

An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2014

Roscommon County

Planning Register Reference Number: PD 14/215

An Bord Pleanála Reference Number: PL 20.243925

APPEAL by Martin O'Neill care of Dolan and Associates Limited of Teach Mhuire, Church Street, Creagh, Ballinasloe, County Galway against the decision made on the 4th day of September, 2014 by Roscommon County Council to grant subject to conditions a permission to Tony Whyte of Thomastown, Athlone, County Roscommon in accordance with plans and particulars lodged with the said Council.

PROPOSED DEVELOPMENT: Erection of a slatted shed with calf creep area, extension of existing loose horse shed/hay, straw storage shed, all at Thomastown Demesne Townland, Athlone, County Westmeath.

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.

MATTERS CONSIDERED

In making its decision, the Board had regard to those matters to which, by virtue of the Planning and Development Acts and Regulations made thereunder, it was required to have regard. Such matters included any submissions and observations received by it in accordance with statutory provisions.

REASONS AND CONSIDERATIONS

Having regard to the nature and extent of the proposed development, and its location within an established farmyard context, it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the amenities of the area or of property in the vicinity, would be acceptable in terms of traffic safety and convenience, and would comply with the policies and objectives of the planning authority as set out in the current Roscommon County Development Plan. 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 and completed in accordance with the plans and particulars lodged with the application as amended by the further particulars submitted on the 21st day of August, 2014 except as may otherwise be required in order to comply with the following conditions. Where such conditions require details to be agreed with the planning authority, the developer shall agree such details in writing with the planning authority prior to commencement of development and the development shall be carried out and completed in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. Water supply and drainage arrangements for the site, including the disposal of surface and soiled water, shall comply with the requirements of the planning authority for such works and services. In this regard-
 - (a) uncontaminated surface water run-off shall be disposed of directly in a sealed system, and
 - (b) all soiled waters shall be directed to a storage tank. Drainage details shall be submitted to and agreed in writing with the planning authority, prior to commencement of development.

Reason: In the interest of environmental protection and public health.

3. The slatted shed shall be used only in strict accordance with a management schedule to be submitted to, and agreed in writing with, the planning authority prior to commencement of development. The management schedule shall be in accordance with the European Communities (Good Agricultural Practice for Protection of Waters) Regulations, 2014, as amended, and shall provide at least for the following:

- (1) Details of the number and types of animals to be housed.
- (2) The arrangements for the collection, storage and disposal of slurry.
- (3) Arrangements for the cleansing of the buildings and structures (including the public road, where relevant).

Reason: In order to avoid pollution and to protect residential amenity.

4. All foul effluent and slurry generated by the proposed development and in the farmyard shall be conveyed through properly constructed channels to the proposed and existing storage facilities and no effluent or slurry shall discharge or be allowed to discharge to any stream, river or watercourse, or to the public road.

Reason: In the interest of public health.

5. Slurry generated by the proposed development shall be disposed of by spreading on land, or by other means acceptable in writing to the planning authority. The location, rate and time of spreading (including prohibited times for spreading) and the buffer zones to be applied shall be in accordance with the requirements of the European Communities (Good Agricultural Practice for the Protection of Waters) Regulations, 2014, as amended.

Reason: To ensure the satisfactory disposal of waste material, in the interest of amenity, public health and to prevent pollution of watercourses.

6. A minimum of 18 weeks storage shall be provided in the underground storage tank. Prior to commencement of development, details showing how it is intended to comply with this requirement shall be submitted to, and agreed in writing with, the planning authority.

Reason: In the interest of environmental protection and public health.

7. Details of the finishes of the proposed slatted cattle shed and the location of fencing of paddocks and other areas shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. The finishes of the proposed extended loose horse shed /storage shed shall be the same as those of the existing shed.

Reason: In the interests of visual amenity, and in order to allow the planning authority to assess the impact of the new shed and other matters on the visual amenity of the area before development commences.

8. Prior to commencement of any other development, the developer shall agree in writing proposals for the permanent lowering and maintenance of existing obstacles to a height not exceeding 1.2 metres along the site frontage from the existing entrance serving the development in an easterly direction to the limit of the frontage. The agreed proposals shall be implemented as part of the development works and shall be completed before the first use of the new slatted cattle shed.

Reason: In the interest of traffic safety.

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

Dated this day of 2015.