

Planning and Development Act 2000, as amended

Planning Authority: Longford County Council

Planning Register Reference Number: 24/60119

Appeal by Barneygole Residents against the decision made on the 14th day of January, 2025 by Longford County Council to grant subject to conditions a permission to Brenda McNamee in accordance with plans and particulars lodged with the said Council.

Proposed Development: Construction of a one-storey pet crematorium (58 square metres). Permission is also sought for the installation of a wastewater treatment system and polishing filter, and permission for a new vehicular entrance and all associated site works, all at Barneygole, Edgeworthstown, County Longford.

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 modest size and scale of the proposed development located in a rural area, it is considered that, subject to compliance with the conditions set out below, the proposed development would provide an appropriate diversification of existing agricultural activities in accordance with the provisions of Section 9.3.1 (Rural Enterprise and Economy) of the Longford County Development Plan 2021-2027, would not adversely affect the residential amenities of property in the vicinity by reason of excessive noise or air pollution, would not otherwise be prejudicial to public health, would generally be acceptable in terms of traffic safety and convenience, and would, therefore, be in accordance with the proper planning and sustainable development of the area.

In deciding not to accept the Inspector's recommendation to refuse permission, the Commission did not share the concern expressed in the original Inspector's report that the road serving the proposed development was substandard in form having particular regard to the modest levels of traffic generated by the proposed development on a daily basis. Furthermore, the Commission had regard to condition number two of the planning authority's grant of planning permission whereby the facility shall be restricted to the cremation of small domestic pets only and the number of pets to be cremated in anyone day shall not exceed seven. On this basis, the Commission was satisfied that the levels of traffic generated by the proposed development would be relatively modest and would not impact on the carrying capacity of the road.

The Commission did not share the Inspector's concerns regarding the location of the proposed pet crematorium in this particular rural setting. Having regard to the information submitted with the planning application and the appeal, including the air dispersion modelling undertaken and the separation distances between the proposed pet crematorium and the nearest sensitive receptors, the Commission was satisfied that the proposed development would not result in any adverse impacts in terms of noise, air pollution or odour. The Commission considered that the separation distance of circa 50 metres between the front of the nearest dwelling and the proposed chimney flue of the crematorium was sufficient to ensure that no adverse amenity impacts would arise, and this conclusion is supported by the air dispersion and odour modelling undertaken on behalf of the applicant. While the Commission noted the Inspector's conclusion that a pet crematorium may be more appropriately located on lands zoned industrial or enterprise, the Commission considered that locating a pet crematorium on zoned service lands in an urban area may place the crematorium in closer proximity to residential and other receptors which could potentially have greater adverse amenity impacts. The Commission was satisfied, therefore, having regard to the relatively low density of settlement in the vicinity of the proposed crematorium, that the proposed location would be more acceptable from a residential amenity perspective particularly having regard to the separation distances involved.

Finally, the Commission noted the concerns expressed in the Inspector's addendum report in respect of the meteorological data set used dating from the period 2016 to 2020. While the meteorological data set may not be the most up to date, the Commission considered that the use of this data did not invalidate the air dispersion modeling undertaken. The modeling conclusions, in the view of the Commission, remain valid particularly having regard to the relatively low concentrations of pollutants likely to be experienced at the nearest sensitive receptors. The meteorological conditions in the vicinity of the subject site will not have altered to such a significant extent in the

intervening period between 2020 and 2026 so as to render the conclusions set out in the dispersion modeling exercise invalid. The Commission was satisfied, therefore, that the proposed development would not represent a threat to surrounding residential dwellings in the vicinity in terms of air pollution. The Commission also had regard to the fact that any future operation of the proposed crematorium would be governed by the Animal By-Products Regulations (SI No 187 of 2014) and that any operation of the proposed development is required to comply with these Regulations in terms of emissions.

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 16th day of December, 2024, and the further plans and particulars received by An Coimisiún Pleanála on the 20th day of August, 2025, 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 used for the cremation of small domestic pets only and the maximum number of animal/pets to be incarcerated in any one day shall not exceed seven.

Reason: In the interest of residential amenity and traffic safety.

3. Drainage arrangements, including the attenuation and disposal of surface water, shall comply with the requirements of the planning authority for such works and services.

Reason: In the interest of public health and surface water management.

