

An
Bord
Pleanála

Board Order ABP-319756-24

Planning and Development Acts 2000 to 2022

Planning Authority: Galway County Council

Planning Register Reference Number: 24/77

Appeal by Wild Ireland Defense CLG care of Peter Sweetman of PO Box 13611, Bantry, County Cork against the decision made on the 30th day of April, 2024 by Galway County Council to grant subject to conditions a permission to Barney Carroll care of Mark Ward of Ruane, Creagh, Ballinasloe, County Galway in accordance with plans and particulars lodged with the said Council.

Proposed Development: Construction of a four-bay slatted cattle shed with loose area at Cashla, Cregmore, Claregalway, County Galway.

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 rural location of the site, the demonstrated additional farm buildings to house animals on the landholding, the established and permitted farm complex and practices on the landholding, the character and pattern of development in the vicinity, and the policy objectives of the Galway County Development Plan 2022-2028, specifically Policy Objectives AD1 And AD3 in relation to Sustainable Agriculture Practices and Modernisation of Agriculture Buildings, 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 adversely impact on the local receiving environment, would not adversely impact on or cause a deterioration in water quality, and would not give rise to disturbance of protected habitats or species in any European Site. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

Conditions

1. The proposed development shall be carried out and completed in accordance with the plans and particulars lodged with the application, 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 use of the proposed building shall be for agricultural purposes only.

Reason: In the interest of clarity.

3. The slatted shed shall be used only in strict accordance with a management schedule, to 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 Communities (Good Agricultural Practice for Protection of Waters) Regulations, 2022.

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

4. All foul effluent and slurry generated by the proposed development 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. 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 to the satisfaction of the planning authority, and

- (b) all soiled waters, shall be directed to the slatted storage tank. Drainage details shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

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

6. All storage facilities for farmyard effluent 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) be designed and constructed in accordance with the Department of Agriculture, Food, and the Marine specifications as per the European Communities (Good Agricultural Practice for Protection of Waters) Regulations, 2022 (S.I 113 of 2022).

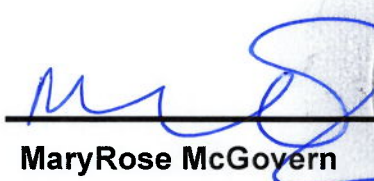
Reason: In the interest of environmental protection, pollution control and in the interest of public health and residential amenity.

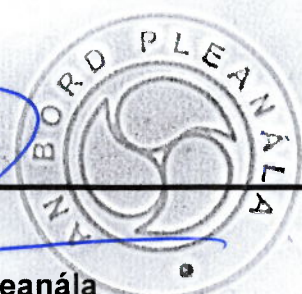
7. Details of the finishes of the slatted shed shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interest of orderly development and visual amenity.

8. 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.


MaryRose McGovern
Member of An Bord Pleanála
duly authorised to authenticate
the seal of the Board



Dated this 18 day of March 2025.