images (12-14) to support that the building is shielded from the “Ballyreagh Public Road” by trees and existing trees that border the “Paddock” field detailed on Drawing A-1. In addition, Image 15-16, details the proposed agricultural shed location.

Reason (b)

We have occupied this property which initially consisted of 1.14 acres since 1985, subsequently, we purchased 61.75 acres of neighbouring agricultural lands in 2017. The neighbouring agricultural lands referenced were previously owned by Susan Allen's mother, Maud Liddy, who purchased the

lands in 1968. In summary, the agricultural lands where the proposed development is located have been in the family for c.53 years.

The agricultural lands as referenced per Appendix C, Folio 11362 by the Department of Agriculture and Marine in 2017, are currently, in part, being grazed by horses and sheep, broadleaf sporadic forest, and recently planted 12.23 acres of native hardwoods. We also have future plans to rear and farm a small number of pedigree pigs which we have carried out in the past. The lands require constant maintenance, and the animals also require accommodation in adverse weather condition, winter feed storage which is currently not being provided without the proposed structure. We also have livestock such as horses on the lands which are housed in part in the small adjoining stone finished stables and the proposed building will also be used as a weather shelter for horses.

We have engaged with The Department of Agriculture, Food and Marine and are currently in year 1 of growth for 12.23 acres of native broadleaf trees per our Forestry / Herd No F0136414M. These lands will be required to be maintained with brush cutting, fence repairs and land management to support the successful growth of the forest. The proposed Agricultural Building will provide, in part, secure storage for machinery and other such equipment to meet the requirements outlined in our agreement with the Department of Agriculture.

In summary, the proposed building will be used exclusively for agricultural use as highlighted in the paragraphs above and as follows; for storage of agricultural machinery, shelter for horses, sheep and storage of foodstuffs and bedding for animals (Horses, sheep, pigs).

Reason (c)

As we have stated above. we own 63 acres of agricultural land. Apart from our main dwelling house, marked A on attached map, there is also a small cottage, marked B on map, on the lands which we own and is occupied by a family member. This map also shows the 100 metre zone from the proposed building. The 100 metre zone only includes buildings in our ownership.

In support of our Appeal please see accompanying maps, photos and appendices.

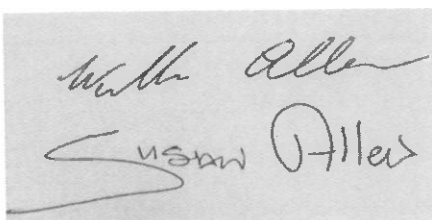
We request An Bord Pleanála to accept our grounds of appeal and to determine that the proposed agricultural is exempted development under the Planning and Development Regulations Exempted Development under the following:

C. Farm Structures – Schedule 2 – Part 3 - Class 6, Class 8, Class 9

Yours sincerely

William and Susan Allen

Signed:

A rectangular box containing two handwritten signatures in black ink. The top signature is 'William Allen' and the bottom signature is 'Susan Allen'.

Appendix A - Comparable Agricultural Buildings and Location Map



Image 1 View of Bally Ross Farm from Public Road (Looking North) Agricultural Building



Image 2 View of Bally Ross Farm from Public Road (Looking North East) Agricultural Building



Image 3 - Image of Farm Stables in Bahana



Image 4 - Image of Farm Buildings at Bahana Farm

Appendix B - Viewpoint Photographs and Location Map

