



An  
Bord  
Pleanála

## Board Order

**ABP-321067-24**

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**Planning and Development Acts 2000 to 2022**

**Planning Authority: Tipperary County Council**

**Planning Register Reference Number: 24/60613**

**Appeal** by Wild Irish Defense CLG care of Peter Sweetman of PO Box 13611, Bantry, County Cork against the decision made on the 23<sup>rd</sup> day of September, 2024 by Tipperary County Council to grant subject to conditions a permission to John Ryan care of Tom Ryan of 13 Meadow Well, Grantstown Village, County Waterford in accordance with plans and particulars lodged with the said Council.

**Proposed Development:** Construction of a slatted cubicle house extension, together with associated slatted underground slurry storage tank, concrete yards and site works, all at Ballydine, Goold's Cross, Cashel, 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.

### **Appropriate Assessment Screening:**

The Board noted that the proposed development is not directly connected with or necessary to the management of any European Site. In completing the screening for Appropriate Assessment, the Board accepted and adopted the screening assessment and conclusions reached in the inspector's report. This assessment identified the relevant European Site that could potentially be affected by the proposed development, namely the Lower River Suir Special Area of Conservation (Site Code: 002137), and evaluated the potential for likely significant effects, either individually or in combination with other plans or projects, on this site in view of its Conservation Objectives. The Board was satisfied that the proposed development, either alone or in combination with other plans or projects, would not be likely to have a significant effect on the European Site, in view of the site's Conservation Objectives.

## Conditions

1. The proposed 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 proposed development shall be carried out and completed in accordance with the agreed particulars.

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

2. 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:** In the interest of environmental protection.

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

**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.



Tom Rabbette

Member of An Bord Pleanála

duly authorised to authenticate  
the seal of the Board.

Dated this 27<sup>th</sup> day of May 2025.