

Antville,  
Macroon,  
Co. Cork  
18/7/07

Ms. Ann Kehoe,  
Environmental Protection Agency,  
PO. Box 3000,  
Johnstown Castle,  
Co. Wexford.

Re: Planning Ref. 06/8531 -Dairygold Food Ingredients Ltd. Inchinashingane,  
Macroon

Dear Ms. Kehoe

The attached submission dated 15<sup>th</sup> July on behalf of the residents of the Castlevue area outlines the concerns of all those residing in the area adjacent to the Dairygold facility. I fully concur with the concerns regarding the above planning application. In addition to this submission I would like to outline my own experiences since the plant commenced operations in the early 1980s.

Our farm comprising of 105 acres and a dwelling house is located to the north east of the plant as outlined in the attached map. It is in the direct path of the prevailing wind from the plant. i.e. south west. We operate an organic farm license No. 4209, and the importance of maintaining environmental standards is paramount to producing quality uncontaminated organic food to the highest international standards. Our Products include beef, lamb, pork, table birds, eggs, vegetables, fruit and a variety of cereals.

Located as we are, we have frequently over the years experienced malodorous emissions. There have also been discharges of milk powder which have covered vehicles and buildings with a fine white residue. Continuation of these environmental breaches could result in the revocation of our organic licence. This would have catastrophic implications for our livelihood.

The smells can only be described as very unpleasant to say the least and it is not a situation which should have to be endured. Repeated calls over the years to the different operators of the plant; Dairygold, Nutricia and Numico were met with the standard response "what smell". The odours appear to be more prevalent after 6 p.m. and early in the morning especially when the wind is from a southerly direction.

At a personal level for me, Patrick Murphy emissions of milk powder pose an additional health hazard as I have an allergy to dairy products which manifests itself in the form of respiratory difficulties.

Given the flawed operation of the existing plant, which as consistently resulted in emission over the past quarter century it can only be concluded that an expansion of the plant on the proposed scale will result in commensurate environmental breaches.

We earnestly request that the above application be most rigorously examined with particular emphasis on the operational capability of the plant and equipment to adhere to the stipulations of the IPC License.

While a license may set out the operational parameters it is imperative that a stringent monitoring procedure is set in place to ensure compliance with the licence requirements.

Yours Sincerely

  
Patrick Murphy

  
Mairead Murphy

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Ms Ann Kehoe,  
Env. Protection Agency,  
P.O. Box 3000,  
Johnstown Castle Estate,  
Co. Wexford.

An Tuille.  
~~Town East,~~  
Macroom,  
Co. Cork.

RE: Planning Ref. 06/8531 - Dairygold Food ingredients Ltd - Inchinashingane,  
Macroom.

Dear Madam,

The attached submission dated 15<sup>th</sup> July submitted on behalf of the residents of the Castleview area outlines the concerns of all the residents of the area adjacent to the existing Dairygold facility, the subject of the above Planning Application, all such concerns I fully concur with. I would in addition to this submission like to outline some of my own personal experiences since this factory commenced operations in the early 1980's.

Our farm comprising 105 acres and dwelling house is located to the North East of the factory as out lined on the attached map, directly in the path of the prevailing wind from the factory i.e. south west. We run an organically licensed farm (No.4209) and one cannot understate the importance of environmental standards in producing the highest quality of uncontaminated organic food, including beef, lamb, pork, a variety of cereals, vegetables fruit, eggs and Table birds.

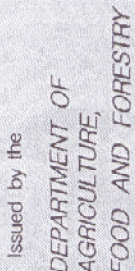
Our location as described above has over the years resulted in us experiencing *frequently* with ~~regularity~~ unpleasant odours and discharges of milk powder which have not been contained by the Plant operators. A continuation of these environmental breaches could result in *The Revocation* of our Organic License, which would have catastrophic implications for our livelihood.

To add to this, these smells could be described as very unpleasant and one which we should not be exposed to. → 1

The operation of the existing Plant is obviously flawed and one can only conclude that if the Plant is expanded to the levels proposed the extent and frequency of the environmental breaches will also increase accordingly. We would earnestly request that the application be given the most rigorous examination and that the most stringent conditions to the operating License be applied and that proper compliance is followed thereafter.

