



Planning and Development Acts 2000 to 2019

Planning Authority: Roscommon County Council

Planning Register Reference Number: PD/19/177

Appeal by Michael Kilroe of Moyliss, Fuerty, County Roscommon against the decision made on the 15th day of July, 2019 by Roscommon County Council to grant subject to conditions a permission to Martin Garvey care of Morris Lohan Planning and Design Consulting Engineers of 22 Castle View Terrace, Castle Street, Roscommon in accordance with plans and particulars lodged with the said Council.

Proposed Development: Retention of two number slatted and storage sheds and planning permission to construct extension to existing slatted and storage shed and also to construct a dry bed storage shed at Moyliss, County Roscommon.

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, scale and appearance of the proposed development for retention and the proposed development, the nature of the receiving environment, the pattern of development in the vicinity and the provisions of the Roscommon County Development Plan 2014-2020, subject to compliance with the conditions set out below, it is considered that the proposed development would not seriously injure the amenities of the area or of property in the vicinity, would not be prejudicial to public health, would not be likely to cause a deterioration in the quality of waters in the area and would be acceptable in terms of traffic safety and convenience. The proposed development to be retained 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 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 20th day of June 2019, and further documentation submitted to An Bord Pleanála on the 16th day of January 2020, 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. 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 storage tanks. Drainage details shall be submitted to, and agreed in writing with, the planning authority within three months of the date of this Order.

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

3. The slatted sheds shall be used only in strict accordance with a management schedule, which shall be submitted to, and agreed in writing with, the planning authority within three months of the date of this Order. The management schedule shall be in accordance with the European Union (Good Agricultural Practice for Protection of Waters) Regulations 2017, as amended by SI 65 of 2018, 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.

Reason: In order to avoid pollution.

4. All foul effluent and slurry generated by the development shall be conveyed through properly constructed channels to the proposed 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.

5. All uncontaminated roof water from buildings and clean yard water shall be separately collected and discharged in a sealed system to adequate soak pits and shall not discharge or be allowed to discharge to the slurry storage tanks or to the public road. Details of inspection chambers to be installed on all surface water collection pipes prior to discharge to soak pits shall be submitted to, and agreed in writing with, the planning authority within three months of the date of this Order.

Reason: In order to avoid pollution and to ensure that the capacity of effluent and storage tanks is reserved for their specific purposes.

6. Slurry generated by the proposed development and the development to be retained shall be disposed of by spreading on land, and only on that land adjacent to the applicant's farmyard (Parcel T13021046), 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) Regulations 2017, as amended by SI 65 of 2018.

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

7. A minimum of 18 weeks storage shall be provided in the underground storage tank. 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 interests of environmental protection and public health.

Terry Ó Niadh

Member of An Bord Pleanála

duly authorised to authenticate

the seal of the Board.

Dated this day of 2020.