



An
Bord
Pleanála

Board Order ABP-320636-24

Planning and Development Acts 2000 to 2022

Planning Authority: Galway County Council

Planning Register Reference Number: 23/457

Appeal by Sean and Rosemary Donnellan of Poolboy, Ballinasloe, County Galway against the decision made on the 25th day of July, 2024 by Galway County Council to grant subject to conditions a permission to Kevin Dolan care of Oliver Ruane of Fohenagh, Ahascragh, Ballinasloe, County Galway in accordance with plans and particulars lodged with the said Council.

Proposed Development: Retention of a silage slab and slatted shed with creep area to include concrete apron and all associated site works. Gross floor space to be retained: 602.72 square metres (concrete apron), 670.16 square metres (silage slab) and 168.77 square metres (slatted shed), all at Pollboy, Ballinasloe, County Galway.

Decision

GRANT permission for the above 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 site location in an area zoned A - Agriculture under the Ballinasloe Local Area Plan 2022-2028, and the relevant policy objectives pertaining to Agricultural Development of the Galway County Development Plan 2022-2028, it is considered that, subject to compliance with the conditions set out below, the development proposed to be retained would not be out of character with the surrounding area, would not be visually detrimental to the area, and would not impact negatively upon the current levels of residential amenity enjoyed at this location. The development proposed to be retained would, therefore, be in accordance with the proper planning and sustainable development of the area.

Conditions

1. The development shall be retained 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 9th day of May, 2024 and the 8th day of July, 2024, 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 and completed in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. All foul effluent and slurry generated by the development and in the farmyard shall be conveyed through properly constructed channels to the proposed/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 and the protection of the environment.

3. All uncontaminated roof water from buildings and clean yard water shall be separately collected and discharged in a sealed system to existing drains, watercourses or to appropriately sized soakaways. Uncontaminated waters shall not be allowed to discharge to soiled water and/or slurry tanks or to the public road.

Reason: In order to ensure that the capacity of soiled water tanks are reserved for their specific purposes.

4. 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: To ensure the satisfactory disposal of waste material, in the interest of amenity, public health and to prevent pollution of waters.

5. The material used for filling up the gap between the silage slab proposed for retention and surrounding areas, as detailed in the plans and particulars received by the planning authority on the 8th day of July, 2024, shall consist of stones and topsoil only and shall be free of construction and demolition waste and of invasive plant specimens.

Reason: In the interest of visual amenity, and the proper planning and sustainable development of the area.

6. (a) Any in-situ hedgerow and/or trees bounding the site, including the existing hedge along the roadside boundary, shall be retained.
- (b) The area surrounding the silage pit shall be levelled and landscaped, using only indigenous deciduous trees and hedging/shrubbery species according to the landscaping proposal included in the response to further information received by the planning authority on the 8th day of July, 2024.
- (c) Planting shall be carried out in the first planting season following the completion of the drainage and ground levelling works. All planting shall be adequately protected from damage until established. Any failures within the first five years shall be replaced within the next planting season with others of similar size and species.

Reason: In the interest of protecting biodiversity and the visual amenities of the area.



Mary Gurrie

Mary Gurrie

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

Dated this *02* day of *April* 2025.