



An
Coimisiún
Pleanála

Commission Order
ABP-322017-25

Planning and Development Acts 2000 to 2024

Planning Authority: Galway County Council

Planning Register Reference Number: 24/61655

Appeal by Ronan Joyce care of OMC Group of Unit 1, Bridge Street, Clifden, County Galway against the decision made on the 7th day of February, 2025 by Galway County Council to refuse permission for the proposed development.

Proposed Development: Retention of agricultural entrance and agricultural shed at Cloghaunard, Beach Road, Clifden, 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

The Commission made its decision consistent with:

- the Climate Action and Low Carbon Development Act 2015, as amended;
- the Climate Action Plan 2024 and Climate Action Plan 2025.

Having regard to the Galway County Development Plan 2022 -2028, and the scale and nature of the development proposed to be retained, it is considered that, subject to compliance with the conditions set out below, the development proposed to be retained would not seriously injure the amenities of property in the vicinity, would not be prejudicial to public health, would be acceptable in terms of traffic safety and visual amenity, and 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 An Coimisiún Pleanála on the 6th day of March, 2025, 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. The use of the shed proposed to be retained shall be limited to agricultural use only, which may include for activities associated with farming purposes. The following shall apply in relation to the shed proposed to be retained:
- (a) The shed shall not be sold, let or otherwise transferred or conveyed, save as part of the overall landholding.
 - (b) The building shall not be used for human habitation or any commercial purpose other than a purpose incidental to farming/horticulture, whether or not such use might otherwise constitute exempted development.

Reason: To ensure that the use of the building provides for activities appropriate to a rural area.

3. A comprehensive boundary/entrance treatment and landscaping scheme along the road frontage shall be submitted to, and agreed in writing with, the planning authority within six months of the date of this Order. This scheme shall include the establishment of a hedgerow along the roadside frontage positioned to the rear of existing walls and using only indigenous deciduous trees and hedging species. Upon receipt of written agreement from the planning authority, the developer shall fully implement the approved details within six months, unless otherwise agreed in writing with the planning authority.

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.

4. (a) 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.
- (b) If slurry or manure is moved to other locations off the farm, the details of such movements shall be notified to the Department of Agriculture, Food and Marine, in accordance with the above Regulations.
- (c) Where a third-party removes the slurry or manure, the details of the agreement shall be submitted to the local authority where the waste material is to be disposed to.

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

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. No surface water from the development, shall discharge onto the public road or adjoining properties. 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.

- (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.

Drainage details shall be submitted to, and agreed in writing with, the planning authority within three months of the date of this Order and the developer shall submit written confirmation, accompanied by photographs, to demonstrate that the said works have been satisfactorily undertaken.

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



Declan Moore

Planning Commissioner of An Coimisiún
Pleanála duly authorised to authenticate
the seal of the Commission



Dated this 23rd day of JUNE 2025