



An  
Bord  
Pleanála

## Inspector's Report ABP 305301-19

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<b>Development</b>	Construction of an agricultural slatted shed.
<b>Location</b>	Tirlahode Lower, Stradone, Co. Cavan
<b>Planning Authority</b>	Cavan County Council
<b>Planning Authority Reg. Ref.</b>	1952
<b>Applicant</b>	Patrick Brady
<b>Type of Application</b>	Permission
<b>Planning Authority Decision</b>	Grant Permission
<b>Type of Appeal</b>	Third Party
<b>Appellant(s)</b>	Noel and Pamela Brady
<b>Observer(s)</b>	None
<b>Date of Site Inspection</b>	13 <sup>th</sup> December 2019
<b>Inspector</b>	Brendan Coyne



## 1.0 Site Location and Description

1.1. The site (0.52 Ha) is located in the rural townland of Tirlahode, c. 8 km north of Ballyjamesduff in Co. Cavan. The site is located on road junction known as Tirlahode Cross and is bound by a public road along its western and southern boundaries and a private driveway serving a residential dwelling along its northern boundary. A farmyard complex containing several agricultural sheds is located at the southern section of the site. The proposed agricultural shed is located along the northern section of the site which is currently greenfield. Vehicular access is provided from both the adjoining public roads, to the south and west of the farmyard complex. A two-storey residential dwelling is located on lands adjoining the north-eastern corner of the site. A dwelling is also located on lands adjoining the south-eastern corner of the site. The northern, western and southern boundaries of the site are defined with mature trees and hedgerow. The ground level of the site is relatively flat with a slight drop towards the eastern boundary. Lands in the surrounding area comprise agricultural farmland.

## 2.0 Proposed Development

2.1. Original Proposal as lodged on the 20<sup>th</sup> February 2019 - Permission sought for the following;

- Construction of an agricultural slatted shed (426 sq.m.) incorporating the following;
  - Slatted areas,
  - Cubicle accommodation,
  - Loose bedded area,
  - Feed passage,
  - 2 no. underground slurry storage tanks.
- Provision of a concrete apron area to the rear/north of the proposed shed and a hardcore surfaced area to its western side and front/south.

- Completion of all associated and ancillary site works.

Revised Proposal as submitted by way of Further Information on the 25<sup>th</sup> June;

- Revised Site Layout Plan indicating the nearest third-party dwelling.
- Cover letter stating (inter alia) that there are no wells within 100m of the site and that the colour of the proposed metal cladding is Sargasso Navy.

### **3.0 Planning Authority Decision**

#### **3.1. Decision**

3.1.1. Cavan County Council granted permission for the proposed development subject to 11 no. Conditions. Conditions of note include the following;

C.2 Financial Contribution of €630 to be paid in respect of public infrastructure.

C. 4 Proposed metal sheet cladding to be finished in Sargasso Navy.

C.5 Proposal to be constructed in accordance with Dept. of Agriculture and Food specifications S100, S101 and S123.

C.7 Effluent and surface water run-off to be directed to and collected in an effluent storage tank.

#### **3.2. Planning Authority Reports**

##### **3.2.1. Planning Reports (12<sup>th</sup> April 2019 and 02<sup>nd</sup> August 2019)**

Basis for the Planning Authority Decision. Includes:

- There are 2 no. dwelling houses within 100m of the proposed development. However, there are no potable water supplies /wells within 100m of the proposal.
- The existing farmyard complex is cramped and some of the sheds are decades old. While the proposed shed is somewhat detached from the remainder of the farmyard complex, the restricted space within the farmyard is noted and the need for additional space for modern farming is accepted.

- The proposed shed would (i) create a new facility which is needed and (ii) extend the area of hardstanding within the farmyard, which is needed for both livestock and machinery.
- Some effort has been made to site the proposed development sensitively, with the proposed shed positioned on lower elevated land and positioned to the rear corner of the site, with a splayed separation distance of 10-15m from the northern boundary.
- The proposal is 66 metres from the nearest corner of the neighbouring dwelling to the north-east.
- The design, operation and specifications of the proposed shed, including effluent treatment, would be in accordance with the specifications of the Dept. of Agriculture.
- The proposed development would be well within the derogation limits of the Nitrates Directive.

### 3.2.2. **Other Technical Reports**

#### 3.2.3. ***Environment Section:***

No objection subject to 6 no. Conditions regarding, inter alia, effluent and soiled water arising from the proposed development and un-contaminated surface water run-off.

