

# An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2015

## Wexford County

**Planning Register Reference Number: 20151197**

An Bord Pleanála Reference Number: PL 26.246227

**APPEAL** by Damien Gibbons and Kathryn Keogh of Solace, BannPark Lane, Craanford, Gorey, County Wexford against the decision made on the 4<sup>th</sup> day of February, 2016 by Wexford County Council to grant subject to conditions a permission to John Murphy care of Arthur O'Leary and Associates Limited of 81 Main Street, Gorey, County Wexford in accordance with plans and particulars lodged with the said Council.

**PROPOSED DEVELOPMENT:** Retention of (1) existing underground slatted unit and (2) existing pump-house and concrete wall, and all associated site and ancillary works, at Rossminoge South and Island Lower, Rossminoge, County Wexford.

## DECISION

**GRANT permission for the above proposed development in accordance with the said plans and particulars based on the reasons and considerations under and subject to the conditions set out below.**

## MATTERS CONSIDERED

In making its decision, the Board had regard to those matters to which, by virtue of the Planning and Development Acts and Regulations made thereunder, it was required to have regard. Such matters included any submissions and observations received by it in accordance with statutory provisions.

## REASONS AND CONSIDERATIONS

Having regard to the location of the development proposed to be retained within an existing farmyard, in a rural area where agriculture is the predominant land use, and to the relative scale of the development in the context of the existing development in the farmyard, it is considered that, subject to compliance with the conditions set out below, the development proposed to be retained would constitute an environmental improvement, would not seriously injure the amenities of the area or of property in the vicinity, would not be prejudicial to public health, and would, therefore, be in accordance with the proper planning and sustainable development of the area.

The Board completed a screening exercise, taking into account the screening report submitted with the application and the Inspector's report and submissions on file, in relation to potential impacts of the site having regard to the nature and scale of the proposed development and characteristics of the Slaney River Valley Special Area of Conservation (Site Code 000781). The Board concurred with the Inspector's determination and adopted her conclusions and recommendations in this regard. The Board was, therefore, satisfied, having regard to the nature, location and scale of the development proposed to be retained, that the development, either individually or in combination with other plans or projects, would not be likely to have a significant effect on the European site, on the Slaney River Valley Special Area of Conservation (Site Code 000781) or on any other European sites, in view of their conservation objectives.

## CONDITIONS

1. The development shall be retained 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 within three months from the date of this order and the development shall be carried out and completed in accordance with the agreed particulars.

**Reason:** In the interest of clarity.

2. The slatted unit shall be used only in strict accordance with a management schedule which shall be submitted to, and agreed in writing with, the planning authority within two months of the date of this order. The management schedule shall be in accordance with the European Communities (Good Agricultural Practice for Protection of Waters) Regulations, 2014, 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.

3. Slurry generated by the proposed development shall be disposed of by spreading on land, or by other means acceptable 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, as amended. No slurry shall discharge or be allowed to discharge to any stream, river or watercourse, or to the public road. Within two months of the date of this order. Details showing compliance with this requirement shall be submitted to, and agreed in writing with, the planning authority.

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

4. 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.

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

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**Member of An Bord Pleanála  
duly authorised to authenticate  
the seal of the Board.**

**Dated this            day of            2016.**