



An
Bord
Pleanála

Inspector's Report

ABP-308376-20

| | |
|-------------------------------------|--|
| Development | Extension to calf house and raising of roof to existing animal house and associated works at |
| Location | Lagnagoushee, Ring , Dungarvan, Co Waterford |
| Planning Authority | Waterford City and County Council |
| Planning Authority Reg. Ref. | 20495 |
| Applicant(s) | Eamon Curran Dairy Ltd |
| Type of Application | Permission |
| Planning Authority Decision | Grant with Conditions |
| Type of Appeal | Third Party |
| Appellant(s) | An Gaeltacht Ghlan Ring |
| Observer(s) | None |
| Date of Site Inspection | 5 th of February 2021. |
| Inspector | Caryn Coogan |

1.0 Site Location and Description

- 1.1. The subject site is located in the Gaeltacht area of Ring in west Waterford, south of Dungarvan town. The general area is remote and elevated, and the hillside where the farmyard is located is exposed. I noted a number of wind turbines on the landscape fronting the farm.
- 1.2. The site is 1.8hectares and relates to existing dairy farm. There are a number of large sheds on the site. This application relates to an existing livestock shed located at the front of the farmyard.

2.0 Proposed Development

- 2.1. Permission for extension to existing calf house to the front of the building, and raising the roof of existing calf house.

3.0 Planning Authority Decision

3.1. Decision

Waterford City and County Council granted planning permission for the proposed development subject to 5No. conditions.

3.2. Planning Authority Reports

3.2.1. *Planning Reports*

- The existing farm has structures with a combined floor area of 3044sq.m.The current application relates to 764sq.m of which 131sqm. Is new.
- The site is not located along a scenic route, or any visually sensitive or vulnerable landscapes. The development is within an existing farmyard and will not impact visually on the area.
- The development is to improve facilities for his 320 diary herd, there will be no additional effluent as a result of the proposal.

3.2.2. *Other Technical Reports*

None

3.3. **Third Party Observations**

One submission received concerned about:

- The public notice
- Visual impact
- Traffic hazard
- Appropriate assessment.

4.0 **Planning History**

Planning Reference 15/454

Planning permission granted for a new agricultural shed, with an underground slatted tank, open top cubicles and site works.

Planning Reference 18/427

Planning permission granted for a new agricultural shed containing cubicles, underground slatted tank and associated site works.

Planning Reference 19/628

Planning permission granted for the installation of cattle underpasses, a soiled water tank and associated works.

5.0 **Policy Context**

5.1. **Development Plan**

Waterford County Development Plan 2011

Section 6.7.1 New agricultural buildings within existing farmyards are acceptable in principle.

5.2. Natural Heritage Designations

The site is 175metres west of a stream that flows to the sea.

1.4km north west of Helvick Head SPA

2.2Km west of Helvick Head Sac

2.6km south-west of Dungarvan Harbour

3.6km south west of Dungarvan Harbour SPA

3.6km east of Blackwater River SAC

10.8km south west of Mid Waterford Coast SPA

5.3. EIA Screening

Having regard to the planning history of the site, the brownfield nature of the subject site, together with the scale of the proposed development, there is no real likelihood of significant effects on the environment arising from the proposed development.

The need for environmental impact assessment can, therefore, be excluded at preliminary examination and a screening determination is not required.

6.0 The Appeal

6.1. Grounds of Appeal

An Ghaeltacht Ghlan, Ring and Old Parish Wind Awareness Group, has taken this appeal against the planning authority's decision to grant permission for the proposed development on the following grounds:

- The site notice was not erected during the correct statutory period.
- The area is a scenic area and housing has been refused due to the scenic qualities. The raising of the roof will negatively impact on the visual amenities of the area.
- The entrance to the farm is on a dangerous bend in the road, the increase in height will increase traffic through the farm and entrance.
- The farm is situated in an SPA, and it will impact on the habitat.
- Work on the farm could affect local water supply.

