

Planning and Development Acts 2000 to 2020

Planning Authority: Cork County Council

Planning Register Reference Number: 20/05672

Appeal by the Residents of Kilmore and Garrettstown care of Cunnane Stratton Reynolds of Cotters Street, Cork against the decision made on the 16th day of April, 2021 by Cork County Council to grant subject to conditions a permission to David Healy care of BCE Consultant Engineers Cork of Unit P5, Marina Commercial Park, Centre Park Road, Cork in accordance with plans and particulars lodged with the said Council.

Proposed Development: The construction of stables for rearing of bloodstock with feed storage over head and associated services and site entrance at Seaview Cottage, Garrettstown, Kinsale, County Cork, as amended by the further public notice received by the planning authority on the 26th day of March, 2021.

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, extent and location of the proposed development on an existing farmland, it is considered that, subject to compliance with the conditions set out below, the proposed development would be acceptable in terms of its impact on residential and visual amenity, its environmental and traffic impacts, and would, therefore, be in accordance with the proper planning and sustainable development of the area.

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 22nd day of December 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. The proposed building shall be used solely for the housing of horses and ancillary uses. Notwithstanding the exempted development provisions of the Planning and Development Regulations 2001, or any statutory provision amending or replacing them, any change of use shall be the subject of a separate application for permission to the planning authority.

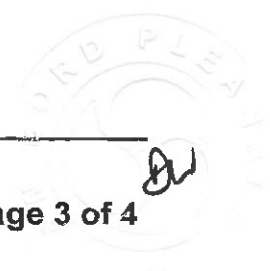
Reason: In the interest of orderly development.

3. The proposed wastewater treatment system shall be omitted. Any domestic foul waste generated by the canteen/welfare facilities shall be discharged to the existing wastewater treatment plant on the landholding. Details of the alternative provisions for the accommodation of domestic foul waste generated by the proposed development shall be submitted to, and agreed in writing with, the planning authority prior to the commencement of development.

Reason: In the interest of pollution prevention.

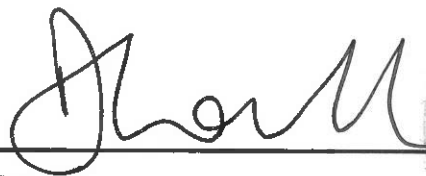
4. All stable manure and foul waters generated by the proposed development and in the farmyard shall be conveyed through properly constructed channels to storage facilities for subsequent land spreading and no effluent or slurry shall discharge or be allowed to discharge to any stream, river or watercourse, or to the public road.

Reason: In the interest of public health.



5. All uncontaminated roof water from the buildings and clean yard water shall be separately collected and discharged in a sealed system to existing drains, streams or adequate soakpits and shall not discharge or be allowed to discharge to the foul effluent drains, foul effluent and slurry storage tanks or to the public road.

Reason: In order to ensure that the capacity of effluent and storage tanks is reserved for their specific purposes.



Dave Walsh

Member of An Bord Pleanála

**duly authorised to authenticate
the seal of the Board.**



Dated this 9th day of August 2021.