

An
Bord
Pleanála

Board Order ABP-320082-24

Planning and Development Acts 2000 to 2022

Planning Authority: Tipperary County Council

Planning Register Reference Number: 24/92

Appeal by Peter Sweetman on behalf of Wild Ireland Defense of P.O Box 13611, Bantry, County Cork against the decision made on the day of 13th day of June 2024 by Tipperary County Council to grant subject to conditions a permission to Monour Farm Limited care of Liam Slattery and Associates Limited of 3 Cois na Gleann, Glanmire, Cork in accordance with plans and particulars lodged with the said Council.

Proposed Development: Construction of a calf house extension with effluent tank and ancillary works, all at Moanour, Kilross, 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.

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Reasons and Considerations

Having regard to the nature and scale of the proposed development within an established agricultural farmyard, it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the visual amenity of the area, would be acceptable in terms of public health and environmental sustainability, and would be in accordance with the relevant provisions of the Tipperary County Development Plan 2022-2028, including Strategic Objective SO-6, to support a sustainable, diverse and resilient rural economy. 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, 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 constructed and operated in accordance with the requirements as outlined in the European Union (Good Agricultural Practice for Protection of Waters) (Amendment) Regulations, 2022, as amended. The developer shall provide for the relevant storage requirements as outlined in Schedule 3 of the aforementioned regulations.

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

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3. 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.

4. All oxidisable and galvanised surfaces of the proposed development shall be painted a dark green matt colour or similar dark matt colour and shall be maintained in perpetuity.

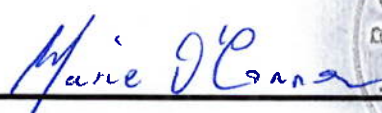
Reason: In the interest of visual amenity.

5. All foul effluent and slurry generated by the proposed development and in the farmyard 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.

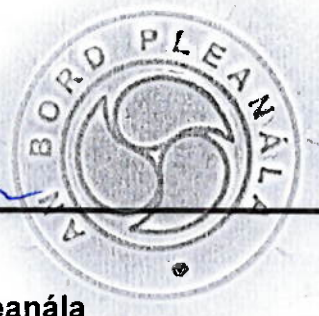
Reason: In the interest of environmental protection and public health.

6. All uncontaminated roof water from 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.



Marie O'Connor
Member of An Bord Pleanála
duly authorised to authenticate
the seal of the Board.



Dated this 11 day of December 2024.