#### 3.2.4. ***Municipal Engineer Report:***

No objection subject to standard Conditions.

## 4.0 **Planning History**

None for subject site

### ***Adjacent sites to the north-west***

**P.A. Ref. 09/242** Permission granted for the construction of a two-storey dwelling, domestic garage, proprietary treatment unit and ancillary site works. Permission approved on the 13<sup>th</sup> Nov. 2009.

**P.A. Ref.12/100** Permission granted for the construction of 1 no. Poultry House together with all ancillary structures. Permission approved on the 28<sup>th</sup> June 2012.

## **5.0 Policy and Context**

### **5.1.1. Cavan County Development Plan 2014-2020**

- EDP3** To promote sustainable agricultural development whilst ensuring that development does not have an undue negative impact on the visual amenity of the countryside.
- EDO1** To promote the continued development and expansion of the Agri-Food Sector.
- EDO4** To ensure that all agricultural activities comply with legislation on water quality, such as the Phosphorous Regulations, Water Framework Directive and Nitrates Directive.
- EDO5** To encourage the development of environmentally sustainable agricultural practices, to ensure that development does not impinge on the visual amenity of the countryside and that watercourses, wildlife habitats and areas of ecological importance are protected from the threat of pollution.
- EDO6** To recognise and support the role of farmers as custodians of the natural resources of the countryside and of rural landscapes which are valuable to existing and future generations. Ensure that development does not have an undue negative impact on the visual or scenic amenity of the Countryside. Protect soil, groundwater, wildlife habitats, conservation areas, rural amenities and scenic views from adverse environmental impacts as a result of agricultural practices.
- EDO7** To support agricultural development as a contributory means of maintaining the population in the rural area and sustaining the rural economy, whilst maintaining and enhancing the standing of the rural environment and through application of the Water Framework and Habitats Directive.

**NHEO22** To protect and enhance the landscape of County Cavan by ensuring development occurs in a manner that has regard to the character, type of landscape or character area and sensitivity, visual impact of the landscape.

The site is located in the Drumlin Belt and Uplands of East Cavan Landscape Character Area.

## 5.2. Natural Heritage Designations

5.2.1. The site is located c. 14.5 km to the north-east of the Lough Sheelin SPA (site code: 004065).

## 6.0 EIA Screening

Having regard to the existing development on site, the nature and scale of the proposed development and the absence of any connectivity to any sensitive location, there is no real likelihood of significant effects on the environment arising from the proposed development. The need for environmental impact assessment can, therefore, be excluded at preliminary examination and a screening determination is not required.

## 7.0 The Appeal

### 7.1. Grounds of Appeal

7.1.1. A third-party appeal was received from Noel and Pamela Brady, who resides at Tierlahood, Stradone, which is the nearest neighbouring dwelling located c.66m to the north-east of the proposed agricultural shed. The following concerns were raised in the grounds of appeal:

#### ***Re. Proximity to Appellants Dwelling***

- The proposed development is located too close (c. 50 metres) to the appellants dwelling. A separation distance of 100m from the closest dwelling, as provided under the Exempted Development Regulations, would be more appropriate.

- Cavan County Council failed to adequately consider possible alternative locations and the impact of the proposal on the appellant's dwelling.

***Re. Detached Nature of the proposed development***

- The distance of the proposal, 40-50 metres from the existing farmyard complex, would lead to the unnecessary sprawl of the farmyard complex. The appellants suggest that the proposal should be integrated with or be located closer to the farmyard complex.
- The justification for the location of the proposal on the grounds of requiring adequate circulation / turning space for machinery is unwarranted.

***Re. Intensification of Activities***

- The proposal will lead to an intensification of activities on the site.
- The applicant has not provided details of proposed stock numbers. As such the impact of the proposal in terms of noise, traffic and compliance with S.I.605 of 2017 (European Union Good Agricultural Practice for Protection of Waters Regulations) cannot be determined.

***Re. Public Health***

- Concerns expressed that the proposal would impact on public health, with regards animal effluent discharge, flies, vermin and emissions. No proposals have been made to address this issue.

***Re. Visual Impact***

- Concern regarding the visual impact of the proposal on the landscape.

***Re. Public Notices***

- The applicant failed to erect a site notice at the entrance to the land, closest to the proposed development, when originally submitted on the 20<sup>th</sup> February. This significantly, irrevocably and adversely impacted the appellants opportunity to comment on the application. While the applicant erected a site notice at the second entrance (on a different road), the application should not have been validated. Had Significant Further Information not required the erection of a revised site notice, the appellants would not have had the opportunity to raise their concerns.

