An Coimisiún Pleanála

Commission Order
PL-501381-KK

Planning and Development Act 2000, as amended

Planning Authority: Kilkenny County Council

Planning Register Reference Number: 25/60560

Appeal by Alan and Martina O'Reilly against the decision made on the 29th day of April, 2026 by Kilkenny County Council to grant subject to conditions a permission to Brennan Farm Partnership care of Michael Brennan.

Proposed Development: Construction of a slatted livestock shed with cattle handling facilities, machinery storage shed, and all associated site works, all at Kiltown, Castlecomer, County Kilkenny, as revised by the further public notices received by the planning authority on the 27th day of January, 2026.

Decision

REFUSE permission for the above proposed development for the reasons and considerations set out below.

Reasons and Considerations

Having regard to the nature, scale and location of the proposed development, including the livestock shed and associated slatted slurry storage tanks, its location in an area of extreme groundwater vulnerability overlying the Ballingarry groundwater body (IE_SE_G_009), which is currently classified as having good groundwater status, the depth of the proposed slatted tanks relative to established groundwater levels, and the proximity of the proposed development upgradient of private bored well water supplies, the Commission is not satisfied, on the basis of the information submitted, and in the absence of a site-specific hydrogeological assessment by a suitably qualified expert, that the proposed development would not give rise to a serious risk of pollution to private water supplies and groundwaters, or to a risk of deterioration in the chemical status of the Ballingarry groundwater body. The proposed development would be prejudicial to public health, would be contrary to the requirements of Article 4 of the EU Water Framework Directive (2000/60/EC), as transposed into Irish law by the European Communities (Water Policy) Regulations 2003 (S.I. No. 722 of 2003), as amended, would be inconsistent with the objectives of the Water Action Plan 2024, being the River Basin Management Plan for Ireland 2022–2027 made under Regulation 13 of the said Regulations, and would, therefore, be contrary to the proper planning and sustainable development of the area.

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

Dated this 4th **day of** November **2026.**