



An  
Bord  
Pleanála

**Board Direction**  
**BD-004501-19**  
**ABP-305209-19**

The submissions on this file and the Inspector's report were considered at a Board meeting held on 13/11/2019.

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 agricultural use of the site, the pattern of development in the area, and the small scale of the proposed development, it is considered that, subject to compliance with the conditions set out below, the proposed development would be acceptable and would not seriously injure the amenities of the area. The proposed development would, therefore be in accordance with the proper planning and sustainable development of the area.

### **Conditions**

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application, 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. Drainage arrangements for the site, including the disposal of surface and soiled water, shall comply with the requirements of the planning authority for such works and services.

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

3. All soiled water, 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 ground, to any stream, river or watercourse, or to the public road.

**Reason:** In the interest of public health and to prevent pollution.

4. The cattle house 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:
  - a) Details of the number and types of animals to be housed.
  - b) The arrangements for the collection, storage and disposal of slurry.
  - c) Arrangements for the cleansing of the buildings and structures.

**Reason:** In order to avoid pollution and to protect residential amenity.

5. Additional tree planting shall be provided along the southern boundary of the site. Within three months from the date of this order, a plan detailing the number, species and exact location of the trees and arrangements for the replacement of trees that die within the first three years following planting shall be submitted to, and agreed in writing with, the planning authority.

**Reason:** In the interest of residential and visual amenities.

6. The proposed development shall be for agricultural use in connection with the subject land holding only and shall not be used for any commercial purposes.

**Reason:** In the interest of orderly development.

7. The external finishes of the proposed development shall be the same as those of the existing cattle house in respect of colour and texture, unless otherwise agreed with the Planning Authority.

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

8. The developer shall facilitate the preservation, recording and protection of archaeological materials or features that may exist within the site. In this regard, the developer shall -

- a) notify the planning authority in writing at least four weeks prior to the commencement of any site operation relating to the proposed development,
- b) employ a suitably-qualified archaeologist who shall monitor all site investigations and other excavation works, and
- c) provide arrangements, acceptable to the planning authority, for the recording and for the removal of any archaeological material which the authority considers appropriate to remove.

In default of agreement on any of these requirements, the matter shall be referred to An Bord Pleanála for determination.

**Reason:** In order to conserve the archaeological heritage of the site and to secure the preservation and protection of any remains that may exist within the site

**Board Member**

**Date:** 13/11/2019

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Terry Ó Niadh