## 7.2. Applicants Response

A response was received from Damian McGivney, Engineer, representing the Applicant. Documents submitted include the following;

- Site Layout Plan incorporating a Landscaping Plan,
- Letter from Teagasc,
- Statement from the Dept. of Agriculture, Food and Marine detailing levels of organic nitrogen and phosphorous produced on the farm from January 2006 to June 2019.

Issues raised in response to the Grounds of Appeal are addressed under the headings below;

### ***Re. Proximity to Appellants Dwelling***

- The proposed development is not classed as exempted development. Therefore, the 100m separation distance from a house, as required by exempted development regulations, is not applicable.
- The Planning Authority requested Further Information detailing the location of existing dwellings in proximity to the proposed development. The Planning Authority adequately assessed the proposal in relation to these dwellings.

### ***Re. Detached Nature of the proposed development***

The location of the proposed agricultural shed was chosen for a number of operational and essential reasons, as follows;

- The existing farmyard is tight on space and the proposed development will benefit the farming system.
- The proposal will increase animal welfare on the farm, with extra space provided for in-calf heifers, reducing the levels of stress on stock in the lead up to calving, as well as improve cow comfort levels, feed barrier availability, ventilation and air quality. This requires the construction of a detached shed, independent from the existing shed accommodation.

- In five years' time, the applicant intends to construct a new walled silage slab to the north of the existing silage slab, both of which are located between the proposed shed and the existing farmyard complex. The future location of this walled silage slab limits the location of the proposed agricultural shed.
- It was decided to site the proposed shed in the north-western corner of the site, in order to minimise its impact on the adjacent residential dwelling.
- With regards machinery circulation routes, the proposed setback position of the concrete aprons are required due to the planned future provision of the walled silage slab. A distance of 11.4m will remain between the gable of the proposed shed and the future walled silage slab. This distance is above the 10.5m required for turning movements and radii for a diet-feeder and tractor combination.
- The apron to the rear of the shed will not be sufficient for turning. It merely provides the maximum apron dimension of 8.0m as per the Department of Agriculture Specifications for TAMS II grant aid and is of sufficient length to drive through the central feed passage and feed along each feed barrier. The driver will then have to reverse the tractor and diet feeder back towards the front of the shed to enable turning.

***Re. Public Health***

- No stock movements will take place over the closed period across the yard areas '3' and '4', as detailed on the site layout plan submitted. As a result, no increase in soiled water levels will be generated.
- Cows and calf heifers will be housed directly off grass in the proposed shed and calved down in the proposed bedded area. Effluent from this bedded area will be piped to the proposed slatted slurry storage tanks. Cows will be turned out to grass following calving in the Spring period.
- The letter from Teagasc confirms that;
  - The proposed development will increase the level of slurry storage on the farm and ensure its compliance with all nitrates regulations in the coming years.

- The agitation of slurry in the proposed development will only be carried out in suitable conditions with a breeze to reduce the level of emissions in and around the area of the shed.
- A strict vermin control programme is and will continue to be operated on the farm as part of the Bord Bia Sustainable Dairy Assurance Scheme.
- The Statement from the Dept. of Agriculture, Food and Marine details levels of organic nitrogen and phosphorous produced on the farm from January 2006 to June 2019. The applicant states that the N kg/Ha has not exceeded 170 kg/Ha in this period, therefore confirming compliance with S.I.605 of 2017.

***Re. Intensification of Activities***

- No intensification of farming activities is proposed on the farm.
- The letter from Teagasc details the number of livestock accommodated on the farm and states that there are currently no plans in place to increase the level of stock on the farm.

***Re. Visual Impact***

- The visual impact of the proposal would be minimised by the existing mature hedgerow along the adjacent boundaries of the site and proposed hedgerow planting along the north-eastern boundary.

***Re. Public Notices***

- All legislative planning requirements have been met with regard public notification regarding the initial planning application and the submission of significant further information. The statutory period of time was afforded to any third party to lodge a submission to the Planning Authority in the initial 5 weeks from receipt of the application and 2 weeks from receipt of further information response.

**7.3. Further Response**

- 7.3.1. The Third-Party Appellants responded to the Applicant's submission and the issues raised are principally the same as those raised in the Grounds of Appeal, as detailed in Section 7.1 above. Notable expansion of the issues raised are summarised under the headings below;

### **Re. Proximity to appellants dwelling**

- The 100m separation distance adopted by the Exempted Development Regulations have been adopted as a formal approach in other counties.

