



An  
Bord  
Pleanála

**Board Order  
PL 18.248569**

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**Planning and Development Acts 2000 to 2017**

**Planning Authority: Monaghan County Council**

**Planning Register Reference Number: 17/3**

**Appeal** by Adam Hall care of Claire O'Neill O'Reilly Associates of Carricknabrick, Loughduff, County Cavan against the decision made on the 2<sup>nd</sup> day of May, 2017 by Monaghan County Council to refuse permission to the said Adam Hall.

**Proposed Development:** Erection of a five bay double slatted shed, new silage pit with concrete apron, effluent connection to proposed slatted shed and all associated concrete and use of existing entrance, all at Golanmurphy, Dartree, Smithborough, County Monaghan.

## **Decision**

**REFUSE** permission for the above proposed development in accordance with the reasons and considerations 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**

1. The documentation submitted with the planning application and appeal has not demonstrated that sufficient storage capacity is proposed for the effluent likely to arise from the housing of farm animals or the storage of silage, and the availability of sufficient land for spreading the amount of effluent calculated to arise from the proposed development, in a manner which complies with the EU (Good Agricultural Practice for the Protection of Waters) Regulations 2014, as amended, and in particular having regard to Articles 9 and 13 and Schedule 2 to these Regulations. In the absence of such information and having regard to article 5 of the European Communities Environmental Objectives (Surface Waters) Regulations, 2009, as amended, which requires that a public authority, in the performance of its functions, shall not undertake those functions in a manner that knowingly causes or allows deterioration in the chemical or ecological status of a body of surface water, it is considered that the proposed development would constitute a threat of water pollution and would be contrary to the proper planning and sustainable development of the area.