4. A plan containing details for the storage of animal carcasses and the management of waste within the proposed development, including the provision of facilities for carcass storage, waste separation and collection of the waste and, in particular, recyclable materials, shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. Thereafter, the storage of carcasses and waste shall be managed in accordance with the agreed plan.

Reason: To provide for the appropriate storage of animal carcasses and management of waste in the interest of protecting the environment.

5. (a) During the operational phase of the proposed development, the noise level arising from the proposed development, as measured at the nearest noise sensitive location, shall not exceed:
 - (i) An Leq,1h value of 55 dB(A) during the period 0800 to 2200 hours from Monday to Saturday inclusive.
 - (ii) An Leq,15 min value of 45 dB(A) at any other time. The noise at such time shall not contain a tonal component.

At no time shall the noise generated on site result in an increase in noise level of more than 10 dB(A) above background levels at the boundary of the site.

- (b) All sound measurements shall be carried out in accordance with ISO Recommendation 1996:2007: Acoustics - Description and Measurement of Environmental Noise.

Reason: To protect the amenities of property in the vicinity.

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

Reason: In order to safeguard the amenities of property in the vicinity.

7. (a) Commissioning of the pet cremation unit shall be undertaken after installation and duly certified to indicate the unit is operating to specification, based on the specified batch throughput. This certification shall be submitted to the planning authority within 14 days of its completion.
- (b) If during ongoing operations, the operational temperature and time requirements are not in accordance with the operating specification, no processing shall be undertaken until appropriate measures are taken to restore the operating temperature.
- (c) Annual service and certification of equipment, and independent calibration shall be undertaken, and records of same retained for inspection by the planning authority, if required.
- (d) Records of batch throughput shall be maintained and shall be sufficient to demonstrate that the operation of the unit complies with this batch throughput machine specification submitted with the planning application.

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

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. This scheme shall include the following:

- (a) A plan to scale of not less than 1:500 showing:
- (i) Existing trees and hedgerows, specifying which are proposed for retention as features of the site landscaping.
 - (ii) The measures to be put in place for the protection of these landscape features during the construction period.
 - (iii) The species, variety, number, size and locations of all proposed trees and shrubs (which shall comprise predominantly native species such as mountain ash, birch, willow, sycamore, pine, oak, hawthorn, holly, hazel, beech or alder) (which shall not include prunus species).
 - (iv) Details of screen planting.
 - (v) Details of roadside/street planting.
- (b) Specifications for mounding, levelling, cultivation and other operations associated with plant and grass establishment.
- (c) A timescale for implementation.

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 proposed 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.

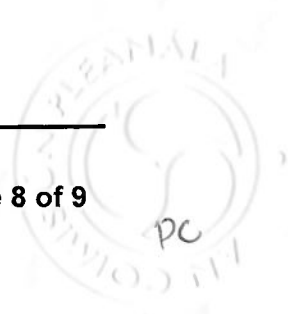
9. (a) The septic tank/wastewater treatment system hereby permitted shall be installed in accordance with the recommendations included in the site characterisation report submitted with the planning application and shall be in accordance with the standards set out in the document entitled "Code of Practice - Domestic Waste Water Treatment Systems (Population Equivalent ≤ 10)" – Environmental Protection Agency, 2021.

- (b) Treated effluent from the septic tank/wastewater treatment system shall be discharged to a percolation area/polishing filter which shall be provided in accordance with the standards set out in the document entitled "Code of Practice - Domestic Waste Water Treatment Systems (Population Equivalent ≤ 10)" – Environmental Protection Agency, 2021.
- (c) Within three months of the completion of the proposed development, the developer shall submit a report to the planning authority from a suitably qualified person (with professional indemnity insurance) certifying that the septic tank/wastewater treatment system and associated works is constructed and operating in accordance with the standards set out in the Environmental Protection Agency document referred to above.

Reason: In the interest of public health and to prevent water pollution.

- 10. The developer shall submit annual report to the planning authority detailing the number of animals cremated, and the volumes of ash disposed, including details of the disposal. The developer shall also provide the planning authority with a log of complaints received from members of the public.

Reason: In the interest of orderly development and to allow the planning authority to review operations on site.



11. 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.



Paul Caprani

Planning Commissioner of An Coimisiún

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

Dated this 23rd day of September 2026.