



An
Bord
Pleanála

Inspector's Report ABP-321689-25

Development

Retention of shed and farm office,
permission for construction of shed,
roof over holding yard and
replacement of septic tank with all
associated site works.

Location

Walshestown, Ovens, Co. Cork

Planning Authority

Cork County Council

Planning Authority Reg. Ref.

246081

Applicant(s)

Karol O'Sullivan.

Type of Application

Retention & Permission.

Planning Authority Decision

Type of Appeal

Third Party

Appellant(s)

Des O'Regan & Hugh Hegarty.

Observer(s)

Bill O'Regan

Date of Site Inspection

18th March 2025

Inspector

Jennifer McQuaid

Contents

1.0 Site Location and Description	4
2.0 Proposed Development	4
3.0 Planning Authority Decision	4
3.1. Decision	4
3.2. Planning Authority Reports	4
3.3. Prescribed Bodies	6
3.4. Third Party Observations	6
4.0 Planning History	7
5.0 Policy Context	7
5.1. Development Plan	7
5.2. Natural Heritage Designations	7
5.3. EIA Screening	8
6.0 The Appeal	8
6.1. Grounds of Appeal	8
6.2. Applicant Response	10
6.3. Planning Authority Response	10
6.4. Observations	10
6.5. Further Responses	11
7.0 Assessment	11
8.0 AA Screening	17
9.0 Recommendation	17
10.0 Reasons and Considerations	18
11.0 Conditions	18
Appendix 1 – Form 1: EIA Pre-Screening	

1.0 Site Location and Description

- 1.1. The subject site is located in the townland of Walshestown. The site comprises of an existing farmyard to the south of the River Lee. The site is located along a local road which serves a number of dwellings. The site is elevated and partially naturally screened.

2.0 Proposed Development

- 2.1. The proposed development consists of:

- Retention of:
 - (a) agricultural shed containing a milking parlour with slatted tank and cubicles.
 - (b) Farm office
- Permission of:
 - (c) Decommission existing septic tank.
 - (d) Install a septic tank with percolation area.
 - (e) Construct straw storage shed.
 - (f) Roof over existing holding yard
 - (g) Effluent tank and ancillary works.

3.0 Planning Authority Decision

3.1. Decision

Grant subject to 16 conditions.

3.2. Planning Authority Reports

3.2.1. Planning Reports

- The farm office and planning history noted and suggest the use of this building is monitored, and photographic evidence submitted as to the internal configuration of the building to ensure that it is not used as a residence.
- The new milking parlour has been in use for 4 years, the new roofing and effluent tanks will improve facilities and enable the farm to comply with the GAP Regulations including requirements for additional storage capacity applicable from 1st Dec. 2024.
- The new straw storage shed will involve the relocation of the existing fuel tank. The fuel tank, and all hoses and attachments, should be within a concrete bund.
- The risk of pollution to the existing borewell is low.
- The farmyard is more than 300m from the nearest public water supply source and more than 50m from the nearest watercourse. Uncontaminated rainwater from roofs and clear yards is discharged to adjoining lands.
- The improved layout and buildings are located further from the nearest property on the opposite side of the road. Noise and odour will be reduced.
- A site suitability assessment was carried out in accordance with EPA code of practice and is considered acceptable.
- Surface water will be disposed of by an on-site soakaway for the office building.

3.2.2. Other Technical Reports

- Area Engineer: No proposed alterations to the existing entrance, the sightlines are considered acceptable on a cul-de-sac and no significant increase in traffic. No objection subject to conditions.
- Environment: No objection subject to conditions as the developed farmyard will enable the operator to comply with the GAP Regulations, including measures introduced in December 2024.

3.2.3. Conditions

- Condition 4: Accurate record photographs of each room in the farm office shall be submitted to and agreed in writing with the Planning Authority within 6 months of the date of grant of planning permission.

Reason: To record and ensure the correct use of the building.

3.3. Prescribed Bodies

- None

3.4. Third Party Observations

A number of submissions were received from local residents. (Note: not addressed in the planning report). The concerns raised are:

- Site is located in High Value Landscape and overlooking the Lee Valley and set in Metropolitan Cork Greenbelt as designated in Cork County Development Plan 2022. New precedence set in an area of High Value Landscape – build without permission and seek retention afterwards.
- Applicant built a dwelling house and now retitled as a farm office.
- A number of dwellings granted, and retention sought for the applicant, 8 number planning reference quoted. Reference made to a number of retention applications by the applicant's family.
- Public road and public access to lakeshore blocked. Embankment built on the bank of River Lee, and this prevents local families from accessing the foreshore.
- The new straw shed will be located on a bend and will obstruct vision and create a traffic hazard due to its size/scale.
- A tree replanting order for The Island has not been complied with after large-scale felling of mature trees during the excavation of the nature reserve located here since the 1950s. The large-scale removal of hedgerows needs to be assessed as it exceeds the limits as prescribed.

