



An
Bord
Pleanála

Board Order
ABP-319778-24

Planning and Development Acts 2000 to 2022

Planning Authority: Galway County Council

Planning Register Reference Number: 19/1653

Appeal by Rachel Konisberry care of Planning Consultancy Services of Suite 3, Third Floor, Ross House, Victoria Place, Eyre Square, Galway against the decision made on the 17th day of December, 2019 by Galway County Council to refuse a permission for the proposed development.

Proposed Development: (1) Permission for part demolition of existing agricultural shed; (2) Retention and completion of remainder of agricultural shed; (3) Retention of existing access road; (4) Permission for widening of existing access road, together with additional landscaping and all associated site works at Rinville West, Oranmore, 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 nature and extent of the development to be retained and to the existing character and pattern of development in the vicinity, it is considered that, subject to detailed mitigation measures as outlined within the application and to compliance with the conditions set out below, the proposed development to be retained 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 retained, 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 development shall be retained, carried out and completed in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. Demolition works shall be completed within three months of the date of this Order. No additional buildings shall be erected on the site unless otherwise authorised by a prior grant of planning permission.

Reason: In the interest of visual amenity.

3. The roadside boundary shall be set back to provide for sight distances in accordance with submitted details. New roadside boundary shall consist of natural local stone and shall be completed within six months of the date of this Order.

Reason: In the interest of traffic safety and in the interest of visual amenity.

4. The stables 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, 2017 (SI Number 605 of 2017), and shall provide at least for the following:

- (a) Details of the number and types of animals to be housed.
- (b) The arrangements for the collection, storage and disposal of slurry.
- (c) Arrangements for the cleansing of the buildings and structures.

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

5. 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 Communities (Good Agricultural Practice for the 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.

6. 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, and
 - (b) all soiled waters, shall be directed to a 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.

7. 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.

8. The landscaping of the development shall be completed in the first planting season following the grant of permission.

Reason: In the interest of visual and residential amenity.



Stewart Logan

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

Dated this 2nd day of September 2024