6.2. Planning Authority Response

None

7.0 Assessment

- 7.1. I visited the subject site on the 5th of February 2021 when there were significant number of livestock been housed within the farmyard and calving season has started. It was evident to me that the surfaced areas within the yard were not clean and, the separated collection/ disposal of rainwater from the buildings does not appear to be occurring. I did note there was no surface run off onto the public road which is located at a lower ground level to the farm. There are new agricultural structures on the northern part of the farmyard, where the livestock were been kept in an uncovered building. The new developments can be clearly viewed from the public road as the farm is situated on an elevated landscape at an exposed location. There are clearly enforcement issues with the existing farmyard, which are beyond the remit of the Board.
- 7.2. The current proposal relates to an existing livestock shed positioned on the southern portion of the farmyard in close proximity to the main vehicular access to the yard. The proposal includes 126sq.m. extension to the existing shed, and raising the roof of the existing shed to 7.9metres. The existing shed is located to the rear of another large shed fronting the public road. The views from the general area demonstrate the subject shed is located within a overall farmyard and the visual impact on the landscape is existing. The proposed raising of the roof will result in a small immaterial graduated increase in the height of the buildings and it will not be unduly obtrusive. The general area is not designated as a high amenity or visually vulnerable landscape.
- 7.3. The proposal is an increase in the height of an existing structure with small extension to the front of the building. The structure is to house calves. It does not represent and intensification of the existing 350No. dairy hard. Therefore, no traffic issues arise.
- 7.4. I consider it is important the planning conditions relating to the structure include time frames for the provision of the separate collection and disposal of clean and soiled

surface water. These important details have not been provided in the planning application documentation, and I consider the drawings to be unsatisfactory in this regard.

7.5. There have been no landscaping/ screening proposals despite the extensive expansion program on the farm which is located on an exposed hillside location. This issue should be incorporated into the conditions.

7.6. The proposal is in accordance with Section 6.7.1 of the county development plan, whereby new agricultural buildings within existing farmyards are acceptable in principle.

7.7 ***Appropriate Assessment***

Having regard to the nature and scale of the proposed development and the location of the site in a rural area. There is no direct link between the farmyard and surface water drainage system leading to the European sites within 10km of the site. There is a stream 175metres west of the farm which is uphill of the yard area, and therefore there is no direct link from the farmyard to the stream. Accordingly, no Appropriate Assessment issues arise, and it is not considered that the development would be likely to give rise to a significant effect individually or in combination with other plans or projects on a designated European site.

8.0 **Recommendation**

8.1. I recommend the decision to grant planning permission for the proposed development be upheld by the Board.

9.0 **Reasons and Considerations**

Having regard to the provisions of the Waterford County Development Plan 2011, the nature and scale of the proposed development, and the suitability of the screening of the site, it is considered that, subject to compliance with the conditions set out below, the proposed development would not be seriously injurious to the visual amenities of the area, and would be acceptable in terms of traffic safety and convenience. Therefore, the proposed development would be in accordance with the proper planning and sustainable development of the area.

10.0 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 submitted on the 21st day of July 2020, 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. Within three months of this decision the applicant shall submit to an agree in writing with the planning authority the following:-
 - (i) A detailed landscaping and indigenous screening plan to ensure the farmyard blends into the wider landscape. This shall include screening along the full length of all site boundaries of the farmyard. The screening shall be provided within twelve months of this decision.
 - (ii) Comprehensive and detailed drawings indicating the separate collection and disposal of unsoiled and soiled surfaces within the overall site boundaries.

Reason: In the interests of visual amenity and in order to avoid pollution.

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 directly in a sealed system, and
 - (b) all soiled waters shall be directed to a 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 and public health.

3. All foul effluent and slurry generated by the proposed development and in the farmyard 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

5. Slurry generated by the proposed development shall be disposed of by spreading on land, or by other means acceptable in writing to the planning authority. The location, rate and time of spreading (including prohibited times for spreading) and the buffer zones to be applied shall be in accordance with the requirements of the European Union (Good Agricultural Practice for Protection of Waters) (Amendment) Regulations, 2017, as amended.

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

6. The roof and side panels of the structure shall be a dark green colour with a matt finish.

Reason: In the interest of visual amenity

Caryn Coogan
Planning Inspector

24/02/2021