



An
Bord
Pleanála

Inspector's Report ABP.310315-21

Development	Construct an easy feed cattle shed for overwintering cows complete with easy feed barriers, underground slurry storage tank and cattle crush including all associated ancillary concrete and site works
Location	Knocknagashel West, Tralee Co. Kerry
Planning Authority	Kerry County Council
Planning Authority Reg. Ref.	21/244
Applicant(s)	Padraig McElligott
Type of Application	Planning permission
Planning Authority Decision	Grant permission s.t. conditions
Type of Appeal	Third Party
Appellant(s)	Meadhbh Fitzgerald & Ors
Observer(s)	None
Date of Site Inspection	25 th October 2021
Inspector	Mary Kennelly

1.0 Site Location and Description

- 1.1.** The site is situated approx. 1km to the north/northwest of Knocknagashel, which is a village situated c.2km to the west of the N21, between Castleisland and Abbeyfeale. The site forms part of a farmyard complex including a farmyard, farmhouse and a number of outbuildings/farm sheds. The site is accessed by means of a local road which leads northwards from the village and by a private lane which branches off the local road in a northerly direction. There are two private houses near the junction of the private lane with the local road and a further farmhouse at the end of the lane. The applicant's house and farmyard are located mid-way along the lane on the eastern side, with frontage to the lane. There is an existing high level stone fence/ditch along the western boundary of the site. The lands are generally elevated, but the gradient falls away to the north of the public road and the site.
- 1.2.** The site has a stated area of 0.258ha. The appeal site is roughly rectangular in shape and is entered from an existing farm entrance at the south-western corner of the site, which leads to the agricultural fields to the north and east of the farmyard. The site comprises a farmyard and the applicant's family house is located on the lands immediately to the south. The house is entered by means of a separate entrance and driveway from the southwest, which is located close to the junction with the public road. The proposed shed is located at the northern end of the site directly adjacent to the western boundary with the access road. The farmyard includes an existing shed sited adjacent to the western boundary, immediately to the south of the site of the proposed shed. The area that would accommodate the two sheds is screened by means of a hedgerow in the middle of the field which runs N-S to the east of the site of the farm sheds.

2.0 Proposed Development

- 2.1.** Permission is being sought for the construction of an easy-feed agricultural shed, for the housing of cattle over winter. The shed is located in the north-western corner of the site and would be accessed via the applicant's farmyard from the private road. The stated purpose of the development is to provide storage for the applicant's cattle and would be a slatted shed with an underground slurry tank.

2.2. The floor area of the proposed shed is 146m². The proposed shed is rectangular in shape with a PVC cladding finish. It would incorporate cattle feeds with barriers and cattle crushes and a slurry storage tank underneath. It is proposed to provide a concrete apron in association with the shed. The FFL is given as 98.6m OD which is lower than that of the existing shed (100mOD) and of the family house (107m OD). The ridge height of the proposed shed is stated as 5.98m, but the roof ridge level would be 0.82m below that of the existing farm shed.

3.0 Planning Authority Decision

3.1. Decision

The planning authority decided to grant permission subject to six conditions including the following -

Condition 2 required the external cladding to be finished in a grey colour to match the existing agricultural shed on site.

Condition 3 required roof water to be piped uncontaminated by slurry, feedstuffs or other polluting matter into a suitable soak pit or free-flowing watercourse.

Condition 4 required the slurry storage tank to be constructed in accordance with the relevant Dept. of Agriculture, Food and the Marine specification. It also required the underground tank to be watertight, and the storage of soiled water with slurry or livestock manure to be as for livestock manure. No polluting matter of any kind to be allowed to enter any surface watercourse. All infrastructure for the management of farmyard manures, slurries and soiled water to comply with European Union (Good Agricultural Practice for Protection of Waters) Regulations 2017 (and Dept. of Agriculture Food and the Marine).

Condition 5 required all clean run-off is diverted away from soiled yards and prevented from entering storage facilities.

Condition 6 required the retention of all existing boundary screening along the western boundary and the existing landscaping to the east of the slatted shed.

3.2. Planning Authority Reports

3.2.1. Planning Reports

Reference was made to the planning history on the site which included the grant of retention permission for the existing shed. The objections raised by the appellants were noted, which related to noise and smells arising from the agricultural shed and potential contamination of water supply and visual impact.

