



An
Coimisiún
Pleanála

Commission Order
ABP-320800-24

Planning and Development Acts 2000 to 2022

Planning Authority: Cork County Council

Planning Register Reference Number: 23/06598

Appeal by Colm Murphy of Killowen, Millstreet, County Cork against the decision made on the 15th day of August, 2024 by Cork County Council to grant, subject to conditions a permission, to Sile and Brid Murphy care of Matt Fitzpatrick Architect of 8 Carmichael Lane, Mallow, County Cork in accordance with plans and particulars lodged with the said Council.

Proposed Development: Retention for slatted unit shed extension to existing farm buildings as constructed on site and all associated site works at Derrygowna, Banteer, 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 scale of the development within an established agricultural farmyard, it is considered that, subject to compliance with the conditions as set out below, the development proposed to be retained would accord with the provisions of the Cork County Development Plan 2022-2028, would not seriously injure any habitats or wildlife in the area and would be acceptable in terms of public health and environmental sustainability. The development proposed to be retained would, therefore, be in accordance with the proper planning and sustainable development of the area.

Conditions

1. The development shall be retained in accordance with the plans and particulars lodged with the application, as amended by the further plans and particulars received by the planning authority on the 19th day of July 2024, 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. The use of the building shall be for agricultural purposes only.

Reason: In the interest of clarity.

3. Surface water shall not be permitted to flow onto the public road and a drainage channel with a minimum width of six inches (150 millimetres) shall be provided across the full width of the access driveway inside the entrance gate to the satisfaction of the planning authority. This outlet from the drainage channel shall discharge to a properly constructed percolation area, constructed using 12 metres of rigid 100 millimetres diameter perforated pipe. This work shall be carried out within three months from the date of grant of permission.

Reason: To ensure no surface water flows onto the public road.

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.

5. 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 interests of environmental protection and public health.

6. 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: To ensure the satisfactory disposal of waste material, in the interest of amenity, public health and to prevent pollution of waters.

Mary Gurrie

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Planning Commissioner of An Coimisiún

Pleanála duly authorised to authenticate

the seal of the Commission.

Dated this *23* day of *July* 2025.

