



An
Coimisiún
Pleanála

**Commission Order
PL-500930-MO-26**

Planning and Development Act 2000, as amended

Planning Authority: Mayo County Council

Planning Register Reference Number: 2560287

Appeal by John McCormack and Catherine Munnely against the decision made on the 6th day of February, 2026 by Mayo County Council to grant subject to conditions a permission to Rosderra Farms ULC in accordance with plans and particulars lodged with the said Council.

Proposed Development: Construction of one number pig house in order to aid compliance with animal welfare and nitrates regulations, together with all ancillary structures and all associated site works arising from the above proposed development at Bunecam East, Ballyheane, Castlebar, County Mayo. This application relates to a development, which is for the purposes of an activity requiring a licence under part IV of the Environmental Protection Agency (Licensing) Regulations 1994 to 2013.

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 location of the site within an agricultural rural area, the provisions of the Mayo County Development Plan 2022– 2028, the established and permitted use of the site as a piggery, the nature of the proposal which is to extend the existing facility with no increase in pig numbers proposed, that the development will be subject to compliance with the 2025 Good Agricultural Practice Regulations (as amended) and Environmental Protection Agency Licence requirements, together with the separation distance from residential property, it is considered that, subject to compliance with the conditions set out below, the proposed development would be acceptable in principle would not seriously injure the residential or visual amenities of the area or of property in the vicinity, would not give rise to an undue risk of water pollution, or be prejudicial to public health and would not result in significant adverse effects on European sites. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

Appropriate Assessment Screening

In accordance with Section 177U of the Planning and Development Act 2000, as amended, and on the basis of the information considered in the Inspectors report, the Commission concluded that the proposed development individually or in combination with other plans or projects would not be likely to have significant effects on Lough Carra/Mask Complex Special Area of Conservation (Site Code 001774) and Lough Carra Special Protection Area (Site Code 004051) in view of the conservation objectives of these sites and is therefore excluded from further consideration, and that an Appropriate Assessment is not, therefore, required.

This determination is based on:

- (a) the nature of the proposed development is not for an intensification of piggery operations or pig numbers such that no increase in operational pollution is expected;
- (b) the weak nature of the potential hydrological connection to European sites;
- (c) the submitted Appropriate Assessment Screening Report and appeal response prepared by Noreen McLoughlin, Environmental Consultant of Whitehill Environmental;
- (d) compliance with the terms and conditions of the Environmental Protection Agency licence in relation to environmental standards;
- (e) compliance with the Good Agricultural Policy (GAP) regulations for agricultural activities;

- (f) the screening determination of the planning authority; and
- (g) National Parks and Wildlife service data.

Conditions

1. The development shall be carried out 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 13th day of January 2026, 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

Reason: In the interest of clarity.

2. There shall be no increase in the number of pig numbers housed on site on foot of this permission.

Reason: In the interests of orderly development and pollution control.

3. Details of all boundary treatment including landscaping, shall be agreed in writing with the planning authority prior to the commencement of development.

Reason: In the interests of visual amenity.

4. The building shall be used as a pig house and for associated purposes only. The building shall not be used for any use other than the housing of pigs, nor shall it be used for any commercial purpose other than a purpose incidental to farming/horticulture.

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

5. Details of the finishes of the pig house shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. The finished floor level of the building shall be not more than 300 millimetres above the existing ground level.

Reason: In the interests of visual amenity and orderly development.

6. The proposed development shall be designed, sited, constructed and operated in accordance with the requirements as outlined in the European Union (Good Agricultural Practice for Protection of Waters) (Amendment) Regulations, 2025, as amended. The land spreading of soiled waters and slurry shall be carried out in strict accordance with the requirements as outlined in the aforementioned regulations. Prior to the commencement of the development details showing how the applicant intends to comply with this requirement shall be submitted to and agreed in writing with the planning authority.

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

7. (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 2025, 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 2025, as amended shall be strictly adhered to.

Details of all the requirements related to above shall be submitted to, and agreed in writing with, the planning authority, prior to commencement of development.

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

8. (a) A Site Suitability Assessment shall be undertaken by a competent technical professional and prepared in accordance with the requirements of the Environmental Protection Agency Code of Practice for Domestic Wastewater Treatment and Disposal Systems Serving Single Houses 2021 (P.E. < 10) and shall be submitted for the agreement of the planning authority prior to any works taking place.

- (b) Treated effluent from the septic tank/wastewater treatment system or any new system on the site shall be discharged to a percolation area/ polishing filter which shall be provided in accordance with the standards set out in the document entitled "Code of Practice - Domestic Waste Water Treatment Systems (Population Equivalent ≤ 10)" – Environmental Protection Agency, 2021.

Reason: In the interests of public health and to prevent water pollution.

9. Site development and building works shall be carried out between the hours of 0700 to 1900 Mondays to Fridays inclusive, between 0800 to 1400 hours on Saturdays and not at all on Sundays and public holidays. Deviation from these times shall only be allowed in exceptional circumstances where prior written agreement has been received from the planning authority.

Reason: To safeguard the amenity of property in the vicinity.

10. Lighting shall be provided in accordance with a scheme, details of which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. The scheme shall minimise obtrusive light outside the boundaries of the development at all times.

Reason: In the interests of amenity and public safety.

11. 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 14th day of July 2026