

Planning and Development Acts 2000 to 2020

Planning Authority: Mayo County Council

Planning Register Reference Number: P20/836

Appeal by Ann Sheridan and Fred Cleary of Kilquire, Kilmaine, County Mayo against the decision made on the 15th day of March, 2021 by Mayo County Council to grant subject to conditions a permission to James Sheridan of Carravilla, Hollymount, County Mayo in accordance with plans and particulars lodged with the said Council:

Proposed Development: Retention of existing agricultural structure and pen for housing of horses and all ancillary site developments at Kilquire Upper, Kilmaine, County Mayo.

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 established agricultural use of the overall landholding and the location of the site within a rural area, the character and pattern of development in the area, and the modest scale of the development proposed to be retained, it is considered that, subject to compliance with the conditions set out below, the development for which retention permission is sought would not seriously injure the amenities of the area or the amenities of property in the vicinity, would be acceptable in terms of pedestrian and traffic safety, and would be acceptable in terms of effluent storage and disposal proposals. The development proposed to be retained would, therefore, be in accordance with the proper planning and sustainable development of the area.

CONDITIONS

1. The development shall be completed and retained in accordance with the plans and particulars lodged with the application, as amended by further plans and particulars submitted to the planning authority on the 22nd day of February, 2021, 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 within three months of the date of this order and the development shall be carried out and completed in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. The shed shall be used only in strict accordance with a management schedule which shall be submitted to, and agreed in writing with, the planning authority prior to use of the development. The management schedule shall be in accordance with the European Union (Good Agricultural Practice for Protection of Waters) (Amendment) 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, and
 - (c) arrangements for the cleansing of the buildings and structures.

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

3. All foul effluent and slurry generated by the development and in the farmyard shall be conveyed through properly constructed channels to the proposed and existing 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.

4. All uncontaminated roof water from buildings and clean yard water shall be separately collected and discharged in a sealed system to existing drains, streams or adequate soakpits and shall not discharge or be allowed to discharge to the foul effluent drains, foul effluent and slurry storage tanks or to the public road.

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

5. The site shall be landscaped in accordance with a comprehensive scheme of landscaping, details of which shall be submitted to, and agreed in writing with, the planning authority within three months of the date of this order.

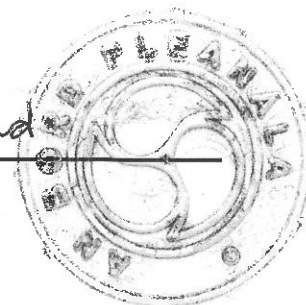
Reason: In the interest of visual amenity.

Dr. Maria FitzGerald

Maria FitzGerald

Member of An Bord Pleanála

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



Dated this 6th day of December 2021.