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The submissions on this file and the Inspector's report were considered at a Board meeting held on April 10<sup>th</sup> 2017.

The Board decided to grant permission generally in accordance with the Inspector's recommendation, for the following reasons and considerations, and subject to the following conditions.

### **Reasons and Considerations**

Having regard to the existing agricultural use of the site and of the landholding of which it forms part, to the documentation submitted with the application in relation to the treatment of slurry effluent and soiled waters and to the remoteness of the site from residential uses, it is considered that, subject to compliance with the conditions set out below, the proposed development would not give rise to surface or ground water pollution, would not be prejudicial to public health, would not seriously injure the residential amenities of property in the vicinity and would generally 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.

### **Appropriate Assessment Screening**

The Board noted that the proposed development is not directly connected with or necessary to the management of a European Site. In completing the screening for Appropriate Assessment, the Board noted the screening assessment carried out by the planning authority in respect of the proposed development, which concluded that

the proposed development would not give rise to impacts on any European site. The Board also noted the screening assessment and conclusion carried out in the Inspector's report in respect of the likely significant effects of the development, either individually or in combination with other plans or projects, on European sites, having regard to the conservation objectives of such sites, and agreed with the Inspector that the only European site that had the potential to be affected was the River Boyne and River Blackwater Special Area of Conservation (site code 002299). The Board accepted and adopted the Inspector's conclusions in relation to the potential impacts on this European site. The Board was therefore satisfied, having regard to the measures designed as part of the application and the documentation submitted with the application by way of further information in relation to measures to prevent the escape of slurry effluent or soiled surface water into the river system or to ground water, that the proposed development, either individually or in combination with other plans or projects, would not be likely to have a significant effect on the River Boyne and River Blackwater Special Area of Conservation (site code 002299) or any other European site, in view of the Conservation Objectives of those sites.

## **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 plans and particulars submitted to the planning authority on the 5<sup>th</sup> day of October 2016, 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. As PA condition no. 2

**Reason:** In the interest of traffic safety.

3. The diversion system shall only divert surface waters from the silage pit when it is completely empty of silage, and at all other times contaminated waters shall be diverted to the parlour washings tank, as shown on drawing number 606, submitted to the planning authority on the 5<sup>th</sup> day of October 2016.

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

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 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. 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.

**Reason:** In order to ensure that the capacity of effluent and storage tanks is reserved for their specific purposes.

6. Details of the finishes of the proposed buildings and silo shall be submitted to and agreed in writing with the planning authority prior to the commencement of development. Roof colours shall be darker than wall colours.

**Reason:** In the interest of visual amenity.

7. Waste water and 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 (SI no. 31 of 2014).

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

8. A minimum of 18 weeks' storage shall be provided in the underground slurry storage tanks. 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.

9. The developer shall pay to the planning authority a financial contribution in respect of public infrastructure and facilities benefiting development in the area of the planning authority that is provided or intended to be provided by or on behalf of the authority in accordance with the terms of the Development Contribution Scheme made under section 48 of the Planning and Development Act 2000. The contribution shall be paid prior to the commencement of development or in such phased payments as the planning authority may facilitate and shall be subject to any applicable indexation provisions of the Scheme at the time of payment. Details of the application of the terms of the Scheme shall be agreed between the planning authority and the developer or, in default of such agreement, the matter shall be referred to the Board to determine the proper application of the terms of the Scheme.

**Reason:** It is a requirement of the Planning and Development Act 2000 that a condition requiring a contribution in accordance with the Development Contribution Scheme made under section 48 of the Act be applied to the permission.

**Board Member**

**Date:** 10<sup>th</sup> April 2017

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Philip Jones