



An  
Bord  
Pleanála

**Board Order**  
**ABP-320238-24**

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**Planning and Development Acts 2000 to 2022**

**Planning Authority: Tipperary County Council**

**Planning Register Reference Number: 2460356**

**Appeal** by Peter Sweetman, Wild Ireland Defense CLG of PO Box 13611, Bantry, County Cork against the decision made on the 26<sup>th</sup> day of June, 2024 by Tipperary County Council to grant subject to conditions a permission to John Mooney care of McLoughney Surveying Group of Ballynamire, Tullamore, County Offaly, in accordance with plans and particulars lodged with the said Council:

**Proposed Development:** (1) Permission to construct of a new farm building extension to the side of the existing milking parlour to provide covered area to the existing livestock handling area, completed with associated siteworks; (2) Permission to demolish existing underground open slurry storage tank and to construct in its place a new double concrete underground slatted slurry storage tank completed with associated siteworks, and (3) Permission to construct two new concrete underground slatted soiled water storage tanks in farm yard areas completed with associated siteworks at Ballyrickard North, Borrisokane, 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 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 supported by 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 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. For clarity, this permission is for works as described in the public notices only.

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

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2. The proposed development shall be designed, cited, 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 applicant shall provide for the relevant (location dependent) storage requirements as outlined in schedule 3 of the aforementioned regulations. The landspreading of soiled waters and slurry shall be carried out in strict accordance with the requirements as outlined in the aforementioned regulations. Prior to the commencement of the development details showing how the applicant intends to comply with this requirement shall be submitted to and agreed in writing with the planning authority.

**Reason:** In order to avoid pollution and to protect residential amenity.

3. All oxidisable surfaces shall be painted in a colour to match the existing farm buildings on site and it shall be maintained as such.

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

4. All uncontaminated roof water from buildings and clean yard water shall be separately collected and discharged in a sealed system to existing drains, watercourses or to appropriately sized soakaways.

Uncontaminated waters shall not be allowed to discharge to soiled water and/or slurry tanks or to the public road.

**Reason:** In order to ensure that the capacity of soiled water tanks are reserved for their specific purposes.



**Emer Maughan**

**Member of An Bord Pleanála**

**duly authorised to authenticate**

**the seal of the Board**

Dated this 1<sup>st</sup> day of April

2025