



An
Coimisiún
Pleanála

Commission Order
ABP-320708-24

Planning and Development Acts 2000 to 2022

Planning Authority: Cork County Council

Planning Register Reference Number: 24/310

Appeal by John Morehart of Toormore, Goleen, County Cork against the decision made on the 4th day of August, 2024 by Cork County Council to grant subject to conditions a permission to George and Margaret Whitley care of Liam O'Donovan of South View House, Caherkirky, Rossmore, Clonakilty, County Cork in accordance with plans and particulars lodged with the said Council.

Proposed Development: Construction of a cattle house with slatted slurry tank, machinery storage shed for own farm machinery for own use and carry out all associated site works at Toormore, Goleen, 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 established nature of the farmyard and ancillary facilities and the pattern of development in an agricultural area and notwithstanding the location of the subject site within a scenic rural area of County Cork and in an area classed as a High Value Landscape in the Cork County Development Plan 2022-2028, it is considered that subject to compliance with the conditions set out below, the location and siting of the proposed development within and adjoining an existing farmyard complex would not unduly detract from the residential amenities of the neighbouring property, would not adversely impact on the visual amenities or landscape character of the area which includes a protected scenic route, would not give rise to pollution and would be acceptable in terms of traffic safety. 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, as amended by the further plans and particulars received by the planning authority, 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 soiled waters and slurry generated by the proposed development shall be conveyed through properly constructed channels to the proposed and existing storage facilities. No soiled waters or slurry shall discharge or be allowed to discharge to any drainage channel, stream, watercourse or to the public road.

Reason: In the interest of public health.

3. 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 to ground in appropriately sized soakaways.
 - (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), or to a slatted tank. Drainage details in this regard shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.
 - (c) All separation distances for potable water supplies as outlined in the European Union (Good Agricultural Practice for the Protection of Waters) (Amendment) Regulations 2022, as amended) shall be strictly adhered to.

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

4. 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 water against pollution caused by nitrates from agricultural sources.

Reason: In the interest of environmental protection

Patricia Calleary

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Planning Commissioner of An Coimisiún

**Pleanála duly authorised to authenticate
the seal of the Commission.**

Dated this *14* day of *July* 2025

