

An
Coimisiún
Pleanála

Commission Order
ABP-322230-25

Planning and Development Act 2000, as amended

Planning Authority: Roscommon County Council

Planning Register Reference Number: 24/60511

Appeal by Eamonn Mitchell of Peake, Ballinagare, Castlerea, County Roscommon against the decision made on the 13th day of March, 2025 by Roscommon County Council to grant subject to conditions a permission to Hubert Maxwell care of Rathcroghan Designs of Ballyconboy, Ballinagare, Castlerea, County Roscommon in accordance with plans and particulars lodged with the said Council.

Proposed Development: Retention of change of use of existing straw storage shed to straw bedded shed, revisions to design of straw bedded shed granted under planning register reference number PD/21/188 and office used in conjunction with farm enterprise together with all associated site works, all at Gortnagoyne, Ballinagare, Castlerea, County Roscommon.

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 National Policy Framework (2025) Objective 30, the provisions set out in Section 12.20 (Agricultural Development) of the Roscommon County Development Plan 2022-2028, the established agricultural use of the site and its location within a rural area, the character and pattern of development in the area, and the scale 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 detract from the amenities of the area, would be acceptable in terms of effluent storage and disposal proposals, 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 the planning authority on the 28th day of October, 2024, the 10th day of January, 2025 and the 12th 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 office building shall be used for purposes solely incidental to farming related activities whether or not such use might otherwise constitute exempted development.

Reason: In the interest of orderly development and the amenities of the area.

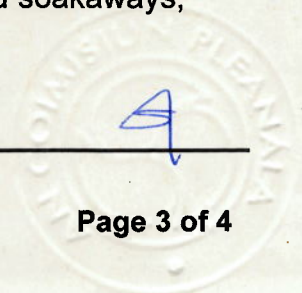
3. The farmyard and all sheds housing animals shall be maintained in accordance with the specifications as issued by the Department of Agriculture, Farming and the Marine and referenced in the European Union (Good Agricultural Practice for the Protection of Waters) (Amendment) Regulations 2022, as amended. The slatted sheds on site shall be used only in strict accordance with a management schedule which shall be submitted to, and agreed in writing with, the planning authority. The management schedule shall be in accordance with the European Union (Good Agricultural Practice for Protection of Waters) (Amendment) Regulations, 2022, as amended, and shall provide, but not be limited to details of the number and types of animals to be housed and arrangements for the cleaning of the buildings and structures (and the public road where relevant).

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

4. 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 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), or to a slatted tank. Drainage details shall be submitted to, and agreed in writing with, the planning authority, and
- (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.

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



Emer Maughan

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

Dated this ^{8th} day of *August* 2025.