

An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2016

Galway County

Planning Register Reference Number: 16/1060

An Bord Pleanála Reference Number: PL 07.247667

APPEAL by Patrick Hogan care of Conor Hayes Consulting Engineer of Kiltormer, Ballinasloe, County Galway against the decision made on the 2nd day of November, 2016 by Galway County Council to grant subject to conditions a permission to Mayfield Engineering Limited care of Laurence Conroy and Associates Consulting Engineers Limited of Killimor, Ballinasloe, County Galway in accordance with plans and particulars lodged with the said Council.

PROPOSED DEVELOPMENT: Change of use of existing agricultural shed (previously granted under planning register reference number 15/1009) to storage shed for organic compost material during winter months at Carrowreagh, Kilconnell, County Galway.

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 existing agricultural use of the site and to the nature and scale of the proposed development, which is complementary to this established agricultural use, and to the pattern of development in the area, including agricultural development, it is considered that, subject to compliance with the conditions set out below, the proposed development would not give rise to surface or ground water pollution, would not be prejudicial to public health, and would not seriously injure the residential amenities of property in the vicinity or give rise to a traffic hazard. 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, as amended by the further plans and particulars, including revised Nutrient Management Plan, submitted to the planning authority on the 7th day of October, 2016 and as further modified by the plans and particulars submitted to An Bord Pleanála on the 27th day of March 2017, 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. The maximum quantum of organic compost material that may be stored in the shed between 15th October and 15th January shall be limited to 1,453 tonnes, as indicated in the revised Nutrient Management Plan submitted to the planning authority on the 7th day of October, 2016. Only storage of the material shall take place on the subject site, and there shall be no waste processing in this shed, nor within the overall lands, unless authorised by a separate planning permission.

Reason: In the interest of public health and proper development, and to limit the development hereby authorised to that for which application was made.

3. The use of the agricultural shed for the winter storage of organic compost material shall be 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 Communities (Good Agricultural Practice for Protection of Waters) Regulations, 2014, as amended.

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

4. The organic compost material shall be disposed of by spreading on land. 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.

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

5. All foul effluent generated by the proposed development shall be conveyed through properly constructed channels to the existing storage facilities and no effluent or sludge 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.

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

Dated this day of 2017.