4.0 Planning History

Two previous applications made but were withdrawn.

5.0 Policy Context

5.1. Development Plan

Cork County Development Plan 2022-2028

The site is located within the “Rural Area Under Strong Urban Influence”.

The site is designated as “High Value Landscape”.

GI 14-9: Landscape

- (a) Protect the visual and scenic amenities of County Cork’s built and natural environment.
- (b) Landscape issues will be an important factor in all land-use proposals, ensuring that a proactive view of development is undertaken while protecting the environment and heritage generally in line with the principle of sustainability.
- (c) Ensure that new development meets high standards of siting and design.
- (d) Protect skylines and ridgelines from development.
- (e) Discourage proposals necessitating the removal of extensive amounts of trees, hedgerows and historic walls or their distinctive boundary treatments.

GI 14-13 Scenic Routes

Protect the character of those views and prospects obtainable from scenic routes and in particular stretches of scenic routes that have very special views and prospects identified in this Plan.

Volume 2, Chapter 5 of the CDP relates to Scenic Routes.

5.2. Natural Heritage Designations

The site is not located within or adjacent a protected site. The nearest sites are:

- Lee Valley pNHA (site code: 000094) located approximately 1.5km northeast.
- The Gearagh SAC (site code: 000108) located approximately 18km west.

5.3. EIA Screening

- 5.3.1. The proposal relates to the retention of a shed and farm office, permission for construction of shed, roof over holding yard and replacement of septic tank with all associated site works within the rural area of Cork County. The site is not located on zoned lands and not within a designated area. The proposed development is not a type listed under Schedule 5, Part 1. Agriculture, Silviculture and Aquaculture as per Planning and Development Regulations 2001 as amended. The need for an environmental impact assessment can, therefore, be excluded at preliminary examination and a screening determination is not required. Refer to Appendix 1 Preliminary Examination.

6.0 The Appeal

6.1. Grounds of Appeal

The grounds of appeal have been submitted from local residents. The concerns raised are:

- Procedural issues: Request the Board to circulate copies of previous planner's report under planning reference 24/5356 (withdrawn). Planning report states no submissions received, which is incorrect, and the concerns raised were not addressed by the Planning Authority. Public notices do not convey the actual extent of works undertaken to date. Material alterations were carried out to the road network restricting public access. This locked gate to public carpark is outside the red line boundary.
- Planning History: Reference to previous applications and enforcement issues on the family landholdings and in the locality. 4 out of 8 applications by the family have been retention applications and should be refused.
- Landscape & Visual Impact: The lands and the subject lands in the Lee Valley should be a Special Amenity Area Order similar to the Liffey Valley west of

Dublin City. The proposal does not comply with Objective GI14-1(d) of the CDP. The dispersed layout of the buildings and structures would make them very intrusive and would consequently bring erosion of the riverside landscape, with destruction of delicate habitats. The proposal will impact the scenic protected view which follows the north and south of the River Lee.

- Landscaping: Tree clearance on a long-established woodland as part of the applicant's family lands called The Island, directly beside the River Lee. The replanting order which allegedly has not been complied with. It also referred to a large-scale removal of hedgerows. A landscaping scheme should have been including in the proposal.
- Planning Condition: The Planner conditioned that the use of the subject premises should be monitored, and that photographic evidence should be submitted to ensure it is not used as a residence, the information should be circulated.
- Land spreading: No information submitted regarding volume of slurry to be discharged/spread, or the spread lands and the spread rates. The slurry spreading regime changed in January 2025 and it now prioritizes the Low Emission Slurry Spreading (LESS) method, no information provided.
- Water Issues: The Environment report is inadequate; the site is within an aquifer area that is locally important and highly vulnerable. Other highly significant considerations in that context. Incomplete application form in relation to wastewater, surface water. The site lies directly across the river from a public water supply intake, the Council did not have due regard to the consequent major health hazard. The proposed site is different from that in the wastewater feasibility study. The red line cuts across the vehicular access, leaving part of the necessary works outside the site boundary.
- Request refusal for the following reasons: site is in the greenbelt, proposal contravenes right of way objective, land spreading not adequately addressed, public notice description is incorrect.

