



An
Bord
Pleanála

Board Order
ABP-320085-24

Planning and Development Acts 2000 to 2022

Planning Authority: Tipperary County Council

Planning Register Reference Number: 2460304

Appeal by Wild Ireland Defence CLG care of Peter Sweetman of P. O. Box 13611, Bantry, County Cork against the decision made on the 13th day of June, 2024 by Tipperary County Council to grant subject to conditions a permission to Patrick Raleigh care of Aidan Kelly of Molough, Newcastle, Clonmel, County Tipperary in accordance with plans and particulars lodged with the said Council:

Proposed Development: Construction of (i) slatted shed with underground slurry tank, and (ii) crush yard and all associated site works at Glengoole South, New Birmingham, Thurles, 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, and to the provision of additional storage capacity for the management of slurry and animal manures, 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 supported by the relevant provisions of the Tipperary County Development Plan 2022-2028, including strategic objective SO-6 (support rural economy). The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

Appropriate Assessment - Screening

The Board noted that the proposed development is not directly connected with or necessary to the management of a European site. In completing the screening for Appropriate Assessment, the Board accepted and adopted the screening assessment and conclusion carried out in the Inspector's report in respect of the identification of the European Site River Barrow and River Nore Special Area of Conservation (Site Code: 002162) which could potentially be affected, either individually or in combination with other plans and projects, and considered that the development would not be likely to have a significant effect on the European Site in view of the site's conservation objectives, and that 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. 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.

3. 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.

4. The removal of waste organic 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.

Mary Gurrie

Mary Gurrie

Member of An Bord Pleanála

duly authorised to authenticate

the seal of the Board.

Dated this *02* day of *December* 2024.