

# An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2016

**Wexford County**

**Planning Register Reference Number: 20161171**

An Bord Pleanála Reference Number: PL 26.247790

**APPEAL** by Brian Cosgrave of 4 The Cottage, Macadore, Ballygarrett, Gorey, County Wexford against the decision made on the 9<sup>th</sup> day of December, 2016 by Wexford County Council to grant subject to conditions a permission to Peter Doran care of Seamus O'Hagan of Graphic Concepts, Court, Monamolin, Gorey, County Wexford in accordance with plans and particulars lodged with the said Council.

**PROPOSED DEVELOPMENT:** Retention of existing underground soil water/effluent storage tank in existing farm yard at Ballyadam, Kilmuckridge, 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 existing agricultural use of the site and to the nature and scale of the development for which retention is sought, which is ancillary to this established agricultural use, it is considered that, subject to compliance with the conditions set out below, the development for which retention is sought 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. The development for which retention is sought would not, therefore, be contrary to the proper planning and sustainable development of the area.

## CONDITIONS

1. The development shall be retained 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.

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

2. All foul effluent and slurry generated by the existing agricultural buildings and in the farmyard shall be conveyed through properly constructed channels to the underground tank hereby permitted, and no effluent or slurry shall discharge or be allowed to discharge to any stream, river or watercourse, or to the public road. No effluent or slurry, from the farmyard or from the underground tank, shall discharge or be allowed to discharge to adjoining property.

**Reason:** In the interest of public health.

3. Waste water and slurry generated within the farm holding shall be disposed of by spreading on land, or by other means acceptable in writing 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 (S.I. number 31 of 2014).

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

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

**Dated this            day of            2017.**