6.2. Applicant Response

The applicant has made the following responses:

- The applicant had a recent cross compliance inspection from the Department of Agriculture and all activities comply with the regulations in accordance with European Union (good Agricultural Practice for Protection of Waters Regulations 2022 (SI No. 113 of 2022). The stocking rate is relatively low with an organic nitrogen rate of 161kg N/ha and therefore is not in derogation.
- In 2020, the existing milking parlour and cubicle houses were upgraded and realigned under the same roof. This has improved the workability and safety for both the farmer and the livestock.
- It is noted that most of the appeal has no relevance to the planning application.

6.3. Planning Authority Response

The Planning Authority is of the opinion that all relevant issues have been covered in the technical reports submitted, no further comments to make.

6.4. Observations

An observation has been submitted from local resident. The following concerns were raised:

- Concurrent appeal under planning reference ABP-321403-24 (PA: 245444).
- Ongoing Tree removal across all landholdings. A DAFM tree replanting order exists under reference AIF-118.22 (RO-14/24 extended) and has not been complied with.
- Number of retention applications made. A new dwelling was built without permission and now renamed as a farm office.
- Slurry spreading within the buffer zones of River Lee. Spreading occurs close to Cork City potable water reservoir at Inniscarra Hydroelectric Dam.

- Right of Way prohibited by a locked gate on lands known as The Island.
- Site is located in very scenic and highly sensitive landscape that is classified as being of national significance.
- Request refusal for the following reasons: site is in the greenbelt, proposal contravenes right of way objective, land spreading not adequately addressed, public notice description is incorrect, permitting unauthorized development will set an expectation/precedence's in a very high value landscape.

6.5. Further Responses

- None

7.0 Assessment

7.1. Having examined the application details and all other documentation on file, including all of the submissions received in relation to the appeal, and inspected the site, and having regard to relevant local/regional/national policies and guidance, I consider that the main issues in this appeal are as follows:

- Landscape, siting and Visual Impact
- Water Impact
- Farm Office
- Other Issues
- Appropriate Assessment

7.2. Landscape, siting and Visual Impact

7.3. The subject site is located in the rural area of County Cork, the site is zoned as Rural Area under Strong Urban Influence and as High Value Landscape. The site is located approximately 420m south of the River Lee. Scenic Route S37 is located approximately 700 metres to the north/northeast from the subject site. Scenic Route S38 is located approximately 800 metres to the south of the subject site.

- 7.4. The grounds of appeal state the subject lands are in the Lee Valley and should be the subject of a Special Amenity Area Order. The appellants also outline the proposal does not comply with Objective GI14-1(d) of the CDP. The dispersed layout of the buildings and structures is intrusive on the riverside landscape. The proposal will impact the scenic protected view which follows the north and south of the River Lee. The appellant also state tree and hedgerow removal has occurred off-site and a landscaping scheme should be included.
- 7.5. The third-party submission submitted with the planning application also raised concerns in relation to the location of the proposed straw shed adjacent to a bend on local road.
- 7.6. The subject site is that of an existing farmyard complex. The applicant is seeking retention of farm buildings including milking parlour and farm office. Permission is also sought for a new proposed straw storage shed, effluent tank and new roof over holding yard. The buildings for retention are adjoining the existing cubicle shed and adjacent a calf shed. During my site visit, I noted the farmyard is elongated but contained within the site area of 1.2ha. An access track runs the length of the farmyard. I consider given the location of the proposed and retention agriculture buildings are ancillary to the existing farmyard complex and will not visually impact the high value landscape area as they are viewed within the existing farmyard.
- 7.7. I have assessed the subject site location in relation to Scenic Route 37 & 38, due to the distance at 700 metres and 800 metres respectively between the scenic routes, the topography and the extensive mature trees in the area, I consider, there are no views of the farmyard complex from the scenic routes.
- 7.8. I have assessed the site in terms of objective GI 14-9: Landscape of the CDP. The proposed and retention development is of a similar height and design to the existing agricultural structures on site, the farmyard has been in operation of a number of years, therefore the development will not negatively impact the visual and scenic amenities of the area.
- 7.9. In regard to the location of the straw storage shed, it will be located on a greenfield area of the farmyard but directly adjacent to the existing farmyard. The storage shed (height of 5.8m) is set back between 12 metres and 16 metres from the existing public roadway and set back over 30 metres from the nearest dwelling. I note the

third party's submission raised a concern in relation to the impact on sightlines as traffic travels around the bend on the local roadway and potential impact on nearby residents. However, I consider due to the separation distance between the proposed straw shed, overall height, the public road and adjacent property, there will be no impact on sightlines along the public road or residential amenity of the adjacent property.

