

An  
Bord  
Pleanála

**Board Order  
ABP-312715-22**

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**Planning and Development Acts 2000 to 2021**

**Planning Authority: Waterford City and County Council**

**Planning Register Reference Number: 21/776**

**Appeal** by Colman and Elaine Quinn of Crobally Lower, Old Parish, Dungarvan, County Waterford against the decision made on the 20<sup>th</sup> day of January, 2022 by Waterford and County Council to grant subject to conditions a permission to Neilus O'Donoghue care of Brennan Engineering of Dún Ard, Na Ceithre Gaotha, Ring, Dungarvan, County Waterford in accordance with plans and particulars lodged with the said Council.

**Proposed Development:** (a) Cead pleanála éiginnte á lorg do Leac Concréite a mar atá tógtha, (b) Tá Cead pleanála á lorg do seid le dhá stable sand áireamh and (c) Tá cea pleanála á lorg an bealach isteach páirce a athlonnú mar aon le oibreacha láithreáin áta rachtanach ag "The Cottage", Crua Bhaile Íochtarach, An Sean Phobal, Dúngarbhán, Contae Phortláirge.

## **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.**

## Reasons and Considerations

Having regard to the established agricultural nature of the area, the scale and appearance of the proposed development, the nature of the receiving environment, the pattern of development in the vicinity and the provisions of the Waterford County Development Plan 2022-2028, it is considered that, subject to compliance with the conditions set out below, the development proposed to be retained and completed would not seriously injure the amenities of the area or of property in the vicinity, would not be prejudicial to public health and would constitute an acceptable use at this location. 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, 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 20<sup>th</sup> day of December, 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 and the development shall be retained in accordance with the agreed particulars.

**Reason:** In the interest of clarity.

2. The proposed building shall be used solely for the housing of horses and ancillary uses. Notwithstanding the exempted development provisions of the Planning and Development Regulations, 2001, or any statutory provision amending or replacing them, any change of use shall be the subject of a separate application for permission to the planning authority.

**Reason:** In the interest of orderly development.



3. The following landscape measures shall apply to the site:
- (a) no new non-native tree species shall be introduced into the site or its boundaries,
  - (b) any failures within a tree planting scheme within five years of planting shall be replaced, and
  - (c) no invasive species shall be introduced into the site. Any invasive species occurring on the site shall only be dealt with any an invasive species specialist.

**Reason:** In the interests of visual amenity and biodiversity.

4. (a) All stable manure and foul waters generated by the proposed development and in the farmyard shall be conveyed through properly constructed channels to storage facilities for subsequent landspreading and no effluent or slurry shall discharge or be allowed to discharge to any stream, river or watercourse, or to the public road.
- (b) 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:** In the interest of public health and to prevent pollution to watercourses.


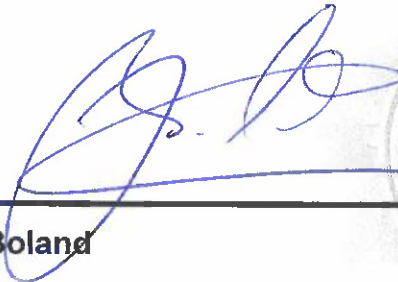


5. All uncontaminated roof water from the buildings and clean yard water shall be separately collected and discharged in a sealed system to existing drains, streams or adequate soakpits and shall not discharge or be allowed to discharge to the foul effluent drains, foul effluent and slurry storage tanks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

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

6. The external finish of the proposed development shall be Juniper green or similar dark green colour unless otherwise agreed in writing with the planning authority prior to commencement of development.

**Reason:** In the interest of visual amenity.



**Joe Boland**

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

Dated this *20<sup>TH</sup>* day of *June* 2023.