



An  
Bord  
Pleanála

## Board Order ABP-317398-23

**Planning and Development Acts 2000 to 2022**

**Planning Authority: Roscommon County Council**

**Planning Register Reference Number: PD/23/74**

**Appeal** by Peter Sweetman and Associates and on behalf of Wild Irish Defence CLG care of P.O. Box 13611, Bantry, County Cork against the decision made on the 9<sup>th</sup> day of June, 2023 by Roscommon County Council to grant subject to conditions a permission to Sean Beirne care of Padraic Durkan and Associates of Main Street, Elphin, County Roscommon in accordance with plans and particulars lodged with the said Council.

**Proposed Development:** Construction of a new five bay slatted cattle shed together with all associated site works, all at Ardeevin Townland, Castleplunkett, Castlerea, 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.

## **Reasons and Considerations**

Having regard to:

- (a) the location of the proposed development within an established farmyard and the agricultural activities carried out thereon,
- (b) the nature and scale of the proposed development, and
- (c) the provisions of the Roscommon County Development Plan 2022-2028,

it is considered that, subject to compliance with the conditions set out below, the proposed development would not have a significant impact on water quality or on European sites in the vicinity and would, therefore, be in accordance with the proper planning and sustainable development of the area.

## **Appropriate Assessment Screening**

In accordance with Section 177U(4) of the Planning and Development Act 2000, as amended, and on the basis of the Inspector's report, the Board concluded that, by itself or in combination with other development in the vicinity, the proposed development would not be likely to have a significant effect on any European Site in view of the sites' conservation objectives, and that a Stage 2 Appropriate Assessment (and submission of a Natura impact statement) is not, therefore, required.

This conclusion is based on:

- (a) the nature and extent of the proposed development,
- (b) distance from European Sites, and
- (c) the weakness of connectivity between the development site and European Sites.

No measures intended to avoid or reduce harmful effects on European sites were taken into account in reaching this conclusion.

## 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 received by the planning authority on the 15<sup>th</sup> day of May 2023. 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. 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 ground in appropriately sized soakaways,
  - (b) all soiled waters shall be directed to an appropriately sized soiled water storage tank in accordance with the requirements of the European Union (Good Agricultural Practice for the Protection of Waters) (Amendment) Regulations 2022, as amended, or to a slatted tank. Drainage details shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development, and
  - (c) all separation distances for potable water supplies as outlined in the European Union (Good Agricultural Practice for the Protection of Waters) (Amendment) Regulations 2022, as amended, shall be strictly adhered to.

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



3. The slatted shed shall be constructed in accordance with the specifications as issued by the Department of Agriculture, Farming and the Marine and referenced in the European Union (Good Agricultural Practice for the Protection of Waters) (Amendment) Regulations 2022, as amended. The slatted 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 commencement of development. The management schedule shall be in accordance with the European Union (Good Agricultural Practice for Protection of Waters) (Amendment) Regulations, 2022, as amended, and shall provide, but not be limited to, the following:

- (i) details of the number and types of animals to be housed, and
- (ii) arrangements for the cleansing of the buildings and structures (and the public road where relevant).

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

4. All foul effluent and slurry generated by the proposed 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.

5. The removal of organic waste material and its spreading on land by the applicant or third parties shall be undertaken in accordance with the systems of regulatory control implemented by the competent authorities in relation to national regulations pursuant to Council Directive 91/676/EEC (the Nitrates Directive) concerning the protection of waters against pollution caused by nitrates from agricultural sources.

**Reason:** In the interest of environmental protection.



6. Details of the materials, colours and textures of all the external finishes to the proposed development shall be as submitted with the application, unless otherwise agreed in writing with, the planning authority prior to commencement of development. In default of agreement the matter(s) in dispute shall be referred to An Bord Pleanála for determination.

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



The image shows a handwritten signature in black ink, which appears to read 'Mick Long', written over a circular official seal. The seal contains the text 'AN BORD PLEANÁLA' around the perimeter and a stylized logo in the center. A horizontal line is drawn across the signature.

**Mick Long**

**Member of An Bord Pleanála**

**duly authorised to authenticate**

**the seal of the Board.**

Dated this 4<sup>th</sup> day of October 2024