- 7.10. Having regard to the location of the subject site within an existing farmyard complex and the existing separation distance, topography and natural screening from the River Lee and the protected scenic routes S37 & S38, I do not consider the proposed development will negatively visually impact on the surrounding landscape.

7.11. Water Impact

- 7.12. The subject site is located in the Lee, Cork Harbour and Youghal Bay Water Framework Directive (WFD) catchment, the sub catchment is Lee (Cork). The groundwater waterbody is Ballinhassig Wast and the WFD status is Good and Not at Risk.
- 7.13. The grounds of appeal have raised concerns in relation to land spreading and outline that no information was submitted regarding volume of slurry to be discharged/spread, or the spread lands and the spread rates. The appellant also raised concerns in relation to the aquifer are and that it is locally important and highly vulnerable. The site lies directly across the river from a public water supply intake. The proposed site is different from that in the wastewater feasibility study. The red line cuts across the vehicular access, leaving part of the necessary works outside the site boundary.
- 7.14. I have assessed the planning application, and the applicant has submitted details in relation to cattle numbers and overall landholdings. The applicant operates a 64.7ha landholding with 63 dairy cows and 90 other cattle housed on the farmyard over the winter period. The roofing of the open section of the holding yard and the provision of an additional effluent storage tank will improve facilities and enable the farmer to comply with the GAP Regulation, including the requirements for additional storage capacity applicable from the 1st December 2024. The information submitted also outlines the total slurry capacity on site and the total slurry including soiled water

from yards to be discharged to the slurry tank and separate soiled water tanks. The storage capacity is in excess of the total amount to be discharged.

- 7.15. In response to this concern the applicant has outlined a recent cross compliance inspection from the Department of Agriculture was carried out and it was found that all activities comply with the regulations in accordance with European Union (good Agricultural Practice for Protection of Waters Regulations 2022 (SI No. 113 of 2022)). The stocking rate is relatively low with an organic nitrogen rate of 161kg N/ha and therefore is not in derogation.
- 7.16. Therefore, I consider having regard to the storage capacity on site, the total landholdings, the number of cattle within the farm holding, I do not consider the proposed slurry on site will impact on the ground water or the River Lee. In any event, the applicant shall be conditioned to comply with the Department of Agriculture standards.
- 7.17. In relation to drinking water supply, I note the farmyard is served by an existing borewell, located 50 metres downgradient of the slatted slurry tank and to the northeast of the farmyard, the existing effluent noted as 19 is appropriately 10 metres closer. I consider the risk of pollution is low given the separation distance and location upslope of the farmyard. The farmyard is over 300 metres from the nearest public water supply source and more than 50 metres from the nearest watercourse. The applicant proposes to discharge uncontaminated rainwater from roofs and clean yards to adjoining lands. It is in my opinion, given the distance to the nearest public water supply and watercourse, there is a low risk of pollution.
- 7.18. In relation to the proposed new septic tank treatment system on site, the applicant has carried out a Site Characterisation Form in accordance with the EPA 2021 Guidelines. I have assessed this report. I note the septic tank treatment system will serve the existing dwelling house and the farm office building; the total loading is 6PE. The aquifer is described as locally important & vulnerability high; the groundwater flow direction is described as south to north. A trial hole was dug to 2.1metres, bedrock or the water table were not encountered. The subsurface percolation value was recorded at 17.08 min/25mm, therefore this is within the range of values suited for a percolation area served by a septic tank. Based on the PV value of 17.08 and trial hole data a minimum separation of 45 metres is required to

down gradient well, alongside a domestic well a minimum separation distance of 25m is required. The assessment concluded the site is suitable for discharge to ground water as the slope of the proposed infiltration/treatment area is 1 in 200, all minimum separation distances are met and the depth of unsaturated soil and/or subsoil beneath invert of gravel (or drip tubing in the case of drip dispersal system) is 1.50m, percolation test result of 17.08min/25mm. Therefore, it is proposed to install septic tank system and percolation area with discharge to groundwater and invert level of the trench/bed gravel or drip tubing (m) 0.90. It is also proposed to carry out an initial maintenance check after 2 months and annually thereafter. De-sludge tank as directed by manufacturer, check distribution boxes after one week of use and twice annually thereafter to ensure correct distribution of effluent. Therefore, I consider having reviewed the Site Characterisation Assessment, the ground conditions, the location of private wells and taking into account my site visit, it is in my opinion, the proposed septic tank and percolation are acceptable and will operate in accordance with the 2021 EPA Guidelines.

