



An
Bord
Pleanála

Board Direction
BD-002268-19
ABP-302024-18

The submissions on this file and the Inspector's report were considered at a Board meeting held on 28/01/2019.

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

Reasons and Considerations

1. The slurry tank structure erected on site, by reason of its design and layout and the nature of its construction, does not comply with the requirements of the European Union (Good Agricultural Practice for Protection of Waters) Regulations 2017 and with *S.123 Minimum Specifications for Bovine Livestock Units and Reinforced Tanks* (DAFM, September 2017). The development proposed for retention and completion would therefore endanger the health or safety of persons employed in, on or near the structure through potential collapse of the slurry tank structure and be prejudicial to public health through the potential for pollution of ground water used for human consumption (Killasser Group Water Scheme) through potential for failure of the integrity of the slurry tank.
2. On the basis of the information provided with the application and appeal and in the absence of a Natura Impact Statement, the Board cannot be satisfied that the proposed development, individually or in combination with other plans or projects would not be likely to have a significant effect on River Moy SAC site no.002298, in view of the site's conservation

objectives. In such circumstances the Board is precluded from granting permission.

Board Member

Date: 01/02/2019

Stephen Bohan