

An
Bord
Pleanála

Board Order ABP-319596-24

Planning and Development Acts 2000 to 2022

Planning Authority: Cork County Council

Planning Register Reference Number: 24/04221

Appeal by Wild Irish Defence CLG care of Peter Sweetman, PO Box 13611, Bantry, County Cork against the decision made on the 8th day of April, 2024 by Cork County Council to grant subject to conditions a permission to Con Goggin care of Agri Design Services of Knockduff, Cullen, Mallow, County Cork in accordance with plans and particulars lodged with the said Council.

Proposed Development: Construction of a new roofed collecting yard adjacent to existing milking parlour. Proposed new roofed collecting yard to incorporate new underground slatted soiled water tank with external agitation and crush and ancillary external concrete. The above to be carried out with all associated ancillary site works, all at Rathranna, Kanturk, 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 nature and extent of the proposed agricultural development within an established agricultural farmyard, the history of on-site agricultural activity, and 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 would not seriously injure the amenities of the area or of property in the vicinity, would be acceptable in terms of public health and environmental sustainability, and would, therefore, be in accordance with the proper planning and sustainable development of the area.

Appropriate Assessment: Screening:

In accordance with Section 177U of the Planning and Development Act 2000, as amended, and on the basis of the information considered in the Appropriate Assessment Screening carried out by the Board, the Board concluded that the proposed development, individually or in combination with other plans or projects, would not be likely to give rise to significant effects on any European Site, including the Blackwater River (Cork/Waterford) Special Area of Conservation (Site Code: 002170) and Appropriate Assessment is not, therefore, required.

Conditions

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

Reason: In the interest of clarity.



2. The proposed 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.

3. All external finishes shall match those of the existing adjoining structures.

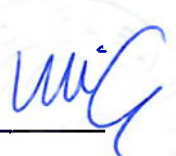
Reason: In the interest of visual amenity.

4. Water supply and drainage arrangements for the site, including the attenuation and 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 an appropriately sized soiled water storage tank (in accordance with the requirements of the European Union (Good Agricultural Practice for the Protection of Waters (Amendment) Regulations 2022, as amended. 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.



5. The removal of organic waste material and its spreading on land by the developer 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.



Liam McGree

Member of An Bord Pleanála

duly authorised to authenticate

the seal of the Board

Dated this 11 day of NOVEMBER 2024.