



An  
Bord  
Pleanála

**Board Order**  
**ABP-300782-18**

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**Planning and Development Acts 2000 to 2018**

**Planning Authority: Wexford County Council**

**Planning Register Reference Number: 20171432.**

**Appeal** by Hogg Enterprises Limited care of Peter Thomson Planning Solutions of 4 Priory Grove, Kells, County Kilkenny against the decision made on the 2<sup>nd</sup> day of January, 2018 by Wexford County Council to refuse permission for the proposed development.

**Proposed Development:** Retention of existing farrowing house and permission for construction of extension to the existing farrowing house and permission for demolition of existing dry sow house and permission for construction of a new dry sow/service house and a boar/gilt house with solar panels on the roof and all associated site works at Clohamon, Bunclody, Enniscorthy, 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.

## **Appropriate Assessment Screening**

The Board noted that the proposed development is not directly connected with or necessary to the management of a European Site. In completing the screening for Appropriate Assessment, the Board had regard to the nature, scale and location of the proposed development, including the reduction in livestock as a result of the development as compared to the situation prior to the development, and the provisions for storage of effluent and contaminated run-off from the development, the Appropriate Assessment Screening Report submitted with the appeal, the documentation including submissions on file, and the Inspector's screening assessment.

The Board accepted and adopted the screening assessment carried out by the Inspector and the conclusion in the Inspector's report that the subject development, either individually or in combination with other plans or projects, would not be likely to have a significant effect on the Slaney River Valley Special Area of Conservation (Site Code: 000781), or any other European Site, in view of the sites' conservation objectives, and that a Stage 2 Appropriate Assessment is not, therefore, required.

## **Reasons and Considerations**

Having regard to the planning history of the site, including the long established and permitted use of the subject site for intensive animal husbandry, and to the nature and extent of the development for which retention is sought and of the proposed works, which it is considered do not significantly alter the scale or intensity of the existing piggery, it is considered that, subject to compliance with the conditions set out below, the development for which retention is sought and the proposed development would not seriously injure the amenities of the area and would not be prejudicial to public health or to the natural environment. The development for which retention is sought and the proposed development, would, therefore, be in accordance with the proper planning and sustainable development of the area.

## Conditions

1. The development shall be retained, and carried out and completed (as applicable) in accordance with the plans and particulars lodged with the planning application, as amended by the further plans and particulars submitted to an Bord Pleanála on the 26<sup>th</sup> day of January, 2018 and the 30<sup>th</sup> day of May, 2018, except as may otherwise be required in order to comply with the following conditions.

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

2. 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.

**Reason:** In the interests of environmental protection and public health.

3. The overall piggery enterprise shall run in strict accordance with the requirements of the European Union (Good Agricultural Practice for Protection of Waters) (Amendment) Regulations, 2018, and shall provide at least for the following:-
  - (a) details of the number of livestock to be housed at the development at any one time,
  - (b) the arrangements for the collection, storage and disposal of all effluent generated from the facility, and
  - (c) the arrangements for the cleansing and disinfecting of buildings and structures including the public road where relevant.

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

4. All liquid effluent and other contaminated run-off generated by the subject development shall be conveyed through properly constructed channels to the existing storage facilities and no effluent or other contaminated run-off shall discharge or allowed to be discharged to any stream, river, watercourse or public road.

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

5. Slurry generated by the proposed development shall be disposed of by spreading on land or other acceptable means to be agreed in writing with 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 Union (Good Agricultural Practice for Protection of Waters) (Amendment) Regulations, 2018.

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

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.

7. Any asbestos sheeting that is removed from any structures within the site shall not be reused and shall be disposed of appropriately using an authorised waste contractor, to the written satisfaction of the planning authority.

**Reason:** In the interests of public health and the proper planning and sustainable development of the area.

8. The developer shall pay to the planning authority a financial contribution in respect of public infrastructure and facilities benefiting development in the area of the planning authority that is provided or intended to be provided by or on behalf of the authority in accordance with the terms of the Development Contribution Scheme made under section 48 of the Planning and Development Act 2000, as amended. The contribution shall be paid prior to the commencement of development or in such phased payments as the planning authority may facilitate and shall be subject to any applicable indexation provisions of the Scheme at the time of payment. Details of the application of the terms of the Scheme shall be agreed between the planning authority and the developer or, in default of such agreement, the matter shall be referred to An Bord Pleanála to determine the proper application of the terms of the Scheme.

**Reason:** It is a requirement of the Planning and Development Act 2000, as amended, that a condition requiring a contribution in accordance with the Development Contribution Scheme made under section 48 of the Act be applied to the permission.

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**Philip Jones**

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

**Dated this            day of            2018.**