It was considered that the proposed development would not give rise to an adverse impact on visual amenity due to the design and height of the shed and the fact that it would be sited within an existing cluster. It was noted that the objector's dwelling is located c.80 metres distant and is sited 'down-wind' of the proposed development. As such it was considered that it would not give rise to serious injury to the residential amenities of that property and given the rural nature of the area, the proposed development was acceptable. Screening for EIA and AA were carried out, but both were screened out.

It was concluded that permission should be granted.

3.2.2. Other Technical Reports

No reports or referrals received.

3.3. Prescribed Bodies

None.

3.4. Third Party Observations

Submission from third party appellant which is similar to grounds of appeal. The main points objections related to noise and disturbance from animals, odour impacts, potential pollution of wells and depletion of water table, devaluation of property and negative visual impact.

4.0 Planning History

17/681 – permission granted for retention of farm building/storage shed to south of proposed shed.

PL308927 – permission refused in 2021 by Board for new splayed entrance with walls and piers and access gates and boundary treatment consisting of a chain link fence. The gates were to be erected across the private lane and the fencing along the western boundary of the lane. The applicants were the owner/occupiers of the house and lands at the bottom (northern end) of the lane. Reasons related to visual impact and interference with rural amenities and character of the landscape. A second reason related to the interference with a right-of-way.

5.0 Policy Context

5.1. Development Plan

Kerry County Development Plan 2015-2021

5.1.1. The site is located within an area zoned as **Rural General** (Section 3.2.1 of the Plan). This is one of three rural landscape types, which constitutes the least sensitive landscapes and have the ability to absorb a moderate amount of development without significantly altering their character. Chapter 12 sets out the objectives for landscape protection. **Policy ZL-1** seeks to protect the landscape of the county as a major economic asset and an invaluable amenity which contributes to people's lives. **Section 12.3.1** states that "it is important that development in these areas be integrated into their surroundings in order to minimise the effect on the landscape and to maximise the potential for development".

5.1.2. **Section 4.8.1** relates to agriculture and **Section 13.12** relates to Agricultural Buildings. It is stated that Agriculture is the second largest employer in the county. It is an objective of the Council to support the sustainable development and diversification of the agricultural sector. The following matters will be taken into account in all proposals for new agricultural buildings:

- Proximity to adjacent dwellings
- The rural character of the area
- Utilisation of natural landscape and landcover as screening
- Waste management in terms of storage and disposal.
- Environmental carrying capacity.

- Requirement that buildings are designed, located and oriented in a manner that will minimise their environmental impacts.
- All agricultural development that results in manure, soiled water and slurry etc. shall comply with the European Communities (Good Agricultural Practice for Protection of Waters) Regulations 2010 (as amended).

6.0 The Appeal

6.1. Grounds of Appeal

- 6.1.1. The third-party appeal was submitted by Meadhbh Fitzgerald, Niall Fitzgerald, Patricia Fitzgerald, Caoilte Fitzgerald and Inse Fitzgerald.
- 6.1.2. The appeal was accompanied by a number of attachments including
- Background information on the area and property owners in the vicinity;
 - A map showing farming and non-farming houses/wells in the vicinity;
 - A map showing wells closest to the proposed development;
 - An Aerial view of the properties and a photo of the existing shed and site of proposed shed taken from their garden.
- 6.1.3. The main objections may be summarised as follows:
1. **Water quality** – There are 9 no. houses within a 200m radius which rely on well water exclusively. Concern raised re water contamination of wells. The appellants' well is located c.50m from the proposed cowshed and the applicant's well is even closer. The EPA rules are that such development should be at least 50m away from a well. The use of water from the water table for the cattle shed will drain the local water table, as a full cow shed will require 3,000 litres of water a day.
 2. **Air quality** - The site of the proposed development is only 10 metres from the objector's dwelling and garden and the wind comes from that direction in wintertime. The proposal will result in odours and air pollution from the cattle and storage tank which affect the four asthmatics living in her house. These smells will also attract all types of flies and insects around the area.

