



An
Bord
Pleanála

Board Order
ABP-317189-23

Planning and Development Acts 2000 to 2022

Planning Authority: Tipperary County Council

Planning Register Reference Number: 2360191

Appeal by Peter Sweetman, and on behalf of Wild Ireland Defence, care of PO Box 13611, Bantry, County Cork against the decision made on the 8th day of May, 2023 by Tipperary County Council to grant, subject to conditions, a permission to Tom Morgan of Grangebegg, Fethard, County Tipperary in accordance with plans and particulars lodged with the said Council:

Proposed Development: Retention permission for the as constructed cattle shed. Planning permission is also being sought for an extension to the same cattle shed and all associated site works, at Grangebegg, Fethard, County Tipperary.

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 nature and scale of the development within an established agricultural farmyard, it is considered that, subject to compliance with the conditions set out below, the development would not seriously injure the visual or scenic amenity of the area and would be acceptable in terms of public health and environmental sustainability and would otherwise be supported by the relevant provisions of the Tipperary County Development Plan 2022-2028, including strategic objective SO-6 (support rural economy). The development would, therefore, be in accordance with the proper planning and sustainable development of the area.

Conditions

1. The development shall be 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 retained, carried out and completed in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. All external finishes of the proposed extension shall match those of the existing adjoining structures.

Reason: In the interest of visual amenity.

3. The cattle shed shall be designed and used only 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 design and the management schedule shall be in accordance with the European Union (Good Agricultural Practice for Protection of Waters) Regulations 2022 (S.I. No. 393/2022) (as amended), and shall provide at least for the following:
 - (a) Details of the number and types of animals to be housed.
 - (b) The arrangements for the collection and storage of slurry. No effluent or slurry shall discharge or be allowed to discharge to any stream, river or watercourse, or public road.
 - (c) Arrangements for the cleansing of the building and related structures.

Reason: In order to avoid pollution and in the interest of residential amenity.

4. 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) Regulations 2022 (S.I. No. 393/2022), as amended.

Where slurry or manure generated by the proposed development is moved to other locations, details of such movements are to be notified to the Department of Agriculture, Food and the Marine in accordance with the European Union (Good Agricultural Practice for Protection of Waters) Regulations 2022 (S.I. No. 393/2022) (as amended).

Where slurry or manure is removed by a third party, by agreement, to be landspread elsewhere, details of such an agreement (to include name of third party, lands to be spread, amounts of material) should be furnished to the local authority in which said lands are located.

Reason: To ensure the satisfactory disposal of waste material, in the interest of amenity, public health and to prevent pollution of watercourses.

5. The disposal of surface water shall comply with the requirements of the planning authority for such works and services. In this regard uncontaminated surface water run-off shall be disposed of directly in a sealed system.

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

6. Prior to the commencement of development, a Resource Waste Management Plan (RWMP), as set out in the Environmental Protection Agency's Best Practice Guidelines for the Preparation of Resource and Waste Management Plans for Construction and Demolition Projects (2021), shall be prepared and submitted to the planning authority for written agreement. The RWMP shall include specific proposals as to how the RWMP will be measured and monitored for effectiveness. All records (including for waste and all resources) pursuant to the agreed RWMP shall be made available for inspection at the site office at all times.

Reason: In the interest of public health.



Patricia Calleary

Member of An Bord Pleanála

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

Dated this 17th day of September 2024.