



An
Bord
Pleanála

Board Direction
BD-018766-25
ABP-319765-24

The submissions on this file and the Inspector's report were considered at a Board meeting held on 27/01/2025.

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

The proposed development by reason of its nature and scale within an established farmyard, where the nature of activities carried out are commensurate with standard agricultural activities for this rural setting and the provisions of the Sligo County Development Plan 2024 to 2030, and subject to the conditions attached hereunder, it is considered the proposed development would not have a significant impact on water quality or on European sites in the vicinity, would not be prejudicial to public health, and, would be in accordance with the proper planning and sustainable development of the area.

Note:

In noting a watercourse adjacent the site, the underlying limestone rock and the bedrock aquifer type and the potential pathway to European Site(s), the Board determined that only rain water from the roof should enter the proposed surface water soak pit.

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 received by the Planning Authority on the 25th day of March 2024. 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. The agricultural building shall be provided with gutters and down-pipes, and these shall be maintained in a satisfactory condition. Clean surface water runoff from roof areas of the development shall not be discharged onto soiled yard areas. Only rainwater from the roof shall be discharged to the surface water soak-pit system as indicated in the proposals submitted to the Planning Authority. All surface water gullies shall be designed, maintained, and managed to ensure that no polluting matter enters the surface water collection/drainage system or groundwater.

Reason: In the interest of environmental protection.

3. Water supply and 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. In this regard -

- (a) all surface and soiled waters shall be directed to an appropriately sized soiled water storage tank (in accordance with the requirements of the European Union (Good Agricultural Practice for the Protection of Waters (Amendment) Regulations 2022, as amended, or to a slatted tank. Drainage details shall be submitted to and agreed in writing with the Planning Authority, prior to commencement of development.

- (b) all separation distances for potable water supplies as outlined in the European Union (Good Agricultural Practice for the Protection of Waters) (Amendment) Regulations 2022, as amended shall be strictly adhered to.

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 and existing 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. The slatted shed shall be constructed in accordance with the specifications as issued by the Department of Agriculture, Farming and the Marine and referenced in the European Union (Good Agricultural Practice for the Protection of Waters) (Amendment) Regulations 2022, as amended. The slatted shed 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, 2022, as amended, and shall provide, but not be limited to, the following:

- (a) Details of the number and types of animals to be housed.
- (b) Arrangements for the cleansing of the buildings and structures (and the public road where relevant).

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

- 6. The removal of organic waste material and its spreading on land by the applicant or third parties shall be undertaken in accordance with the systems of regulatory control implemented by the competent authorities in relation to national regulations pursuant to Council Directive 91/676/EEC (the Nitrates Directive) concerning the protection of waters against pollution caused by nitrates from agricultural sources.

Reason: In the interest of environmental protection.

7. 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, as amended. The contribution shall be paid prior to 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 An Bord Pleanála to determine the proper application of the terms of the Scheme.

Reason: It is a requirement of the Planning and Development Act 2000, as amended, 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


Deelan Moore

Date: 29/01/2025