

An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2017

Galway County Council

Planning Register Reference Number: 17/1317

An Bord Pleanála Reference Number: ABP-300338-17

Appeal by Riona and Monica Canney of CMG Architectural Design, Technology and Building Surveying of Haus Bergsee, Hillside, Aghada, Midleton, County Cork against the decision made on the 27th day of October, 2017 by Galway County Council to grant subject to conditions a permission to Andrew and Damien Holleran care of Tony Coyne Planning and Building Consultant of Corr na Móna, Contae na Gaillimhe in accordance with plans and particulars lodged with the said Council.

Proposed Development: Retention of a slatted shed at Carrowkeel, Clonbur, 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 to be retained and to the history of on-site agricultural activity and to the existing character and pattern of development in the vicinity, it is considered that, subject to compliance with the conditions set out below, the proposed development to be retained would not seriously injure the amenities of the area or of property in the vicinity and 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, 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. A minimum of 18 weeks storage shall be provided in the underground storage tanks. Within three months of the date of this order, details showing how it is intended to comply with this requirement shall be submitted to, and agreed in writing with, the planning authority.

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

3. The slatted shed shall be used only in strict accordance with a management schedule to be submitted to and agreed in writing with the planning authority, within 3 months of the date of this order. The management schedule shall be in accordance with the European Communities (Good Agricultural Practice for Protection of Waters) Regulations, 2017 (SI No 605 of 2017), and shall provide at least for the following:
 - (1) Details of the number and types of animals to be housed.
 - (2) The arrangements for the collection, storage and disposal of slurry.

(3) Arrangements for the cleansing of the buildings and structures.

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

4. Slurry generated by the retained 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) Regulations, 2017 (SI No 605 of 2017).

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

5. Water supply and drainage arrangements for the site, including the disposal of surface and soiled water, shall comply with the requirements of the planning authority for such works and services. In this regard-

- (a) uncontaminated surface water run-off shall be disposed of directly in a sealed system, and
- (b) all soiled waters, shall be directed to the slatted storage tank. Drainage details shall be submitted to and agreed in writing with the planning authority, prior to commencement of development.

Reason: In the interest of environmental protection, public health and to ensure a proper standard of development.

6. All foul effluent and slurry generated by the retained development and in the farmyard shall be conveyed through properly constructed channels to the 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.

7. The landscaping of the development shall incorporate a continuous hedge of indigenous species e.g. holly, hawthorn or beech which shall be planted along the north-western boundary.

Reason: In the interest of visual and residential amenity.

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

Dated this day of 2018