



Planning and Development Acts 2000 to 2018

Planning Authority: Meath County Council

Planning Register Reference Number: RA/180824

Appeal by George and Julia Fox care of Ger Fahy Planning of “Annaghdown”, Pagestown, Kilcloon, County Meath against the decision made on the 28th day of January, 2019 by Meath County Council to grant subject to conditions a permission to Hamwood Stud Unlimited Company care of Grasstec Limited of Kilpatrick, Ballyclough, Mallow, County Cork in accordance with plans and particulars lodged with the said Council.

Proposed Development: (A) Demolition of existing agricultural shed. (B) Construction of an access passageway. (C) Construction of cattle shed to include slatted tanks and handling area. (D) Construction of dungstед. (E) Construction of a suckler cow shed to include stalled tank, straw lie back area and calving area. (F) Construction of agricultural shed to include meal and straw store. (G) Installation of solar panels onto proposed suckler cow shed. (H) Construction of rainwater harvesting tank. (I) Construction of silage pit and all associated site works at Ballymacoll, Dunboyne, County Meath as amended by the further public notices received by the planning authority on the 4th day of January, 2019.

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 rural location of the proposed development and Policy RD POL 10 and 12 of the Meath County Development Plan 2013-2019 which seeks to promote and facilitate agricultural development where appropriate, it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the residential or visual amenities of the area, would not be prejudicial to public health and would generally be acceptable in terms of traffic safety and convenience. The proposed development 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 as amended by the further plans and particulars submitted on the 6th day of December, 2018 and the 4th day of January, 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 out in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. The number of animals housed shall not exceed 320.

A minimum of 18 weeks storage shall be provided in the underground storage tank. Prior to commencement of development, 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 and to limit the number of animals housed to that specified in the application.

3. The proposed development shall be amended as follows:
 - (a) The proposed upgrade of the underpass, drain passes under the gallop, shall include a single box junction.

Revised drawings showing compliance with these requirements shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In order to prevent flooding downstream.

4. Site development and building works shall be carried out only between the hours of 0800 to 1900 Mondays to Fridays inclusive, between 0800 to 1400 hours on Saturdays and not at all on Sundays and public holidays. Deviation from these times will only be allowed in exceptional circumstances where prior written approval has been received from the planning authority.

Reason: In order to safeguard the residential amenities of property in the vicinity.

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 from roofs and clean paved areas shall be disposed of directly in a sealed system to existing drains, streams or adequate soak pits, and
 - (b) all effluent and soiled waters shall be directed to a storage tank,
 - (c) no effluent or slurry shall discharge or be allowed to discharge to any stream, river or watercourse, or to the public road.

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 and public health.

6. Slurry 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 (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, 2017, as amended.

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

7. 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, prior to commencement of development. The management schedule shall be in accordance with the European Union (Good Agricultural Practice for Protection of Waters) Regulations, 2017, as amended, and shall provide at least for the following:
 - (a) Details of the number and types of animals to be housed.
 - (b) The arrangements for the collection, storage and disposal of slurry.
 - (c) Arrangements for the cleansing of the buildings and structures (including the public road, where relevant).

Reason: In order to avoid pollution and to protect the amenities of the area.

8. In the first planting season following the commencement of development, the site shall be landscaped in accordance with the scheme submitted to the planning authority on the 6th of December

2018. Any failures within the planting scheme shall be replaced in the subsequent planting season.

Reason: In the interest of visual amenity.

9. With the exception of the trees and hedgerows to be removed to facilitate the construction of the site entrance, all existing trees and hedgerows on the site shall be retained and shall be reinforced with additional planting and protected from damage at all times particularly during building operations.

Reason: In the interest of visual amenity.

10. (a) The external finishes of the proposed sheds shall be as shown on the plans submitted on the 25th day of July, 2018 and the 6th day of December, 2018. The applicant shall submit a sample of the proposed finishes to be agreed in writing with the planning authority prior to commencement of development. The use of brick or reconstituted stone shall not be permitted.
- (b) The roof of the proposed sheds shall be dark brown, dark grey, blue/black or other colour agreed in writing with the planning authority prior to commencement of development.

Reason: In the interest of visual amenity and environmental protection.

Terry Ó Niadh

Member of An Bord Pleanála

**duly authorised to authenticate
the seal of the Board.**

Dated this day of 2019.