3. **Light pollution** – Serious light pollution will occur similar to that given off by the large barn already erected on the site.
4. **The Environment** – No Environmental Impact study has been carried out and no assessment of how it will affect local wildlife, some of which are protected, such as species of frog and newts. These are protected under Schedule 5 of the Wildlife Act and under Appendix 3 of the Bern Convention.
5. **Scenic Location** - It is very large and will obstruct views of the river valley from her home. The building will be seen from many public roads and from the next county (Limerick) and may even be seen by the Space Station passing by.
6. **Noise** – Cattle can be extremely loud, especially at night if they are thirsty, hungry or aggravated. This will disturb people's sleep. The applicant is a part-time farmer and will be away from the farmyard for most of the day and there will be nobody at home to look after the cattle. The cattle from the lower farmyard can be heard and this is more distant.
7. **Background information re farming/non-farming community** – seven of the nine households are not involved in farming, one is involved in full-time farming and one (the applicant) is a part-time farmer, (see attached annotated map). The full-time farmer houses his cattle several kilometers away. The part-time farmer currently houses his cattle further down the mountain and away from residential houses. Because of the generally poor nature of the land and the fact that the applicant has put some of his pasture into forestry, he has to import feed for his cattle.
8. **Other matters** - The applicant has an existing farmyard 2 fields away where he could erect the shed instead. There is no justification for the shed as the cattle can use the fields between October and May. Farming is in decline in the area due to poor weather conditions and the fields are too wet for outdoor grazing during the winter months.

6.2. First party response to appeal

- 6.2.1. Need for slatted shed** – due to the increased rainfall in the general area, the slatted shed is required to house the animals during the winter to prevent any excess runoff from outdoor feeding areas and for the welfare of the animals. These buildings are designed mostly for part-time farmers as they are effectively self-cleaning and allow for self-feeding, and are recommended by the Dept. of Agriculture. The farmer can then remain actively farming in the area and keep his farm going like his father and grandfather before him. The proposed structure complies with the Dept. of Agriculture’s ‘Cross Compliance of Good Farming Practices’ and he can avail of a grant to construct it, which will enable the applicant to remain in farming.
- 6.2.2. Water quality** – the wells shown on the appellant’s map are either up-hill from the proposed structure or are separated by a large buffer. The purpose of the proposed shed is to prevent any risk of pollution and to eliminate poor farming practice of outdoor feeding on hard standing areas creating local run-off. The well capacity will not be affected by the proposal, as the amount of water used will be similar to that currently used for the cattle. The applicant also uses a water harvest tank system, which he will continue to do. His cattle are of small stature and the herd is small in number.
- 6.2.3. Air quality** – agricultural smells are the norm in country living. When people who are not originally from a locality purchase a house in a farming community, they must accept matters such as noise, smells etc. from agricultural activities.
- 6.2.4. Light pollution** – there will be little or no light pollution from the proposed shed given distance and orientation of the structure relative to the appellant’s dwelling. The proposed shed will not have any external lighting facing the appellant’s dwelling. Should any internal lighting escape through a vent or skylight, it would be blocked by the presence of the existing farm shed.
- 6.2.5. The Environment** – the proposed building will not interfere with any local wildlife as it will be constructed in an existing farmyard and will not affect any hedgerows or existing habitats. The applicant has also designated an area of his farm as a special protection area for the Hen Harrier (attachment enclosed explaining same).
- 6.2.6. Scenic location** – the proposed shed will match the cladding and colour of the existing shed and will blend in with other farm sheds in the area.

- 6.2.7. Noise** – there will be no noise as the cattle will be fed and watered daily and surplus feed and water will be available to them on demand. They will also be tended to before and after the applicant goes to work.
- 6.2.8. Other matters** – there are no outstanding enforcement matters. The existing farm sheds further down the slope are old and dilapidated. They have no wastewater storage or proper ventilation or lighting, and are too far from the applicant's main farmyard/residence. They do not comply with farming health and safety standards and good farming practices.
- 6.2.9. Attachment** - A letter from McQuinn Consulting (Farm and Business) setting out the rationale behind the proposed development and provides some details regarding the protection measures for the Hen Harrier.

6.3. Planning Authority Response

The P.A. has not responded to the grounds of appeal.

7.0 Assessment

7.1.1. It is considered that the main issues arising from the appeal are as follows: -

- Principle of proposed development at this location
- Impact on residential amenity
- Impact on visual amenity
- Water quality
- Impact on ecology of area
- Environmental Impact Assessment
- Appropriate Assessment

7.2. Principle of proposed development at this location

7.2.1. The County Development Plan (4.8.1) is very supportive of the agricultural sector, which is described as the second largest employer in the County. However, it is acknowledged that on-farm diversification in Ireland is only 1.95%, which it is stated

is much lower than in other European countries. It is an objective of the County Development Plan to support the sustainable development and diversification of the agricultural sector. The Dept. of Agriculture, Food and the Marine's website provides information regarding the Cross Compliance requirements for farmers in receipt of financial support. It is stated that it aims to ensure safe production of food, the welfare of animals, the sustainable use of land, the maintenance of natural resources and limiting climate change. Cross Compliance is implemented under Statutory Management Requirements and Good Agricultural and Environmental Condition standards. It is effectively a set of rules that farmers must comply with on their landholdings if claiming rural payments.