Yours sincerely,  
Patrick Murphy,  
Maireád Murphy





Townland Code: D25520	Townland Name: TOOMSEASTT	Parcel Number	Gross Area
		D25520005	1.71 Ha
		D25520009	2.49 Ha
		D25520030	36.51 Ha

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To: The Secretary,  
An Bord Pleanála,  
64 Marlborough Street,  
Dublin 1,

**Environmental  
Protection Agency**

24 JUL 2007

May 21<sup>st</sup> 2007

**Re: Planning File 06/8531 – Cork County Council and Conditional Permission dated April 30<sup>th</sup> 2007**

**Proponent:** Dairygold Food Ingredients Ltd  
Marian House, New Square,  
Mitchelstown, Co. Cork

**Location of Development:** Inchinashingane, Macroom,  
Co Cork.

**Development Comprising:** Extension to existing Nutricia Milk processing and baby food production facility consisting of second drying tower and evaporator building, extension to existing powder storage building, extension to existing laboratory and employee services area (canteen), upgrade and extension to existing effluent plant to include new balance tank and settling tank, re-creation of existing boiler stack, construction of vegetable oil intake area, storage sites and bund construction of new bund and relocation of existing sites and same.

Following the decision of Cork County Council and its role as Planning Authority to grant permission for the above on April 30<sup>th</sup> 2007 subject to 29 no conditions, the local residents wish to appeal this decision to the Planning Appeals Board.

At the outset, it should be noted that a significant number of detailed submissions (5+) were made to the Planning Authority prior to its decision to grant permission. Further, the board should also be aware that the proposed development requires an IPPC licence from the EPA, an application for which has been received by the Agency.

The Board should further note that the local residents are not opposed to development in the area and on the subject site in particular, so long as it does not interfere with the quality of life currently enjoyed (though intruded upon by Dairygold) or the rural character of the area.

However, given the various issues and concerns raised by the locals during the planning process, the apparent lack of consideration of these issues by Cork County Council in determining this application, the residents feel that they have no other option but to appeal the decision.

The local residents have endured a number of issues that have impacted on their quality of life whilst the existing plant has been in operation, including but not limited to:

- a) A significant increase in heavy goods vehicles on the local road network due to the

scale of the existing facility;

- b) The deposition of milk powder from the drying towers, that impacts on houses windows, cars, grass land and potentially public health – this being due to the poor technologies employed and a perceived lack of maintenance or attempt to ameliorate this situation; Dairygold's response to regular deposits of milk powder on windows and cars has been to issue car wash/window wash vouchers on request. This is totally unacceptable given modern technology to provide containment measures. Human & animal health are undoubtedly impacted upon as a consequence.
- c) The level of noise emanating from the facility which impacts on nearby residents, some of whom are located within 50m of the facilities existing boundaries;
- d) Issues regarding odours emanating from the main process stacks as well as the existing on-site waste water treatment plant have been a serious source of nuisance and annoyance to the residents over the last 20 years approximately.
- e) Deterioration in road safety whilst walking in a rural area due to the increased volume of traffic travelling over an inadequate road network in terms of road width, vertical and horizontal alignment and capacity to carry traffic volumes.

Given the above and the proposal to increase production from 18.6 million gallons to 40 millions (115% increase over current levels), the perceived weakness of the conditions attached, the proponents failure to comply with previous conditions, issues with the proponents environmental compliance with discharge to water licence and a lack of Planning Authority enforcement, we Castleview Residents wish to object to An Bord Pleanála and ask for the decision to be overturned / conditions be made more readily enforceable / development be brought more into line with that acceptable in a countryside and rural area.

