

An  
Bord  
Pleanála

**Board Order**  
**ABP-312858-22**

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**Planning and Development Acts 2000 to 2022**

**Planning Authority: Cork County Council**

**Planning Register Reference Number: 21/06531**

**Appeal** by Annette Hegarty of Clonmult, Dungourney, County Cork against the decision made on the 27<sup>th</sup> day of January, 2022 by Cork County Council to grant subject to conditions a permission to Paul Kelleher care of Caitriona Hickey of Clonmult, Dungourney, County Cork in accordance with plans and particulars lodged with the said Council.

**Proposed Development:** Construction of a 298.6 square metre agricultural stable building and all associated drainage, hard surfacing and site works to facilitate the development at Clonmult, Dungourney, County Cork.

## **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.**

## Reasons and Considerations

Having regard to the rural location of the site, the pattern of development in the area, and the provisions of the Cork County Development Plan 2022-2028, it is considered that, subject to compliance with the conditions set out below, the proposed agricultural stable building would not seriously injure the general or residential amenities of the area and would be acceptable in terms of traffic safety and convenience. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

## Conditions

1. The proposed 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 the planning authority on the 30<sup>th</sup> day of December, 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 proposed development shall be carried out and completed in accordance with the agreed particulars.

**Reason:** In the interest of clarity.



2. The total number of horses to be housed in the stable building shall not exceed six.

**Reason:** In the interest of clarity and the proper planning and sustainable development of the area.

3. The proposed development shall be solely used for the purposes of personal recreation and the keeping of personal horses. No commercial operation shall occur at the site without a specific grant of planning permission for such use.

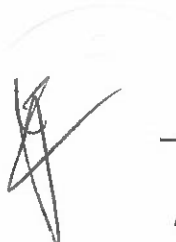
**Reason:** In the interest of clarity and residential amenity.

4. All foul effluent and slurry generated by the proposed development 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. 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.



6. 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.

7. The site shall be landscaped in accordance with a comprehensive landscaping scheme, details of which shall be submitted to, and agreed in writing with the planning authority, prior to the commencement of development.

**Reason:** In the interests of adjoining residential and visual amenity .



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**Joe Boland**  
**Member of An Bord Pleanála**  
**duly authorised to authenticate**  
**the seal of the Board.**

Dated this *8<sup>th</sup>* day of *September* 2023.