7.2.2. The site is located in a relatively remote upland rural area where the predominant land use is agriculture. Although there are several single houses in the vicinity of the site, the character of the area is undoubtedly rural and the nearest village is Knocknagashel, which is approx. 1km to the south. The first party response to the appeal indicates that the applicant has been actively engaged in farming on the landholding for many years and that the farm was previously owned and operated by his father and grandfather. It is stated that he is a part-time farmer with a small herd of cattle, which are currently kept in an old barn to the north of the farmyard and are fed outside. The stated purpose of the proposed development is to improve the efficiency and viability of the farm and to improve agricultural practices with the aim of reducing environmental effects, in accordance with Cross Compliance requirements.

7.2.3. The first party response includes a letter from the applicant's farm and business consultant (dated 16/06/21), which sets out the rationale for the proposed slatted shed at this location. It is stated the applicant keeps cattle to graze his lands but has no suitable animal housing for the winter period. The slatted shed is stated to be required in order to provide safe animal housing with sufficient slurry storage, particularly when there are restrictions in the area regarding Bovine Tuberculosis, and animals must be kept indoors. It is further stated that as the lower section of the farm includes wet grassland parcels which are designated as a Special Protection Area for Hen Harrier, it is necessary to site the slatted shed as far away from these areas as possible. The location of the proposed shed was considered appropriate.

- 7.2.4.** It is considered that the applicant has provided reasonable justification for the siting of the development at this location and has demonstrated that the use is connected with the agricultural practices in the area. The area is a rural one where agriculture is the predominant use, and the closest dwellings in proximity to the site are 80m to the southwest and 50m to the northwest. It is considered that the development of the shed for the housing of cattle and storage of slurry is consistent with the use of the lands and has a justifiable locational basis in this area.
- 7.2.5.** The appellant has referred to several planning authority decisions whereby developments have been refused in the vicinity of the site during the past decade or so. Most of these developments were residential in nature rather than agricultural and the reasons for refusal were based on matters such as settlement policy, housing need, density of development of one-off houses, inability to discharge effluent and traffic hazard. Thus, it is considered that these decisions are not directly comparable to the current proposal before the Board.
- 7.2.6.** It is considered that provided that the proposed development would not be an obtrusive element in the landscape and would not adversely affect the residential amenities or environmental quality of the area, the proposed development of an easy feed slatted shed for farming-related purposes on these lands is acceptable in principle.

7.3. Impact on Residential amenity

- 7.3.1.** The appellants have raised concerns regarding nuisance in terms of noise, odours and light arising from the keeping of animals in the proposed slatted shed. Given the established nature of the farm and the agricultural use of the lands in the general area, it is considered that concerns regarding nuisance arising from farming practices are difficult to sustain. Noise and odour in particular are an integral part of living in the countryside. Notwithstanding this, the proposed development would result in the enclosure of the animals, an improvement in their welfare and the provision of modern facilities which are likely to reduce any noise and odour associated with feeding the cattle outdoors in the wintertime.
- 7.3.2.** The proposed shed is also located c.80m away from the appellant's dwelling and is screened by the high sod and stone fence and the existing shed to the north. It is

orientated towards the north, away from the appellants' property which is to the southwest. Any use of external lighting would be directed away from the appellants' dwelling. It is considered, therefore, that the proposed development is unlikely to result in any significant loss of residential amenity by reason of noise, odour or light pollution.

7.4. Impact on visual amenity

7.4.1. The landscape within which the site is set is not particularly sensitivity and is zoned Rural General, which is the landscape character type that can absorb development more easily. I would agree with the assessment of the P.A. that the siting and design of the shed is such that it would not give rise to a significant visual impact. The proposed shed would be located to the north of and down-slope of an existing larger agricultural shed. It would be finished in the same materials as that of the existing shed. The FFL is proposed at 400mm lower than the existing shed and would be set back further from the boundary with the access lane, which is defined by a high sod and stone fence with tree planting. The proposed shed would be well screened by existing fencing and tree/hedgerow planting and by the natural topography of the site and surrounding lands.