### **Re. Scrutiny**

- The applicant is proposing (future) additional development within the farmyard that were not detailed on the plans submitted and thus mislead Cavan County Council in its assessment and decision.

### **Re. Detached Nature of the proposed development**

- The proposed development can house 28 heifers / cows and 10 cows in the straw bedded are. This would account for 77.5% of the current herd size.
- The stated replacement rates of cows / heifers are unrealistic, impracticable and uneconomic.
- The Appellants request that in the event of a grant of permission, the Applicant be Conditioned to submit a N and P Statement and herd profile to Cavan County Council on an annual basis, detailing the organic N produced and stock numbers.

### **Re. Soiled Water**

- While the applicant has detailed how the cattle will be housed off grass and let out to grass, the applicant has not detailed how it is proposed to get the cattle to and from the proposed agricultural shed.

### **Re. Intensification of Activities**

- The appellants detail the capacity of the possible future proposed silage pit and put forward that the proposed development will lead to a significant intensification of activities that will require the new silage pit to feed the same.

## **7.4. Planning Authority Response**

The Planning Authority's response is as follows;

- The site notice for the proposed development was placed at the main entrance of the application site, onto a public road.

- Following receipt of the applicant's Further Information Response, which was deemed Significant, a site notice was also placed at the site's secondary entrance. This extended the opportunity for members of the public to make a representation.
- Further to site inspection, the Planning Authority concluded that there is no viable alternative location within the landholding for the proposed shed, and that it is best placed within the farmyard complex.
- The Planning Authority determined that the siting of the proposed shed, closer to the existing structures, would unreasonably restrict the applicant's working area for livestock and machinery in an already constrained area.
- The new yard space (proposed hardcore area) is better centralised within the complex for this reason, enclosed by the shed.

## 8.0 **Assessment**

8.1. The main issues in this appeal can be considered under the following headings;

- Proximity to residential dwellings,
- Rationale for the location of the proposed development,
- Scale, Design and Visual Impact,
- Intensification of Use,
- Public Health,
- Procedural Issues,
- Appropriate Assessment.

These are addressed under the headings below.

### 8.2. **Proximity to residential dwellings**

8.2.1. The proposed agricultural shed would be located c. 66 metres to the south-east of the nearest residential dwelling i.e. the appellants dwelling. The appellants object to the proposed development on the grounds that a separation distance of 100m should be maintained between the proposed development and their dwelling, in accordance with Exempted Development provisions for agricultural structures, as set out in the Planning and Development Regulations 2001 (as amended).

8.2.2. There is no specific policy in the Cavan County Development Plan setting out minimum separation distances which should be maintained between agricultural buildings and residential dwellings. As such, it is my view that the proposed development and its proximity to adjacent residential dwellings should be assessed on its own merits, having regard to its impact on visual and rural amenity and its impact on the environment, public health and road safety. These issues have been assessed by the Planning Authority and are addressed where relevant below.

**Rationale for the location of the proposed development**

8.2.3. The proposed development is located at the north-western corner of the site, c. 43m from the closest existing structure in the farmyard complex. The proposal provides for a hard-surfaced area and a concrete apron between the proposed shed and the existing hard surfaced circulation area within the farmyard complex, and to its western side and rear / north.

8.2.4. The appellants object to the proposed development on the grounds that it would lead to the unnecessary sprawl of the farmyard complex and that it should be integrated closer to the existing farmyard complex.

8.2.5. The applicant contests this issue, putting forward a case for the positioning and location of the proposal, principally that proposal would benefit the farming system, improve the accommodation of livestock, the future intention to build a new silage slab between the proposed shed and farmyard complex and the need for machinery turning movements.

8.2.6. Having regard to a) the configuration and confined context of the site whereby it is adjoined by a public road along its eastern boundary and a private driveway along its northern boundary, b) the scale and extent of the proposed shed and space required for it, and c) the rationale for its location, as put forward by the applicant, it is my view that the location of the proposal and its setback from the existing farmyard structures is acceptable. While the applicant has a considerable landholding, as outlined in blue in the landholding map submitted, the remaining lands are at a considerable distance from the existing farmyard complex. I do not consider the distance between the proposed shed and the existing farmyard complex is excessive. I recommend, therefore, that the appeal should not be upheld in relation to this issue.

