

An  
Bord  
Pleanála

## Board Order ABP-317773-23

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### Planning and Development Acts 2000 to 2022

**Planning Authority: Longford County Council**

**Planning Register Reference Number: 23/60012**

**Appeal** by Wild Irish Defence CLG care of Peter Sweetman, PO Box 13611, Bantry, County Cork against the decision made on the 31<sup>st</sup> day of July, 2023 by Longford County Council to grant subject to conditions a permission to Patrick and Martin Connaughton care of McGivney Consulting of Knockategart, Stradone, County Cavan in accordance with plans and particulars lodged with the said Council.

**Proposed Development:** Demolish existing milking parlour and storage shed building, construct agricultural shed to incorporate milking parlour area, dairy, plant room, ancillary storage, drafting/cow dispersal area and external underground slatted washings storage tank, complete all ancillary site works and associated site structures, all at Cullentragh, Newtowncashel, County Longford, as revised by the further public notices received by An Bord Pleanála on the 13<sup>th</sup> day of September, 2023 which gave notice of the submission of a Natura Impact Statement at further information stage.

## **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 Longford County Development Plan 2021-2027, specifically Objective CPO 9.13, which seeks to maintain a vibrant and healthy agricultural sector based on the principles of sustainable development, and Objective CPO 9.14, which seeks to support agricultural development while maintaining and enhancing the rural environment, and the specific nature of the proposed development, which seeks to replace and upgrade an existing facility, 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, would not be prejudicial to public health, and would be acceptable in terms of environment, traffic safety and visual amenity. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

### **Appropriate Assessment: Stage 1:**

The Board agreed with the screening assessment and conclusion carried out in the Inspector's report that the Lough Ree Special Area of Conservation (Site Code: 000440) and the Lough Ree Special Protection Area (Site Code: 004064) were the only European Sites in respect of which the proposed development has the potential to have significant effects.

## **Appropriate Assessment: Stage 2:**

The Board considered the Natura Impact Statement and associated documentation submitted with the application for permission, the mitigation measures contained therein, the submissions and observations on file, and the Inspector's assessment. The Board completed an Appropriate Assessment of the implications of the proposed development for the affected European Sites, the Lough Ree Special Area of Conservation (Site Code: 000440) and the Lough Ree Special Protection Area (Site Code: 004064), in view of the sites' Conservation Objectives.

The Board considered that the information before it was adequate to allow the carrying out of an Appropriate Assessment. In completing the Appropriate Assessment, the Board considered, in particular, the following:

- (i) the likely direct and indirect impacts arising from the proposed development, both individually or in combination with other plans or projects,
- (ii) the mitigation measures which are included as part of the current proposal, and
- (iii) the Conservation Objectives for the European Sites.

In completing the Appropriate Assessment, the Board accepted and adopted the Appropriate Assessment carried out in the Inspector's report in respect of the potential effects of the proposed development on the aforementioned European Sites, having regard to the sites' Conservation Objectives. In overall conclusion, the Board was satisfied that the proposed development, by itself or in combination with other plans or projects, would not adversely affect the integrity of the European Sites, in view of the sites' Conservation Objectives.



## Conditions

1. The proposed 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 10<sup>th</sup> day of July, 2023, 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 proposed development shall be carried out and completed in accordance with the agreed particulars.

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

2. The mitigation proposed in the Natura Impact Statement in relation to the construction and operation of the proposed buildings and structures shall be implemented in full.

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

3. All uncontaminated surface water run-off from the proposed development shall be collected separately from soiled water and shall be disposed of to the satisfaction of the planning authority.

**Reason:** To minimise soiled water in the interest of environmental protection and pollution control.

4. All storage facilities for farmyard effluent, including dairy washings shall:
- (a) be so constructed, maintained and managed as to prevent run-off or seepage, directly or indirectly, into groundwater or surface water of any effluent produced, and
  - (b) comply with such construction specifications for those facilities as may be approved by the Minister for Agriculture, Food and the Marine.

**Reason:** In the interest of environmental protection and pollution control.

5. The removal of organic waste material and its spreading on land by the developer 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. The site shall be landscaped, using only indigenous deciduous trees and hedging species, in accordance with the landscaping plan (Sheet Number: 01\_RA\_MC\_1022). Any plants, trees or hedging which die, are removed or become seriously damaged or diseased, within a period of five years from the completion of the development, shall be replaced within the next planting season with others of similar size and species, unless otherwise agreed in writing with the planning authority.

**Reason:** In order to screen the development and assimilate it into the surrounding rural landscape, in the interest of visual amenity.

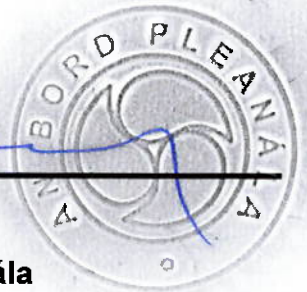


**Martina Hennessy**

**Member of An Bord Pleanála**

**duly authorised to authenticate**

**the seal of the Board**



Dated this <sup>4<sup>th</sup></sup> day of *November* 2024.