

An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2017

Cavan County Council

Planning Register Reference Number: 17/323

An Bord Pleanála Reference Number: ABP-300190-17

Appeal by R. Lee of 21 Grove Park, Rathmines, Dublin against the decision made on the 17th day of October, 2017 by Cavan County Council to grant subject to conditions a permission to Austin Cassidy care of Thomas Doonan Architect of Tawnagh, Ballyconnell, County Cavan in accordance with plans and particulars lodged with the said Council.

Proposed Development: Retain and complete replacement shed, alterations and extension to existing milking parlour and connect to existing associated services at Tirnawannagh, Bawnboy, Belturbet P.O., County Cavan, as amended by the further public notice received by the planning authority on the 25th day of September, 2017.

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 provisions of the Cavan County Development Plan 2014 - 2020, the location of the proposed development on the site of a pre-existing agricultural shed and within an active farmyard, the nature and scale of the development and the proposed means to manage foul and surface water, it is considered that, subject to compliance with the conditions set out below, the development for which retention and permission is sought would not seriously injure the amenities of the area or of property in the vicinity, or give rise to water pollution and would not, therefore, be contrary to 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 submitted on the 11th day of September 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. Prior to the commencement of development, the applicant shall submit to the planning authority for written agreement, detailed arrangements for the management of surface and soiled water in the external yard areas.

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

3. All foul effluent and slurry generated by the proposed development and in the farmyard shall be conveyed through properly constructed channels to the proposed and existing storage facilities and no effluent or slurry 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.

4. All uncontaminated roof water from buildings and clean yard water shall be separately collected and discharged in a sealed system to existing drains, streams or adequate soakpits and shall not discharge or be allowed to discharge to the foul effluent drains, foul effluent and slurry storage tanks or to the public road.

Reason: In order to ensure that the capacity of effluent and storage tanks is reserved for their specific purposes.

5. Surface water from the site shall not be permitted to drain onto the adjoining public road.

Reason: In the interest of traffic safety.

6. Construction and demolition waste shall be managed in accordance with a construction waste and demolition management plan, which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This plan shall be prepared in accordance with the “Best Practice Guidelines on the Preparation of Waste Management Plans for Construction and Demolition Projects”, published by the Department of the Environment, Heritage and Local Government in July, 2006. The plan shall include details of waste to be generated during site clearance and construction phases, and details of the methods and locations to be employed for the prevention, minimisation, recovery and disposal of this material in accordance with the provision of the Waste Management Plan for the Region in which the site is situated.

Reason: In the interest of sustainable waste management.

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

Dated this day of 2018.