### **8.3. Scale, Design and Visual Impact**

- 8.3.1. The appellants express concern that the proposed development would impact on the visual amenity of the surrounding landscape. The proposed structure would have a width of 21.6m, a length of 22.9m and a height of 8.4m. The floor area of the proposal is 426 sq.m. Its roof profile is pitched. Elevation finishes are detailed as comprising metal sheet cladding over mass concrete walls. The colour of the proposed sheet cladding is stated as Saragasso Navy. The applicants state in the Further Information response that they would have no problem changing the proposed colour to Juniper Green. The applicant has proposed to plant hedgerow along the north-eastern boundary of the site.
- 8.3.2. The site is located in the Drumlin Belt and Uplands of East Cavan Landscape Character Area which is not designated an area of high landscape value or special landscape interest. The landscape in the general vicinity of the site is typical rural countryside with no outstanding or special qualities. Many of the farms in the locality have agricultural sheds similar in scale and design to the proposed development. It is my view that the scale, form and design of the proposed agricultural shed would be visually acceptable and would not impact on the visual amenity of the surrounding rural landscape. The existing trees and hedgerow along the roadside boundaries will screen the proposal to some extent. The proposed planting along the north-eastern boundary will screen the proposal from the adjacent residential dwelling. I recommend, therefore, that the appeal should not be upheld in relation to this issue.

### **8.4. Intensification of Use**

- 8.4.1. The appellants object to the proposed development on the grounds that it would lead to an intensification of activities on the site. The appellants provide details on the capacity of the possible future proposed silage pit, and state that its capacity will lead to a significant intensification of activities. The appellants also put forward that the proposed shed would have the capacity to house 77.5% of the current herd size.
- 8.4.2. The applicant contests this issue, stating that no intensification of farming activities is proposed on the farm. The letter from Teagasc details the number of livestock

accommodated on the farm and states that there are currently no plans in place to increase the level of stock on the farm.

8.4.3. The applicant is not seeking permission for a new silage pit under the current application. Given that the applicant and the letter from Teagasc confirm that there will be no increase in the level of stock held on the farm, I am satisfied that the proposed development is essentially for the purposes of improving animal welfare. I consider, therefore, that the appeal should not be upheld in relation to this issue.

## 8.5. Public Health

8.5.1. The appellants object to the proposed development on the grounds that it would impact on public health, with regards animal effluent discharge, flies, vermin and emissions. The applicant responds to this, stating that;

- No stock movements will take place over the closed period across the external yards and therefore no increase in soiled water levels will be generated.
- Effluent from the agricultural shed will be piped to the proposed slatted slurry storage tanks.

The letter from Teagasc submitted confirms that;

- The proposal will comply with all nitrates regulations in the coming years.
- The agitation of slurry will only be carried out in suitable conditions with a breeze to reduce the level of emissions in and around the area of the shed.
- A strict vermin control programme is and will continue to be operated on the farm as part of the Bord Bia Sustainable Dairy Assurance Scheme.

8.5.2. The Statement from the Dept. of Agriculture, Food and Marine details levels of organic nitrogen and phosphorous produced on the farm from January 2006 to June 2019. The applicant states that the N kg/Ha has not exceeded 170 kg/Ha in this period, therefore confirming compliance with S.I.605 of 2017.

8.5.3. Effluent arising from the proposed development will be collected and stored in the 2 no. underground slurry storage tanks underneath the proposed shed. The proposed structure would be located c. 66 metres to the south-east of the nearest residential dwelling and 70 meters from the dwelling adjoining the south-eastern corner of the

site. The Planning Authority Planning Report and Further Information submitted by the applicant detail that there are no wells within 100m of the proposed development. It is noted from the Environment Section Report of the Planning Authority that Section 5.1 of the Department of Agriculture Specification – S123 (Bovine Livestock Units and Reinforced Tanks) requires a minimum distance of 60 metres between a storage facility and public / private water supply source. The proposal would accord with this requirement.

- 8.5.4. The Planning Authority has imposed Conditions (No.'s 5-9) regarding the collection of uncontaminated surface water run-off, the storage of effluent and soiled water arising from the proposed development and the spreading of slurry on lands. These Conditions reflect the Conditions recommended by the Environment Section of the Planning Authority, who outline no objection to the proposed development.
- 8.5.5. It is my view that these Conditions are appropriate and would protect public health and residential amenity, prevent pollution of watercourses and ensure the satisfactory storage and disposal of waste material. I recommend that such Conditions should be imposed in the event of a grant of permission. I consider, therefore, that the appeal should not be upheld in relation to this issue.

