

An  
Coimisiún  
Pleanála

Commission Order  
ABP-321033-24

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**Planning and Development Acts 2000, as amended**

**Planning Authority: Cork County Council**

**Planning Register Reference Number: 245395**

**Appeal** by Frank and Catherine Brennan of Barryscourt, Carrigtwohill, County Cork and by Others against the decision made on the 16<sup>th</sup> day of September, 2024 by Cork County Council to grant subject to conditions a permission to Owenacurra Agri care of Pabia Consulting Limited of Unit 1G North Valley Business Centre, Mallow Road, County Cork in accordance with plans and particulars lodged with the said Council:

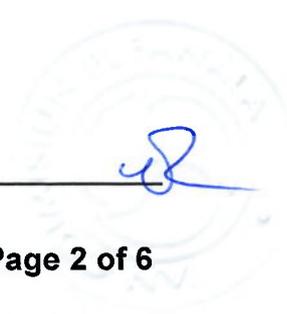
**Proposed Development:** Permission for alterations to agricultural grain store previously approved under planning reference number 21/4638, including construction of: (1) two number additional grain stores (area 2713.94 square metres); (2) enlarged farm shed (1692.73 square metres) for agricultural machinery and hay/straw storage in revised orientation; (3) five number water storage tanks; and (4) all associated site works at Barryscourt Farm, Barryscourt, Carrigtwohill, 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 Cork County Development Plan 2022-2028, in particular Section 8.15 (The Rural Economy) and Objective EC 8-13 (b) which seeks to strengthen rural economies through the promotion of innovation and diversification into new sectors and services, including to ensure economic resilience and job creation, and having regard to the established use of the site for agricultural purposes, and the nature and extent of the extension and alterations to an existing grain store, the scale of the development relative to the site area, the site landscaping, and the pattern of development in the area, it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the visual amenities of the area or of property in the vicinity and would be acceptable in terms of traffic safety and residential amenity. 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 on the 23<sup>rd</sup> 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. Unless otherwise specified in the conditions below, the proposed development shall comply with the conditions of Planning Permission Register number ABP-312289-21, which governs the overall development of the lands of which the subject site forms part.

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

3. The attenuation and disposal of surface water shall comply with the requirements of the planning authority for such works and services, and details of same shall be submitted to the planning authority prior to commencement of development.

**Reason:** In the interest of public health.

4. Operating hours during harvest season, shall be between the hours of 0700 and 2200 Monday to Saturday and between 0800 and 2000 on Sundays, to facilitate collection and drying of crop. At all other times of the year, operating hours shall be 0800 to 2000 Mondays to Saturdays inclusive, and not at all on Sundays and public holidays. Deviation from these times shall only be allowed in exceptional circumstances where prior written agreement has been received from the planning authority.

**Reason:** To safeguard the amenity of property in the vicinity.

5. Site development and building works shall be carried out between the hours of 0700 to 1900 Mondays to Fridays inclusive, between 0800 to 1400 on Saturdays and not at all on Sundays and public holidays. Deviation from these times shall only be allowed in exceptional circumstances where prior written agreement has been received from the planning authority.

**Reason:** To safeguard the amenity of property in the vicinity.

6. The dust control measures set out in the Applicant's response to the appeal dated the 6<sup>th</sup> day of November 2024, shall be implemented in their entirety. Total dust deposition values shall not exceed 350 mg/m<sup>2</sup>/day, averaged over a 30-day period.

**Reason:** In the interest of public health.

7. Noise emissions from the site when measured at site boundaries shall not exceed 55dB (Laeq 30 min) between 0800 hours and 2000 hours, Monday to Friday and 45dB (Laeq 15 min) at any other time. Daytime level shall be rated by the inclusion of a 5dB penalty where emissions from the site include total or impulsive characteristics. No tones or impulses (for example, warning signals from reversing vehicles) shall be permitted between 2000 hours and 0800 hours.

**Reason:** In the interest of the residential amenity of the area.

8. The site shall be landscaped in accordance with a comprehensive scheme of landscaping, details of which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. All planting shall be adequately protected from damage until established. Any plants which die, are removed or become seriously damaged or diseased, within a period of five years from the completion of the development shall be replaced within the next planting season with others of similar size and species, unless otherwise agreed in writing with the planning authority.

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

9. Prior to commencement of works, the developer shall submit to, and agree in writing with the planning authority, a Construction and Environmental Management Plan, which shall be adhered to during construction. This plan shall provide details of intended construction practice for the development, including traffic management, wheel washing facilities, noise and dust management measures, and off-site disposal of construction/demolition waste to ensure protection of soils, groundwater and surface waters.

**Reason:** In the interest of public safety and amenity.

10. The developer shall pay to the planning authority a financial contribution in respect of public infrastructure and facilities benefiting development in the area of the planning authority that is provided or intended to be provided by or on behalf of the authority in accordance with the terms of the Development Contribution Scheme made under section 48 of the Planning and Development Act 2000, as amended. The contribution shall be paid prior to commencement of development or in such phased payments as the planning authority may facilitate and shall be subject to any applicable indexation provisions of the Scheme at the time of payment. Details of the application of the terms of the Scheme shall be agreed between the planning authority and the developer, or, in default of such agreement, the matter shall be referred to An Coimisiún Pleanála to determine the proper application of the terms of the Scheme.

**Reason:** It is a requirement of the Planning and Development Act 2000, as amended, that a condition requiring a contribution in accordance with the Development Contribution Scheme made under section 48 of the Act be applied to the permission.

  
Mary Rose McGovern

  
Planning Commissioner of An Coimisiún  
Pleanála duly authorised to authenticate  
the seal of the Commission.

Dated this *17th* day of *February* 2026