



Planning and Development Acts 2000 to 2020

Planning Authority: Kerry County Council

Planning Register Reference Number: 20/514 (Killarney)

Appeal by Aiden Howe of Rockfield, Faha, Killarney, County Kerry against the decision made on the 10th day of August, 2020 by Kerry County Council to grant subject to conditions permission to David Courtney care of Denis O'Connor of 23 Clarinwood, Rathmore, County Kerry in accordance with plans and particulars lodged with the said Council:

Proposed Development: (a) Retention of existing excavation works, and (b) permission to construct a new calf rearing house/straw store adjacent to existing farm buildings at Rockfield Middle, Faha, Killarney, Co. Kerry.

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.

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

Having regard to the nature and extent of the proposed development and the development to be retained, to the history of on-site agricultural activity, and to the existing character and pattern of development in the vicinity, it is considered that, subject to compliance with the conditions set out below, the proposed development and the development to be retained 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.

Conditions

1. The development shall be carried out, retained and completed in accordance with the plans and particulars lodged with the application, 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 and the development shall be carried out, retained 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 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, to soakaways, 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.

3. 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 stream, river or watercourse, or to the public road.

Reason: In the interest of public health.

4. The roof and side cladding of the structures shall be coloured to match the existing buildings within the farm complex.

Reason: In the interest of visual amenity.

5. The landscaping of the development shall incorporate a continuous hedge of indigenous species using only indigenous deciduous trees and hedging species (holly, hawthorn, or beech) which shall be planted along the eastern boundary.

Reason: In the interest of residential and visual amenity.

John Connolly

Member of An Bord Pleanála

duly authorised to authenticate

the seal of the Board.

Dated this day of 2021.