#### **Reasons for objection:**

1. We attach a copy of our previous submission (February 2007) to the Planning Authority regarding this application – see appendix 1 attached. This submission sets out the concerns of the residents with respect to:
  - a) Premature nature of the development; having regard to the N22 Route (see conditions).
  - b) Lack of compliance in the past; re noise, odours, landscaping & discharge licences.
  - c) Lack of meaningful traffic study undertaken and volume of traffic on a rural countryside/residential road;
  - d) Airborne dispersion of milk powder on continuous basis on applicants own admission.
  - e) Noise monitoring issues include a lack of data on background noise not submitted to the Authority; Page 45 of EIS missing but sourced from EPA application.
  - f) Time of year monitoring undertaken; should have been summer months.
  - g) Discrepancies in the information submitted; i.e. 100,000 gallons milk unaccounted for and number of houses should be 44 not 35 etc.
  - h) Issues re BREF notes and the technology to be engaged not being referred to, in those notes;
  - i) Materials and specifications thereof to be utilised in the construction of the drying

- towers; to deal with noise containment measures.
- j) Impact on humans and animals from a health perspective have regard to the airborne particles emanating from the development.

These concerns have not been addressed in either the Planners Final Report or in the conditions attached and the decision.

2. By way of review of the conditions attached to the decision, the concerns regarding a particular condition are set out here under:

**Condition 4:** surface waters to be conveyed away from an existing stream proximate to the proposed development and the second entrance in particular.

**Condition 7:** instead of sod and stone fences, this should comprise of stonewalls to match local stone in the interests of visual amenity, security and health and safety to prevent access to the facility as would be prescribed for a normal housing development.

**Condition 8:** the design of the second entrance should have been agreed prior to grant as the ability of locals to object to the detailed design has now been removed.

**Condition 11:** planting of indigenous species of trees has not taken place in accordance with previous conditions of Planning permission.

**Condition 13:** how to enforce "that no odour or dust nuisance occurs off site". Does this condition relate to the lifetime of the development or just to the construction phase of the development?

**Condition 12:** Whilst this is an existing facility the colour and specification of the proposed cladding has not been conditioned despite requests from the local residents by way of submissions. This is a major development in a scenic location located close to the Grenagh & SAC/SPA, no consideration of its impact on the landscape or environment is evident from an examination of the planning reports on file. (See attached photographs taking realistic locations. The residents are concerned about this approach. In addition, neither the scale of the development in terms of capacity (40m gallons of milk) nor its height has been conditioned in order to limit the consented scale of development.

**Conditions 19-21 inclusive:** What are the agreed background levels? Does this condition relate to the construction phase or the operational lifetime of the development?

Indeed, can the Planning Authority clarify the following?

- a) Construction phase or development phase
- b) Enforcement
- c) Condition will be breached at +5dB @ N2 and N4 and at +10dB at N6 background levels
- d) Noise levels recorded at N2 and N5 – N5 is closer to the factory but noise levels at N2 are higher – refer to table 1.

Problematic locations are shown in red boxes and include N2 and N4 and N6.

- Castlevew Cross;
- (b) the provision of a right turning lane at Castlevew Cross to facilitate improved road infrastructure for vehicles turning right off the N22 on the local road (L3422);
  - (c) the widening/realignment of the local road leading from the facility to the N22.

The report further recommends a Construction Traffic Management Plan shall be agreed & implemented for the duration of the construction stage.

Absolutely none of these items were conditioned, a situation we find wholly unacceptable.

Consideration should also be given to placing public lighting in close proximity to the junction of the N22 & the local road.

Furthermore, we would further suggest that a footpath be constructed along the roadway as referred to in Mr. Michael O'Sullivan's report on this planning file.

5. Whilst the development charges in the sum of €778,055 imposed on foot of the decision to grant permission for the development appears to be considerable, the proposed use of these contributions by way of condition make no reference to the provision of any amenity to be provided in the vicinity of the development to offset the negative impact of the development. Precedent for such arrangements already exists for major developments in Bottlehill Landfill Site, Co. Cork and Indaver in Carranstown, Duleek, Co. Louth. The planning contributions should be revised upwards to reflect such an arrangement.

Enclosed please find cheque for €210.00 in respect of the appropriate Planning Appeal fee together with various attachments referred to.