



Planning and Development Acts 2000 to 2018

Planning Authority: Galway County Council

Planning Register Reference Number: 18/563

Appeal by Stephen Larkin of Cornananta More, Ballinamore Bridge, County Galway against the decision made on the 12th day of September, 2018 by Galway County Council to grant subject to conditions a permission to Elite Sires Genetics Limited care of CLW Environmental Planners Limited of The Mews, 23 Farnham Street, Cavan, County Cavan in accordance with plans and particulars lodged with the said Council:

Proposed Development: Retention and completion of extension(s) and alterations to existing slatted livestock house and to utilise same for the purposes of a boar stud, together with all ancillary structures (to include meal storage bin(s)) and associated site works arising from the above proposed development, all at Cornananta More, 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 site in a rural area where agriculture is the predominant land use, and to the nature of the proposed agricultural use, which is consistent with the provisions of the Galway County Development Plan 2015-2021, it is considered that the proposed development, subject to compliance with the conditions set out below, would not seriously injure the amenities of the area or of property in the vicinity, would not be prejudicial to public health and would be in accordance with the proper planning and sustainable development of the area.

The Board is satisfied that the information presented in the application is adequate for the purposes of assessing the proposed development and for the purposes of undertaking screening for appropriate assessment in respect of the proposed development. In this regard, the Board agreed with the screening assessment and conclusion set out in the Inspector's report.

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 to the planning authority on the 17th day of August 2018, 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. All foul effluent and other contaminated run-off generated by the proposed development and in the farmyard shall be conveyed through properly constructed channels to the proposed and existing storage facilities for holding prior to its application to land in accordance with the European Union (Good Agricultural Practice for Protection of Waters) Regulations, 2017, as amended.

Reason: In the interest of protecting the environment.

3. The proposed development shall operate in strict accordance with the details submitted with the application, as amended by the further plans and particulars submitted to the planning authority on the 17th day of August, 2018, and in accordance with the requirements of the European Union (Good Agricultural Practice for Protection of Waters) Regulations, 2017, as amended, and, in particular, the following requirements -

- (a) a minimum of 26 weeks slurry storage shall be provided.
- (b) no slurry spreading shall be carried out in the three-month period between the 15th October and the 15th January,
- (c) all slurry and silage effluent shall be disposed of by land spreading in accordance with Good Agricultural Practice, to ensure the protection of ground and surface waters.
- (d) no spreading of slurry shall take place within 50 metres of any domestic well, 200 metres of any group water supply source, 10 metres of any stream or drain, or within 20 metres from lakes or any main river channel or tributaries or on lands subject to or likely to flood,
- (e) all solid waste, waste bedding material shall be disposed of by land spreading in accordance with Good Agricultural Practice and without risk to ground or surface waters.
- (f) no spreading of such waste (solid waste/waste bedding/farmyard manure) shall be carried out in the period between 15th October and 15th January,
- (g) all land spreading must be carried out in strict accordance with a Nutrient Management Plan/Fertiliser Plan, and
- (h) land spreading shall only take place on lands with a consistent minimum thickness of one metre of soil/subsoil.

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

4. The adjacent public road shall be maintained in a clean manner and any wheel borne mud/spillages arising shall be cleaned by the applicant/operator to the satisfaction of the planning authority.

Reason: In the interest of orderly development and environmental protection.

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

Dated this day of 2019.