7.4.2. It is considered that the magnitude of the impact, in terms of the scale and nature of the change is not that significant. This is mainly due to the design and nature of the agricultural shed and to the topography of the rural area which is elevated to the south and falls away to the north. The siting of the shed at a point which is well set back from the public road, is 6-7m below the level of the crossroads and is well screened by tree planting, established hedgerows and a sod and stone fence also help to integrate the development into the landscape. It is considered, therefore, that the structure would have little or no impact on the visual amenities of the area, as it would present as an obscure view of a farm shed in a rural area.

7.5. Water quality

7.5.1. The appellants have raised concerns regarding the potential risk of water pollution and depletion of the water table by reason of the proximity of the shed to several private wells and the high demand for water associated with keeping of cattle. The applicant has advised that the purpose of the slatted shed with integral storage is to

prevent any excess runoff from outdoor feeding of animals. This is required, it is stated, to comply with the Cross Compliance Regulations. It is further stated that his use of ground water is very small due to the farming practices employed, that he uses rain harvesting to reduce his reliance on water resources and that as he has been keeping cattle for many years without any complaint from local householders, the likelihood of causing a problem with water supply is very low.

- 7.5.2.** It is noted from the Dept. of Agriculture, Food and the Marine website that the Statutory Management Requirements and Good Agricultural and Environment Conditions of the Cross Compliance scheme require, inter alia, that adequate storage capacity is provided for livestock manures and organic fertiliser and that the overall condition of the landholding is required to be maintained in good agricultural and environmental condition. Under this scheme, farm holdings are subject to regular inspections and associated penalties for non-compliance. In addition, agricultural practices (including effluent storage) are subject to a range of other statutory requirements including the European Commission (Good Agricultural Practice for Protection of Waters) Regulations 2017. These Regulations specify storage capacity requirements for the storage of livestock manure and soiled water. I note that the planning authority decision includes a number of conditions which require compliance with these regulations as well as requirements for clean roof water and surface water from yards to be piped to soakaways/watercourses and to be diverted away from soiled yards and prevented from entering storage facilities for manure etc.
- 7.5.3.** The proposed development is likely to result in improved farming practices on this established landholding which should prevent contamination of any groundwater or surface water features in the vicinity of the site. As pointed out by the first party, the wells in the vicinity are either uphill of the development or separated by a reasonable buffer. The volume of water to be used is unlikely to change significantly as a result of the proposed development. Thus, the proposed development is not likely to give rise to issues of unacceptable impacts on water quality and this matter can also be addressed by means of condition.
- 7.5.4.** It is considered therefore that, should the Board be minded to grant permission, any outstanding concerns regarding the surface drainage of the site arising from the proposed slatted shed and hardstanding area could be addressed by means of

appropriately worded conditions requiring compliance with the EU Good Agricultural Practices Regulations, the separation of clean and soiled waters and the management of foul effluent and slurry within the site.

7.6. Impact on ecology

- 7.6.1.** The appellant states that the area is known for local wildlife, including protected species of frogs and newts. It was submitted that an EIA of the development should have been undertaken on this basis. This matter will be addressed below, but it should be noted that the appellant has not provided any details or evidence of the presence of any such species or habitats supporting such species on or near the site. Neither has the appellant provided any evidence that the proposed development would have any direct or indirect effects on such a habitat. It is further noted that the site is not part of any designated site for the protection of birds, although it is proximate to such a site. The site is located within 200 – 300 metres of the Stacks to Mullaghareirk Mountains, West Limerick Hills and Mount Eagle SPA. The applicant has advised that parts of his farm have been set aside for the protection of the Hen Harrier, which is the protected species for which the SPA is designated.
- 7.6.2.** It is considered, therefore, that the site of the proposed development is within an existing farmyard complex comprising an existing farm shed, farmyard and farmhouse, and as such it is unlikely that the proposed development of a slatted shed would have any significant effects on any local wildlife.

7.7. Environmental Impact Assessment

Having regard to the nature and scale of the proposed development in a rural area, and within an established farm complex which is used for the keeping of animals, 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.

7.8. Appropriate Assessment

- 7.8.1.** There are two European sites in proximity to the appeal site as follows:-

Stacks to Mullaghareirk Mountains, West Limerick Hills and Mount Eagle SPA (Site code 004161), which is c.200m to the northwest and c.300m to the north.

