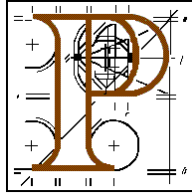


An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2006

Meath County

Planning Register Reference Number: NA/50189

An Bord Pleanála Reference Number: PL 17.215281

APPEAL by Basil Curran of Edoxtown, Tara, County Meath and by others against the decision made on the 4th day of November, 2005 by Meath County Council to grant subject to conditions a permission to Michael Fox care of Alia Harrington of 13 Ardfield View, Grange, Douglas, Cork in accordance with plans and particulars lodged with the said Council.

PROPOSED DEVELOPMENT: Provision of an integrated constructed wetland system to treat dirty yard and run-off waters from farm complex at Rathfeigh, Tara, County Meath. The wetlands shall be constructed on lands adjacent to the farm complex.

DECISION

GRANT permission for the above proposed development in accordance with the said plans and particulars based on the reasons and considerations under and subject to the conditions set out below.

REASONS AND CONSIDERATIONS

Having regard to the established nature of this farmyard complex, the existence of pollution control under other legislation, the landscape of this rural area and the pattern of development in the vicinity, it is considered that subject to compliance with the conditions set out below, the proposed development would not be prejudicial to public health, would not be visually obtrusive and would not seriously injure the amenities of the area. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

CONDITIONS

1. The development shall be carried out in accordance with the plans and particulars lodged with the application as amended by the further plans and particulars received by the planning authority on the 12th day of October, 2005, except as may otherwise be required in order to comply with the following conditions.

Reason: In the interest of clarity.

2. All surface water run-off from dirty yards and from roofs and yards shall be directed to the constructed wetland system comprising five ponds or lagoons prior to final discharge by gravity to surface water. No effluent shall discharge directly to waters.

Reason: In the interest of environmental protection and the prevention of water pollution.

3. No waste shall be imported to the site and no waste other than that arising from the dirty yards and farm buildings, as indicated in the application, shall be directed to the proposed integrated constructed wetland system.

Reason: In the interest of environmental protection and the prevention of water pollution.

4. Prior to commencement of development, a scheme detailing the management, maintenance and monitoring processes to be undertaken in relation to the proposed integrated constructed wetland system shall be submitted to and agreed in writing with the planning authority. The monitoring of the performance of the proposed integrated constructed wetland system shall be carried out by a suitably qualified person as agreed with the planning authority.

Reason: In the interest of environmental protection and the prevention of water pollution.

5. The development hereby permitted shall be constructed and operated so as to ensure that there shall be no emission of malodours, fumes, gas, dust or other deleterious materials, no industrial effluent and no noise vibration or electrical interference generated on the site such as would give reasonable cause for annoyance to any person in any residence or public place in the vicinity.

Reason: In the interest of residential amenity.

6. The developer shall make application to the planning authority for a licence to discharge treated effluent from the proposed integrated constructed wetland system to surface waters in accordance with the Local Government (Water Pollution) Acts 1977 and 1990.

Reason: In the interest of environmental protection and the prevention of water pollution.

7. Only soiled waters resulting from rainfall on dirty yards in this farmyard complex shall be discharged to the integrated constructed wetland system. No effluent from the slatted units or silage areas shall be disposed of via this system. All uncontaminated rainwater, that is, from clean roofs, shall be disposed of separately to the existing surface water system. Detailed drawings of the farmyard complex shall be submitted to the planning authority (showing the separated systems for clean water, dirty rainwater, effluent, and farm effluent) for written agreement prior to commencement of development.

Reason: In the interest of clarity and orderly development.

**Member of An Bord Pleanála
duly authorised to authenticate
the seal of the Board.**

Dated this day of 2007.