

An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2016

Galway County

Planning Register Reference Number: 16/1347

An Bord Pleanála Reference Number: PL 07.247986

APPEAL by Jesse Murphy care of John M. Gallagher of 1 Oldfield, Kingston, Galway against the decision made on the 17th day of January, 2017 by Galway County Council to grant subject to conditions a permission to Brendan Warde care of Bernard Geraghty of Derrymore, Caherlistrane, County Galway in accordance with plans and particulars lodged with the said Council.

PROPOSED DEVELOPMENT: Erection of a serviced slatted shed with cubicles at Tonemace, Corrandulla, 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 nature and extent of the development proposed, to the history of the on-site agricultural activity and to the pattern of development in the vicinity, it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the amenities of property in the vicinity, would not have significant effects on a European site having regard to its conservation objectives, would be in accordance with the provisions for such development under the Galway County Development Plan 2015-2021 and would, therefore, be in accordance with the proper planning and sustainable development of the area.

CONDITIONS

1. The proposed 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 submitted on the 13th day of December, 2016, 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. This permission shall be in respect of the construction of the proposed agricultural shed and associated slurry pit and drainage works only. Nothing in this permission shall be taken to authorise the carrying out or retention of vehicular and/or agricultural accesses to the application site or to any other lands, or any works affecting road surface drainage.

Reason: In the interest of clarity.

3. The north elevation of the proposed shed shall be of solid construction and contain no open sections, gaps, voids or opening sections other than the proposed sliding entrance door which shall also be of solid construction and with gaps or voids.

Reason: In the interest of minimising the noise impact arising from operations, in order to protect residential amenity.

4. All surface water generated within the site shall be disposed of within the site and shall not be discharged to the public road.

Reason: In the interest of proper planning and sustainable development.

5. 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 Communities (Good Agricultural Practice for Protection of Waters) (Amendment) Regulations, 2014, 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, and
- (c) arrangements for the cleansing of the buildings and structures (including the public road, where relevant).

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

6. Slurry generated by the proposed development 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) (Amendment) Regulations, 2014,

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

7. The proposed planting indicated along the south, west and north boundaries of the site, on the Site Layout Plan received by the planning authority as further information on the 13th day of December, 2016, shall be carried out within the first planting season following the commencement of the proposed development in accordance with the following requirements:
- (a) the planting shall be confined to traditional native Irish hedgerow species only, and
 - (b) any planting that dies within the first three years of planting shall be replaced with a similar species within the following planting season.

Reason: In the interest of the visual amenities of this rural settlement.

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

Dated this day of 2017.