

Planning and Development Acts 2000, as amended

Planning Authority: Louth County Council

Planning Register Reference Number: 2560336.

Appeal by Lurganboy Farm Limited care of Brady Hughes Consulting against the decision made on the 18th day of July 2025 day of July 2025 by Louth County Council to refuse a permission for the proposed development.

Proposed Development: Permission will consist of the provision of an agricultural shed, two number dungsteeds, a hardstand area, a circular slurry tank and an underground soiled water storage tank, together with all associated site development works at Carstown, County Louth.

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 objectives of the Louth County Development Plan 2021-2027, the location of the development on established farmland and the use of the lands for agricultural purposes and the form and design of the development which is for agricultural facilities associated with the farm, it is considered that, subject to compliance with conditions set out below, the proposed development would be an acceptable form of development, would not be detrimental to built heritage or archaeology, would not be a threat to water bodies or the environment, would be acceptable in terms of traffic safety and convenience, would not be prejudicial to public health and would not be likely to have a significant effect on a European site. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

Conditions

1. The 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 development shall be carried out and completed in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. (a) Full visibility shall be made available for 75 metres on the eastern side of the entrance from a point three metres back in from the edge of the road carriageway.
- (b) The area between the road carriageway and revised boundary shall be finished 200-300 millimetres above carriageway level and finished in grass.
- (c) The revised boundary shall match the existing roadside boundary.

Reason: In the interest of traffic safety.

3. The existing entrance serving the field, approximately 70 metres to the east of the proposed entrance, shall permanently closed and planted with hedgerow.

Reason: In the interest of traffic safety.

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.

- (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.
- (d) The twin-wall pipeline at the entrance to the public road shall be sized and designed with capacity to cater for existing and proposed flows including for climate change and any required modifications to the existing pipe shall be carried out to the requirements of the planning authority.

Drainage details in accordance with the above shall be submitted to, and agreed in writing with, the planning authority, prior to commencement of development.

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

- 5. (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.

6. A Construction and Environmental Management Plan (CEMP) shall be submitted to and agreed in writing with the planning authority prior to the commencement of development. The CEMP shall include but not be limited to construction phase controls for dust, noise and vibration, waste management, protection of soils, groundwaters, and surface waters, site housekeeping, emergency response planning, site environmental policy, and project roles and responsibilities.

Reason: In the interest of environmental protection.

7. No work shall be carried out within 10 metres of a stream or drainage channel.

Reason: In the interest of environmental protection.

8. The cladding to the proposed buildings and tank shall be green/dark green in colour.

Reason: In the interest of visual amenity.

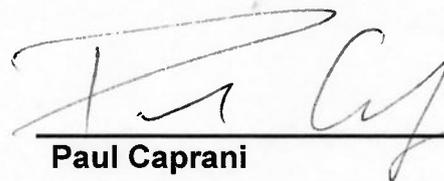
9. The developer shall engage a suitably qualified (license eligible) archaeologist to carry out an Archaeological Impact Assessment (AIA) and following consultation with the National Monument Service (NMS) in advance of any site preparation works and groundworks, including site investigation works/topsoil stripping/site clearance/dredging and/or construction works. The AIA shall involve an examination of all development layout/design drawings, completion of documentary research and fieldwork, a geophysical survey and archaeological testing (consent/licensed as required under the National Monuments Acts).

The archaeologist shall prepare a comprehensive report, including an archaeological impact statement and mitigation strategy, to be submitted for the written agreement of the planning authority in advance of any site preparation works, groundworks and/or construction works. Where archaeological remains are shown to be present, preservation in-situ, establishment of 'buffer zones', preservation by record (archaeological excavation) or archaeological monitoring may be required and mitigatory measures to ensure the preservation and/or recording of archaeological remains shall be included in the AIA. Any further archaeological mitigation requirements specified by the Local Authority Archaeologist, following consultation with the National Monuments Service, shall be complied with by the developer. The planning authority and the National Monuments Service shall be furnished with a final archaeological report describing the results of any subsequent archaeological investigative works and/or monitoring following the completion of all archaeological work on site and the completion of any necessary post-excavation work. All resulting and associated archaeological costs shall be borne by the developer.

Reason: To ensure the continued preservation (either in situ or by record) of places, caves, sites, features or other objects of archaeological interest.

10. The developer shall pay to the planning authority a financial contribution in respect of public infrastructure and facilities benefiting development in the area of the planning authority that is provided or intended to be provided by or on behalf of the authority in accordance with the terms of the Development Contribution Scheme made under section 48 of the Planning and Development Act 2000, as amended. The contribution shall be paid prior to commencement of development or in such phased payments as the planning authority may facilitate and shall be subject to any applicable indexation provisions of the Scheme at the time of payment. Details of the application of the terms of the Scheme shall be agreed between the planning authority and the developer or, in default of such agreement, the matter shall be referred to An Coimisiún Pleanála to determine the proper application of the terms of the Scheme.

Reason: It is a requirement of the Planning and Development Act 2000, as amended, that a condition requiring a contribution in accordance with the Development Contribution Scheme made under section 48 of the Act be applied to the permission.



Paul Caprani

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



Dated this 23rd day of March 2026.