

An
Coimisiún
Pleanála

Commission Order
PL-501282-KY-26

Planning and Development Act 2000, as amended

Planning Authority: Kerry County Council

Planning Register Reference Number: 25/61186

Appeal by Karyna Corkery and by Peter Mangan and others against the decision made on the 9th day of April, 2026 by Kerry County Council to grant subject to conditions a permission to Paul O'Neill in accordance with plans and particulars lodged with the said Council.

Proposed Development: (a) Construct a private farm complex consisting of four number agricultural buildings and a polytunnel, (b) construct a new vehicular site entrance from the public road and (c) construct all associated site works, all at Curraheen, Glenbeigh, County Kerry, as revised by the further public notice received by the planning authority on the 16th day of March, 2026.

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 location of the site within a rural location, to the modest scale and nature of the proposed development, and to the separation distances to surrounding properties, it is considered that the proposed development, subject to compliance with the conditions set out below, would not seriously injure the residential amenities of the area, would be acceptable in terms of traffic safety and convenience and would not have an adverse impact on the environment. 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 6th day of March, 2026 and the 16th day of March, 2026, 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. A comprehensive boundary treatment and landscaping scheme shall be submitted to, and agreed in writing with, the planning authority, prior to commencement of development. This scheme shall include the following:-
 - (a) appropriate boundary fencing of at least 1.8 metres in height to safely enclose the Ostriches to be kept on site. The fencing shall be in accordance with the Guidance on the keeping of Ostrich and Emus, Dangerous Wild Animals (Northern Ireland) Order 2004;

- (b) details of proposed boundary treatments at all other perimeters of the site, including heights, materials and finishes, shall be agreed with the planning authority prior to the commencement of development;
- (c) locations of trees to be retained and removed, and other landscape planting within the development, including details of the boundary treatment and landscaping shall be carried out in accordance with the agreed scheme.

Reason: In the interests of biodiversity, visual amenity and public safety.

- 3. (a) The existing roadside boundary shall be retained except for where its part removal is necessary for the construction of an entrance with adequate sight lines.
- (b) Vehicular access to the site shall be located as shown on the Site Layout Map received by the planning authority on the 6th day of March, 2026, and shall be recessed from the centre of existing front boundary fence.
- (c) The new wing walls shall be constructed in sod and stone or native stone. Wing walls forming the entrance shall be erected to a height of not more than one metre over existing road level and shall be splayed at an angle of 45° to the line of the front fence.

Reason: In the interests of visual amenity and traffic safety.

4. Details of the materials, colours and textures of all the external finishes to the proposed development, including the site entrance, shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interest of visual amenity.

5. All construction activities on site shall be carried out/managed in such a manner that no polluting material or contaminated surface water enters groundwater, any watercourse, or public roadway.

Reason: In the interest of ensuring the protection of water quality in the receiving environment.

6. Drainage arrangements for the site, including the disposal of surface and soiled water, shall comply with the requirements of the planning authority for such works and services. In this regard:

- (a) uncontaminated surface water run-off shall be disposed of directly in a sealed system to ground in appropriately sized soakaways;
- (b) all soiled waters shall be directed to an appropriately sized soiled water storage tank (in accordance with the requirements of the European Union (Good Agricultural Practice for the Protection of Waters) (Amendment) Regulations 2025, as amended;

- (c) all separation distances for potable water supplies, as outlined in the European Union (Good Agricultural Practice for the Protection of Waters)(Amendment) Regulations, 2025, as amended, shall be strictly adhered to.

Reason: In the interest of public health.

7. All soiled waters generated by the proposed development and in the farmyard shall be conveyed through properly constructed channels to the proposed 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 interest of public health.

8. 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 is reserved for their specific purposes.

9. The proposed development shall be designed, sited and constructed in accordance with the Department of Agriculture, Food and the Marine TAMS specifications, as per the European Communities (Good Agricultural Practice for Protection of Waters)(Amendment) Regulations, 2025 (S.I. 113 of 2022).

Reason: In the interests of public health and residential amenity.

10. Outdoor lighting, including lighting of the building facades, shall be provided in accordance with a scheme which shall be submitted to, and agreed in writing with, the planning authority prior to the commencement of development. The scheme shall include lighting during the construction phase.

Reason: In the interests of amenity and public safety.

11. (a) All waste generated during construction, including surplus excavation material to be taken off site, shall be recovered or disposed of at an authorised site which has a current waste licence or waste permit in accordance with the Waste Management Acts, 1996 to 2008. This shall not apply to the reuse of excavated uncontaminated soil and other naturally occurring material within the site boundary.
- (b) The livestock sheds must be constructed in accordance with the minimum specification document, issued by the Department of Agriculture, Food and the Marine, S101 Minimum Specification for Agricultural Buildings.

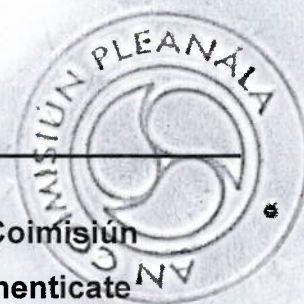
- (c) All new buildings must be cognisant of the separation distances, as outlined in the European Union Good Agricultural Practice for for Protection of Waters)(Amendment) Regulations, 2025 (S.I. 113 of 2022).

Reason: In the interest of public health.



Mary Henchy

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



Dated this 21st day of August 2026.