- 7.19. I note the appellant's concern in relation to the proposed foul pipelines from the existing family home and from the farm office are located outside the red line boundary. In my opinion, as the foul pipelines are within the total landholding ownership and are minor elements associated with the overall septic tank and percolation, I consider the location is acceptable and will not impact on any condition attached to a grant of permission in connection with the septic tank or percolation area.
- 7.20. Having regard to the location of the proposed and retention development within an existing farmyard complex and the existing dwelling on site with connection to an existing septic tank to be decommissioned, the slurry tank capacity on site, the suitability of the groundwater conditions, the distance to private wells and public water supply in addition to nearby watercourses, I consider the proposed development and retention development is acceptable and will not negatively impact the water quality of the area.
- 7.21. **Farm Office**
- 7.22. The applicant is seeking retention of a farm office on site, located to the rear of the existing family home. The farm office consists of a canteen, storage, office, boot

room and bathroom. The total floor area is 73.9sqm and overall height of 3.9 metres. The finishes include smooth plaster and a green agriclad roof.

7.23. I note the appellant's concern that the farm office could be residential and in relation to planning condition 4 whereby accurate photographic records for the farm office shall be submitted to the Planning Authority.

7.24. During my site visit, I inspected the farm office, at present, there is no evidence that the building is used as residential, the canteen/kitchen area has been in use but other than that it was not evident that the building is being used as a farm office either. There was no evidence of an office, farm records or medical supplies. I note the Planning Authority attached a number of conditions restricting the use to farm office and that an accurate photographic record of the farm office shall be submitted within 6 months of a grant of permission. In my opinion, in the event of a grant of permission, conditions shall be attached restricting the use of the building to farm office only. The applicant shall be requested to submit photographic evidence and any compliance submitted as part of the planning application shall be made available for public viewing.

7.25. **Other Issues.**

7.26. Procedural Issues

7.27. In terms of procedural matters and the alleged incorrect public notices, I note the public notices were considered acceptable by the Planning Authority.

7.28. In regard to the submissions received during the planning process and not addressed by the Planning Authority, I have reviewed the submissions received and note the concerns raised relate to; high landscape value, location, size & scale of new straw shed will obstruct sightlines on the local road due to the bend and impact on local residents. Other issues raised in relation to previous planning history on family land holdings, blocking of right of way and retention sought after works completed. All of the above issues raised have been addressed in this appeal assessment.

7.29. Public Right of Way

7.30. In relation to public rights of way, this is a civil matter to be resolved between the parties, having regard to the provisions of section 34(13) of the Planning and Development Act 2000 as amended.

7.31. Planning History

7.32. I note the appellants have also raised concerns in relation to previous planning applications and enforcement issues on the site and on the family landholdings. Reference is also made to a previous withdrawn planning application. The Board are confined to assessing the current application before them. Any enforcement actions should be dealt with by the local Planning Authority. As the previous planning application was withdrawn, it is treated as if there were no previous planning applications onsite, therefore this application cannot be consulted and as it was withdrawn it has no bearing on this current application.

7.33. I am satisfied that the issues raised did not prevent the concerned party from making representations. The above assessment represents my de novo consideration of all planning issues material to the retention development.

8.0 **AA Screening**

8.1. Having regard to the retention of shed and farm office, permission for construction of shed, roof over holding yard and replacement of septic tank with a new septic tank system and percolation area, connection to onsite well and discharge of surface water to onsite soakaway and within the rural area of Cork County. The nearest European site is The Gearagh SAC (site code: 000108) located approximately 18km west of the subject site. It is considered that no Appropriate Assessment issues arise as the proposed development would not be likely to have a significant impact individually or in combination with other plans or projects on a European site.

