



Planning and Development Acts 2000 to 2019

Planning Authority: Galway County Council

Planning Register Reference Number: 18/250

Appeal by Padraig Brennan of Lisnagranchy, Ardrahan, County Galway against the decision made on the 26th day of April, 2018 by Galway County Council to grant subject to conditions a permission to Gerald Harney care of Tarpey and Associates of Ardrahan, County Galway in accordance with plans and particulars lodged with the said Council:

Proposed Development: (As revised by the further public notice received by An Bord Pleanála on the 13th day of May, 2019). Construction of a sheep shed and a hay shed along with all associated ancillary concrete, all on lands at Lisnagranchy, Ardrahan, 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 location of the proposed development in a rural area where it is the objective of the planning authority, as set out in the Galway County Development Plan 2015-2021, to support the sustainable development of agriculture, to the intended use of the sheep shed to improve the management of the existing stock and not to increase the overall stocking rate on the existing lands, to the proposals for the management of clean water and soiled water from the proposed and existing farm buildings and yard areas and to the details provided regarding the management of the applicant's lands at Mulroog townland and Aghavannagh, it is considered that, subject to compliance with the conditions set out below, the proposed development would not adversely impact on groundwater or the natural heritage of the area, would not adversely impact on the amenities of adjoining properties 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 received by An Bord Pleanála on the 23rd day of April 2019 and the 29th day of July 2019, 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 any development on the site, the developer shall submit to, and agree in writing with, the planning authority details (which shall be prepared by an engineer or other suitably qualified and indemnified person) indicating the water table level at each soakpit location showing that, for the type of proprietary containment system proposed, the proposed depths, and the infiltration test results based thereon, are in accordance with the manufacturer's requirements, or further proposals shall be submitted in this regard, detailed measures to ensure that infiltration of soiled water into the surface water attenuation/soakpits will be prevented and a detailed justification for the sizing of the soakpits.

Reason: In the interest of groundwater protection.

3. All the mitigation measures proposed in the Natura impact statement, as submitted to an Bord Pleanála on the 23rd day of April 2019, shall be implemented in full.

Reason: In the interest of environmental protection.

4. All effluent 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 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, 2017, as amended. No such effluent shall be spread on the applicant's land in Mulroog townland in County Galway nor on the applicant's commonage lands at Aghavannagh in Couth Wicklow, without a further grant of planning permission.

Reason: In the interest of environmental protection.

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

Dated this day of 2020.