

An
Coimisiún
Pleanála

Commission Order
PL-500035-WX

Planning and Development Act 2000, as amended

Planning Authority: Wexford County Council

Planning Register Reference Number: 20250927

Appeal by Brendan Kavanagh against the decision made on the 19th day of September 2025 by Wexford County Council to grant, subject to conditions, a permission to Peter Kavanagh in accordance with plans and particulars lodged with the said Council.

Proposed Development: Permission for retention of works to date and permission to complete the erection of a steel framed extension to existing farm shed consisting of cubicle housing, straw bed area, feeding passage and underground slatted tank and all associated site and ancillary works at Ballygarrett, Kilnahue, County Wexford.

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 rural location of the site; the demonstrated need for the additional farm building to house animals on this land holding as set out within the Teagasc correspondence and the Nutrient Management Plan submitted as part of the planning documentation, the established and permitted farm complex and practices on the holding; the character and pattern of development in the vicinity; and to the provisions within Section 5.5.1 of the Wexford County Development Plan 2022-2028, in relation to 'facilitating agricultural development at appropriate locations and that there is often a requirement for these structures to be significant in scale', it is considered, subject to compliance with the conditions set out below, that the development would not seriously injure the amenities of the area, nor adversely impact upon the local receiving environment nor landscape, nor adversely impact upon water quality nor give rise to disturbance of protected habitats or species in any European site. The development, 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 to the planning authority on the 28th day of July 2025, except as may otherwise be required in order to comply with the following conditions. Where such conditions require points of detail to be agreed with the planning authority, these matters shall be the subject of written agreement and shall be implemented in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. All foul effluent and slurry generated by the proposed development shall be conveyed through properly constructed channels to the proposed and 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.

3. 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 to the satisfaction of the planning authority, and
 - (b) all soiled waters, shall be directed to the slatted 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.

- 4 All storage facilities for farmyard effluent shall:
 - (a) be so constructed, maintained, and managed as to prevent run-off or seepage, directly or indirectly, into groundwater or surface water of any effluent produced, and
 - (b) designed and constructed in accordance with the Department of Agriculture, Food, and the Marine specifications as per the European Communities (Good Agricultural Practice for Protection of Waters) Regulations, 2025 (S.I 588/2025).

Reason: In the interest of environmental protection, pollution control and in the interest of public health and residential amenity.

5. The spreading of slurry or manure from this facility shall comply with the requirements of the European Union (Good Agricultural Practices for the Protection of Waters) Regulations 2025, or as otherwise updated.

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

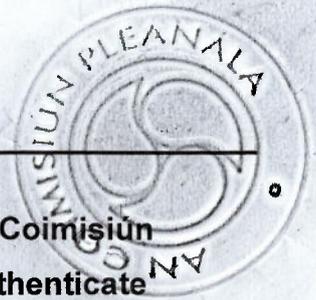


Emer Maughan

Planning Commissioner of An Coimisiún

Pleanála duly authorised to authenticate

the seal of the Commission.



Dated this 11th day of February 2026