



Board Direction

Ref: PL07.246677

The submissions on this file and the Inspector's report were considered at a Board meeting held on 4th October 2016. The Board decided by a majority of 2:1 to grant permission in accordance with the Inspector's recommendation, and in accordance with the draft reasons, considerations and conditions set out below.

REASONS AND CONSIDERATIONS

Having regard to the nature and scale of the proposed agricultural development within an existing and long-established farmyard complex, and its location outside of a preliminary flood risk zone, 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 not be at risk of flooding, would not be likely to result in risk of pollution, and would be in accordance with the provisions of the "Planning System and Flood Risk Management - Guidelines for Planning Authorities", issued by the Department of the Environment, Heritage and Local Government (2009), and with the provisions of the Galway County Development Plan 2015-2021 in relation to flooding and protection of the environment. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

CONDITIONS

1. PlansPartic incl. FI 11/02/16, 11/04/16 and to ABP with appeal on 01/06/16
2. AgWaterDrain
3. AgMgtSchedule
4. AgEffluent
5. AgWaterDischarge
6. AgSpreading
7. AgStorage
8. AgDetails
9. The proposed manure pit shall be covered or shall otherwise be constructed to provide adequate storage to cater for rain events. Revised drawings showing compliance with this requirement shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: To prevent risk of pollution.

Note:

The Board noted that the Planning Authority had decided to refuse planning permission on the grounds that the proposed development would materially contravene the County Development Plan in respect of various policies, objectives and standards, generally relating to the protection of European Sites and ecological networks, the protection of waters, and the requirement to undertake appropriate assessment. The Board was satisfied on the basis of the analysis presented on file and concurred with the Inspector that the proposed development would be located outside of a predicted flood zone, would be served by a water-tight tank and pit that would not have any links to the flood zone and that, subject to compliance with conditions, there would be no material connectivity between the proposed development and any European Site. The Board was, therefore, satisfied that the proposed development would not materially contravene any of the provisions of the Development Plan. Since its decision is not being made under the provisions of Section 37(2)(a) of the Planning and Development Act, 2000, the Board is satisfied that Section 37(2)(b) of the Act does not apply.

Board Member: _____ Date: 4th October 2016
Fionna O' Regan