## 8.6. **Procedural Issues**

- 8.6.1. The appellants object to the proposed development on the grounds that the applicant failed to erect a site notice at the western entrance to the land, closest to the proposed development, when originally submitted on the 20<sup>th</sup> February. The appellants state that this significantly, irrevocably and adversely impacted their opportunity to comment on the application. They note that while the applicant erected a site notice at the southern entrance, the application should not have been validated. Had Significant Further Information not required the erection of a revised site notice, the appellants would not have had the opportunity to raise their concerns.
- 8.6.2. The Planning Authority address this issue in their response to the Grounds of Appeal stating that following receipt of the applicant's Further Information Response, which was deemed Significant, a site notice was also placed at the site's secondary (western) entrance. This extended the opportunity for members of the public to make a representation.

8.6.3. It is my view that this ground of appeal is a validation issue which is the function of the Planning Authority. The third-party appellant has made a valid planning appeal to An Bord Pleanála and the issues raised in this objection are addressed above.

### 8.7. **Screening for Appropriate Assessment**

Having regard to nature and scale of the proposed development, the nature of the receiving environment and the distance (14.5 km) and lack of connections to the nearest European site, the Lough Sheelin SPA (site code: 004065), no Appropriate Assessment issues arise and it is not considered that the proposed development would be likely to have a significant effect individually or in combination with other plans or projects on a European site.

### 9.0 **Recommendation**

9.1. I recommend that permission be granted subject to conditions, for the reasons and considerations below.

### 10.0 **Reasons and Considerations**

10.1. Having regard to the nature and scale of the proposed development and its proximity to an existing farmyard complex, it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the residential or visual amenities of the area or of property in the vicinity, would respect the existing rural character of the area and would be acceptable in terms of traffic safety and convenience. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

### 11.0 **Conditions**

1.	The proposed development shall be carried out and completed in accordance with the plans and particulars lodged with the application, as amended by the further plans and particulars submitted on the 25 <sup>th</sup> June and the 9 <sup>th</sup> July 2019, except as may
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	<p>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 retained, carried out and completed in accordance with the agreed particulars.</p> <p><b>Reason:</b> In the interest of clarity.</p>
2.	<p>The agricultural shed shall be used only in strict accordance with a management schedule which shall 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 Union (Good Agricultural Practice for Protection of Waters) (Amendment) Regulations, 2017, as amended, and shall provide at least for the following:</p> <p>(i) Details of the number and types of animals to be housed.</p> <p>(ii) The arrangements for the collection, storage and disposal of slurry.</p> <p>(iii) Arrangements for the cleansing of the buildings and structures (including the public road, where relevant).</p> <p><b>Reason:</b> In order to avoid pollution and to protect residential amenity.</p>
3.	<p>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.</p> <p><b>Reason:</b> In the interest of public health.</p>
4.	<p>A minimum of 22 weeks storage shall be provided in the underground storage tanks. Prior to commencement of development, details showing how it is intended to comply with this requirement</p>

	<p>shall be submitted to and agreed in writing with the planning authority.</p> <p><b>Reason:</b> In the interest of environmental protection and public health.</p>
5.	<p>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 Union (Good Agricultural Practice for Protection of Waters) (Amendment) Regulations, 2017, as amended.</p> <p><b>Reason:</b> To ensure the satisfactory disposal of waste material, in the interest of amenity, public health and to prevent pollution of watercourses.</p>
6.	<p>All uncontaminated roof water from buildings and clean yard water shall be separately collected and discharged in a sealed system to existing drains, streams or adequate soakpits and shall not discharge or be allowed to discharge to the foul effluent drains, foul effluent and slurry storage tanks or to the public road.</p> <p><b>Reason:</b> In order to ensure that the capacity of effluent and storage tanks is reserved for their specific purposes.</p>
7.	<p>Site development and building works shall be carried out only between the hours of 0700 to 1800 Mondays to Fridays inclusive, between 0800 to 1400 hours on Saturdays and not at all on Sundays and public holidays. Deviated from these times will only be allowed in exceptional circumstances where prior written approval has been received from the planning authority.</p> <p><b>Reason:</b> In order to safeguard the amenities of property in the vicinity.</p>

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Brendan Coyne  
Planning Inspector

23<sup>rd</sup> December 2019