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**Planning and Development Acts 2000 to 2020**

**Planning Authority: Tipperary County Council**

**Planning Register Reference Number: 19/600881**

**APPEAL** by Marian and Noel O'Brien of Ballycornane, Lisronagh, Clonmel, County Tipperary against the decision made on the 1<sup>st</sup> day of October, 2019 by Tipperary County Council to grant subject to conditions a permission to Ivan Long care of Agri Design and Planning Services of Molough, Newcastle, Clonmel, County Tipperary.

**Proposed Development** Construction of (i) slatted shed with loose straw bedding area incorporating underground effluent tank, dung stead and crush/handling yard, walled manure pit (ii) hardcore yard and all associated site works, all at Donaghmore, Lisronagh, County Tipperary.

**Decision**

**REFUSE** permission for the above proposed development in accordance with the reasons and considerations set out below.

## **Matters Considered**

In making its decision, the Board had regard to those matters to which, by virtue of the Planning and Development Acts and Regulations made thereunder, it was required to have regard. Such matters included any submissions and observations received by it in accordance with statutory provisions.

## **Reasons and Considerations**

On the basis of the information provided with the application and the appeal and in the absence of a Stage 1 Appropriate Assessment Screening Report, the Board cannot be satisfied that the proposed development, either individually or in combination with other plans or projects, would not be likely to have a significant effect on the Lower River Suir Special Area of Conservation, or any other European site, in view of the site's Conservation Objectives. In such circumstances the Board is precluded from granting approval/permission.

In deciding not to accept the Inspector's recommendation to grant permission, the Board could not be satisfied that sufficient details had been provided by the applicant to establish the extent of the landholdings where the applicant proposes to spread slurry, the quantities of slurry to be spread and details of watercourses, if any, adjoining such lands, and that in the event that any of these watercourses are linked to a designated European Site then an Appropriate Assessment screening would be required.

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**Stephen Bohan**

**Member of An Bord Pleanála**

**duly authorised to authenticate**

**the seal of the Board.**

**Dated this            day of            2020.**