

An
Coimisiún
Pleanála

Commission Order
ABP-321399-24

Planning and Development Act 2000, as amended

Planning Authority: Tipperary County Council

Planning Register Reference Number: 2460367

Appeal by Wild Irish Defense CLG of PO Box 13611, Bantry, County Cork against the decision made on the 20th day of November 2024, by Tipperary County Council to grant, subject to conditions, a permission to John Fanning care of Eoghan Franks of 1 The Paddocks, Stradavoher, Thurles, County Tipperary in accordance with plans and particulars lodged with the said Council.

Proposed Development: Demolition of the existing shed and the construction of two new sheds with underground slatted tank and feeding passage and all associated site works, all at Glenreagh Mor, Holycross, 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 proposed 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 30th day of October 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 proposed development shall be carried out and completed in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. The proposed development shall be designed, sited, 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 developer shall provide for the relevant (location dependent) storage requirements as outlined in Schedule 3 of the aforementioned regulations. The land spreading of soiled waters and slurry shall be carried out in strict accordance with the requirements as outlined in the aforementioned regulations. Prior to commencement of development, details showing how the developer 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 in perpetuity.

Reason: In the interest of visual amenity.

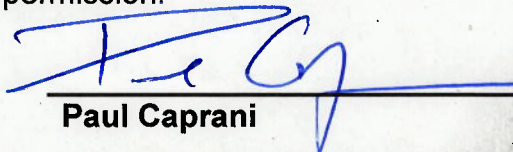
4. All uncontaminated roof water from buildings and clean yard water shall be separately collected and discharged in a sealed system to existing drains, watercourses or to appropriately sized soakaways.

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.

5. (a) The developer shall ensure that all demolition/construction works on site are carried out in a manner such that noise and dust emissions do not result in significant impairment of, or significant interference with, amenities or the environment beyond the site boundary.
- (b) The developer shall ensure that material from the site is not spread or deposited on the public roadway and shall maintain the roadway in a clean, tidy, and safe condition. Any damage to, or interference with, the roadside drainage shall be made good without delay at the developer's expense, to the satisfaction of the planning authority.
- (c) No construction/demolition activity giving rise to noise, audible from the nearest habitable dwelling, shall be carried out on Sundays, bank holidays or public holidays.
- (d) All construction and demolition activity giving rise to noise audible from the nearest habitable dwelling shall be restricted to between 0800 to 1800 hours Mondays to Fridays, inclusive, between 0800 to 1400 hours on Saturdays, and not at all on Sundays or public holidays.

Reason: To prevent a noise nuisance or traffic hazard arising from the implementation of the permission.



Paul Caprani

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



Dated this 26th day of August 2025.