



An  
Bord  
Pleanála

**Board Direction**  
**BD-002401-19**  
**ABP-302704-18**

The submissions on this file and the Inspector's report were considered at a Board meeting held on 18/02/2019.

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 location of the site in a rural area where agriculture is the predominant land use, and to the nature of the proposed agricultural use, which is consistent with the provisions of the Galway County Development Plan 2015-2021, the proposed development would not seriously injure the amenities of the area or of property in the vicinity, would not be prejudicial to public health and, subject to compliance with the conditions set out below, would be in accordance with the proper planning and sustainable development of the area.

The Board is satisfied that the information presented in the application is adequate for the purposes of assessing the proposed development and for the purposes of undertaking screening for appropriate assessment in respect of the proposed development. In this regard, the Board agreed with the screening assessment and conclusion set out in the Inspector's report.

## 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 on the 17<sup>th</sup> day of August 2018, 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. All foul effluent and other contaminated run-off generated by the proposed development and in the farmyard shall be conveyed through properly constructed channels to the proposed and existing storage facilities for holding prior to its application to land in accordance with The European (Good Agricultural Practice for Protection of Waters) Regulations 2017 (SI 605 of 2017) as amended.

**Reason:** In the interest of protecting the environment.

3. The proposed development shall operate in strict accordance with the details included with the application, as amended by the further plans and particulars submitted on the 17<sup>th</sup> day of August 2018, and in accordance with the requirements of the European Union (Good Agricultural Practice for Protection of Waters) Regulations 2017. Specifically: -
- (i) A minimum of 26 weeks slurry storage must be provided.
  - (ii) Under the European Union (Good Agricultural Practice for Protection of Waters) Regulations 2017, no slurry spreading shall be carried out in the three month period between October 15<sup>th</sup> and January 15<sup>th</sup>.
  - (iii) All slurry and silage effluent shall be disposed of by land spreading in accordance with the Code of Good Agricultural Practice, to ensure the protection of ground and surface waters.
  - (iv) No spreading of slurry shall take place within 50m of any domestic well, 200m of any group water supply source, 10m of any stream or drain, or within 20m from lakes or any main river channel or tributaries or on lands subject to or likely to flood.
  - (v) All solid waste, waste bedding material to be disposed of by land spreading in accordance with Good Agricultural Practices and without risk to ground or surface waters.
  - (vi) Under the European Union (Good Agricultural Practice for Protection of Waters) Regulations 2017, no spreading of such waste (solid waste/ waste bedding/ farmyard manure) shall be carried out in the period between 15<sup>th</sup> October and January 15<sup>th</sup>.
  - (vii) All land spreading must be carried out in strict accordance with a Nutrient Management Plan/Fertiliser Plan.
  - (viii) Land spreading shall only take place on lands with a consistent minimum thickness of 1m of soil/subsoil.

**Reason:** In the interest of protecting the environment.

4. The adjacent public road shall be maintained in a clean manner, any wheel borne mud/spillages arising shall be cleaned by the applicant/operator to the satisfaction of the planning authority.

**Reason:** In the interests of orderly development and environmental protection.

**Board Member**

**Date:** 20/02/2019

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Chris McGarry