



An  
Bord  
Pleanála

Board Order  
ABP-312331-21

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**Planning and Development Acts 2000 to 2021**

**Planning Authority: Mayo County Council**

**Planning Register Reference Number: P21/936**

**Appeal** by John, Rosemary and Nicholas Preston care of Bury Architects of Bury Street, Ballina, County Mayo against the decision made on the 30<sup>th</sup> day of November, 2021 by Mayo County Council to grant subject to conditions a permission to Padraig Egan care of Carroll Consultancy Limited of Bridge Street, Swinford, County Mayo in accordance with plans and particulars lodged with the said Council:

**Proposed Development:** (1) Installation of a new septic tank and percolation area servicing existing dwelling, (2) construction of a four bay enclosed loose house along with all associated site works at Cloonglasney, Knockanillaun, Ballina, 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.

ESK

## Reasons and Considerations

Having regard to the nature and extent of the proposed development and to the history of on-site agricultural activity, to the existing character and pattern of development in the vicinity, it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the amenities of the area or of property in the vicinity and 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 further information submitted on the 5<sup>th</sup> day of November, 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 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. The proposed septic tank drainage system shall be in accordance with the standards set out in the document entitled "Code of Practice – Domestic Waste Water Treatment Systems (Population Equivalent  $\leq 10$ ), published by the Environmental Protection Agency in March 2021.

**Reason:** In the interest of public health.

ESK

3. The existing septic tank on site shall be decommissioned, emptied, and removed prior to construction of the loose house.

**Reason:** In the interest of public health.

4. A minimum of 18 weeks storage shall be provided in the underground storage tanks.

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

5. The loose house shall be used only in strict accordance with a management schedule which shall be in accordance with the European Union (Good Agricultural Practice for Protection of Waters) Regulations, 2017 (SI Number 605 of 2017).

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

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) Regulations, 2017 (SI Number 605 of 2017).

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

ESK

7. 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 shall be disposed of directly in a sealed system, to soakaways and
  - (b) all soiled waters shall be directed to the slatted storage tank.

**Reason:** In the interest of environmental protection, public health and to ensure a proper standard of development.

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

*Eamonn James Kelly*

Eamonn James Kelly

Member of An Bord Pleanála

duly authorised to authenticate  
the seal of the Board

Dated this *17<sup>th</sup>* day of *May* 2023