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**Planning and Development Acts 2000 to 2022**

**Planning Authority: Kerry County Council**

**Planning Register Reference Number: 23692**

**Appeal** by Peter Sweetman and Associates and on behalf of Wild Ireland Defence CLG care of Post Office Box 13611, Bantry, County Cork against the decision made on the 10th day of August, 2023 by Kerry County Council to grant subject to conditions a permission to Pat O'Donnell care of Philip O'Dwyer of Foxfort, Causeway, County Kerry in accordance with plans and particulars lodged with the said Council.

**Proposed Development:** Construction of an easy feed slatted house complete with slatted slurry tank for cattle, lie-back area, cattle crush, feed barriers, canopy and all ancillary site works at Knockenagh South, Coolard, Lisselton, Listowel, County 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.**

## Reasons and Considerations

Having regard to the nature and scale of the proposed development within an existing agricultural farmyard, it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the biodiversity or visual amenity of the area, would not be prejudicial to public health and would be acceptable in terms of environmental sustainability. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

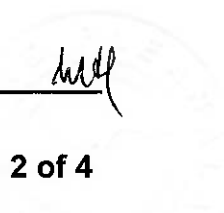
## Appropriate Assessment Screening

Having regard to the information on the file, the Board concluded that the proposed development, individually or in combination with other plans or projects would not be likely to have a significant effect on any European site, and a stage 2 Appropriate Assessment is not therefore required.

## Conditions

1. The development shall be carried out 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 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 use of the proposed building shall be for agricultural purposes only.

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

3. The cladding to the roof and walls of the proposed building shall be a colour similar to that of the existing farm buildings.

**Reason:** In the interest of visual amenity.

4. The development shall be designed and constructed in accordance with the Department of Agriculture, Food and the Marine specifications as per the European Communities (Good Agricultural Practice for Protection of Waters) Regulations, 2022 (S.I 113 of 2022).

**Reason:** In the interest of public health and residential amenity.

5. 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, and
- (b) all soiled waters shall be directed to a storage tank. Drainage details shall be submitted to, and agreed in writing with, the planning authority, prior to commencement of development.

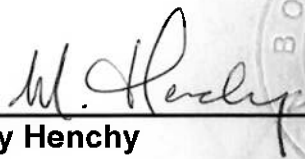
**Reason:** In the interest of environmental protection and public health.

6. The removal of organic waste material and its spreading on land by the applicant or third parties shall be undertaken in accordance with the systems of regulatory control implemented by the competent authorities in relation to national regulations pursuant to Council Directive 91/676/EEC (the Nitrates Directive) concerning the protection of waters against pollution caused by nitrates from agricultural sources.

**Reason:** In the interest of environmental protection.

7. The existing roadside boundary shall be retained in full and shall be suitably strengthened with native hedge species, details of which shall be agreed in writing with the planning authority prior to commencement of the development. The landscaping on site shall be carried out in accordance with the said details and in accordance with the landscaping proposed on the site plan submitted with the application.

**Reason:** In the interest of visual amenity and to compensate for the loss of biodiversity.



M. Henchy

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**Mary Henchy**

**Member of An Bord Pleanála**

**duly authorised to authenticate**

**the seal of the Board.**

Dated this 25<sup>th</sup> day of September 2024.