9.0 **Recommendation**

9.1. I recommend that retention permission should be granted, subject to conditions as set out below.

10.0 Reasons and Considerations

- 10.1. Having regard to the location of the subject site within a rural area of County Cork and designated as a High Value Landscape as per Cork County Development Plan 2022-2028, the location and siting of the retention and proposed development within an existing farmyard complex, it is considered that the development would not seriously affect the visual and landscape amenities of the area or impact on the protected scenic route no. 37 or no. 38 as per Cork County Development Plan 2022-2028 or negatively impact the water quality in the area. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

11.0 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 4th day of November 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 development shall be carried out and completed in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. The farm office shall be used for farm office purposes and ancillary to the operation of the farm only. The building shall not be used for human habitation or any commercial purpose other than a purpose incidental to farming/horticulture, whether or not such use might otherwise constitute exempted development.

Reason: In the interest of orderly development and the amenities of the area.

3. a) 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.
- (b) If slurry or manure is moved to other locations off the farm, the details of such movements shall be notified to the Department of Agriculture, Food and Marine, in accordance with the above Regulations.
- (c) Where a third party removes the slurry or manure, the details of the agreement shall be submitted to the local authority where the waste material is to be disposed to.

Reason: To ensure the satisfactory disposal of waste material, in the interest of amenity, public health and to prevent pollution of waters.

4. Water supply and 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 2022, as amended, or to a slatted tank. Drainage details shall be submitted to and agreed in writing with the planning authority, prior to commencement of development.
- (c) all separation distances for potable water supplies as outlined in the European Union (Good Agricultural Practice for the Protection of Waters) (Amendment) Regulations 2022, as amended shall be strictly adhered to.

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

5. The proposed development shall be designed, cited, 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 applicant 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 the commencement of the development details showing how the applicant intends to comply with this requirement shall be submitted to and agreed in writing with the Planning Authority.

NOTE: Where 20% or more of the holding lies within one or more counties of higher storage requirement as specified the holding shall be deemed for the purposes of the European Union (Good Agricultural Practice for the protection of waters) (Amendment) Regulations 2022, as amended, to lie wholly within the county in relation to which the longest storage period is specified.

Reason: In order to avoid pollution and to protect residential amenity.

6. 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.

7. In the event of an accidental spillage of wastewater, organic fertiliser, fuel, machine oil or any other substance which may threaten the quality of any watercourse or groundwater body either at construction or operational phase, the Planning Authority and Inland Fisheries Ireland, shall be notified as soon as is practicable. A copy of the clean-up plan shall be submitted to the Planning Authority.

Reason: In the interest of public health.

8. All soiled waters and slurry generated by the proposed development shall be conveyed through properly constructed channels to the proposed and existing 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.

9. (a) The septic tank system hereby permitted shall be installed in accordance with the recommendations included within the site characterisation report submitted with this application on 4th November 2024 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 treatment system shall be discharged to a percolation area which shall be provided in accordance with the standards set out in the document entitled “Code of Practice - Domestic Wastewater Treatment Systems (Population Equivalent ≤ 10)” – Environmental Protection Agency, 2021.

(c) Within three months of the installation, the developer shall submit a report to the planning authority from a suitably qualified person (with professional indemnity insurance) certifying that the septic tank 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.

I confirm that this report represents my professional planning assessment, judgement and opinion on the matter assigned to me and that no person has influenced or sought to influence, directly or indirectly, the exercise of my professional judgement in an improper or inappropriate way.

Jennifer McQuaid
Planning Inspector

1st April 2025

Form 1

EIA Pre-Screening

An Bord Pleanála Case Reference	ABP-321689-25		
Proposed Development Summary	Retention of shed and farm office, permission for construction of shed, roof over holding yard and replacement of septic tank with all associated site works		
Development Address	Walshestown, Ovens, Co. Cork		
1. Does the proposed development come within the definition of a 'project' for the purposes of EIA? (that is involving construction works, demolition, or interventions in the natural surroundings)		Yes	X
		No	
2. Is the proposed development of a CLASS specified in Part 1 or Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended)?			
Yes			
No	X		No further action required
3. Does the proposed development equal or exceed any relevant THRESHOLD set out in the relevant Class?			
Yes			
No		N/A	Proceed to Q4

4. Is the proposed development below the relevant threshold for the Class of development [sub-threshold development]?			
Yes			

5. Has Schedule 7A information been submitted?		
No	X	Pre-screening determination conclusion remains as above (Q1 to Q4)
Yes		Screening Determination required

Inspector: _____ Date: _____