Lower River Shannon SAC (Site code 002165) which is c.1km to the northeast and c.2km to the southeast.

- 7.8.2.** The appeal site is located outside of any of the designated sites and as such, no direct impacts will arise. However, it is quite close (2-300m) to the SPA, which is designated principally for Hen Harrier and also for Merlin and Short-eared Owl. The SPA is of ornithological importance because it provides excellent foraging and nesting habitat for the Hen Harrier and is one of the best sites in the country for this Annex I listed species. As stated previously, the applicant has set aside areas of his farm for the protection of the Hen Harrier. However, the site of the proposed development is within an established farmyard complex and does not provide any suitable habitat for the Hen Harrier.
- 7.8.3.** The appeal site is located c.1km from Lower River Shannon SAC, which is designated mainly for coastal and estuarine habitats, but also for watercourses, Molinia Meadows, Freshwater Pearl Mussel, Lampreys (Brook, River and Sea), Salmon and Otter. There is no known hydrological link with the SAC.
- 7.8.4.** Given the small scale and nature of the development, the distances involved and the absence of any known hydrological link with these European sites or suitable habitat within the subject site for the Hen Harrier, it is considered that there is no likelihood of indirect impacts on the European sites – Lower River Shannon SAC or Stacks to Mullaghareirk Mountains, West Limerick Hills and Mount Eagle SPA, having regard to their Conservation Objectives. It is considered, therefore, that Appropriate Assessment can be ruled out in respect of these designated sites, having regard to their Conservation Objectives.

8.0 Recommendation

It is recommended that planning permission be granted for the reasons and considerations set out below.

9.0 Reasons and Considerations

Having regard to the nature and extent of the proposed development, the established agricultural use, the planning history of the site, to the existing rural character and pattern of development in the vicinity, and to the provisions of the Kerry County Development Plan 2015-2021, it is considered that subject to compliance with the conditions set out below, the proposed development would not seriously injure the amenities of the area, or of property in the vicinity, and would, therefore, 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 received by An Bord Pleanála on the 25th day of May 2021, 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. Water supply and drainage arrangements for the site, including the attenuation and 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 separately collected and disposed of directly in a sealed system to existing drains, streams or adequate soakpits, and
 - (b) All soiled waters shall be directed to the slatted storage tank and shall not be allowed to discharge to any drains, streams or watercourse, or to the public road.

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

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

3. The slurry tank and any manure storage pit shall be constructed in accordance with the Department of Agriculture, Food and the Marine specifications. The storage capacity requirements shall be in accordance with the European Union (Good Agricultural Practices For Protection of Waters) Regulations 2017, (SI No. 605 of 2017) or any amending or substituting Regulations or guidance. The manure pit shall be properly maintained so as to prevent any leakage of manure through floors or walls. All seepage and soiled water from manure storage areas shall be connected to the underground slurry storage tank.

Reason: In the interests of pollution control.

4. All foul effluent and slurry generated by the proposed development and in the farmyard shall be conveyed through properly constructed channels to the storage facilities and no effluent or slurry shall discharge or be allowed to discharge to any drains, streams or watercourses or to the public road.

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

5. The roof and side cladding of the slatted shed shall be coloured to match the existing buildings within the farm complex.

Reason: In the interests of visual amenity.

6. The slatted shed shall only be used in strict accordance with a management schedule to be submitted to and agreed in writing with the planning authority, prior to commencement of development. The management schedule shall be in accordance with the European Communities (Good Agricultural Practice for Protection of Waters) Regulations 2017 (SI No. 605 of 2017), and shall provide at least for the following:

- (1) Details of the number and types of animals to be housed.
- (2) The arrangements for the collection, storage and disposal of slurry.
- (3) Arrangements for the cleansing of the buildings and structures.

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

7. Existing screen planting along the western boundary fence and the existing landscaping scheme shown on Drawing No. 01 Rev. A as submitted to the planning authority on 10th day of March 2021 shall be retained on site. All planting shall be adequately protected from damage until established. Any plants which die, are removed, or become seriously damaged or diseased within a period of five years from the completion of the development shall be replaced within the next planting season with others of a similar size and species, unless otherwise agreed with the planning authority.

Reason:- In the interests of the visual amenity.

Mary Kennelly
Senior Planning Inspector

22nd January 2022