

PO420-01.

Comhairle Contae
Chill Dara
Kildare
County Council



**Environmental
Protection Agency**

- 3 SEP 2007

Date: 29/08/2007
Our Ref: 06/2950

Environmental Protection Agency
PO Box 3000
Johnstown Castle Estate
Wexford

Re Planning Reference Number: 06/2950 Further Information

Construct a New Dry Sow house, 2 No Farrowing Rooms, extension to 3 no. Weaner Houses in compliance with Welfare Regulations at Gorteen Lower Nurney Kildare - Future Pigs Ltd

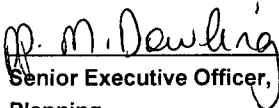
Dear Sir/Madam,

With reference to the above application, please find attached the following documents:

1. A copy of the application form.
2. A copy of the site location map.
3. A copy of our request for further information and applicants response.

Please submit any revised comments you may have in relation to same within ten days.

Yours faithfully


Senior Executive Officer,
Planning.



ENVIRONMENTAL PROTECTION AGENCY

6 SEP 2007

OFFICE OF LICENSING & GUIDANCE

NRGE

Nutrient Recovery to Generate Electricity

Michael Sweeney
Moorefort
Lattin
Co. Tipperary
Tel 062 55385
Fax 062 55483
E-mail NRGE@iol.ie



Date: 24th July 2007

Kildare County Council,
Aras Chill Dara,
Naas,
Co. Kildare.

Re: Future Pigs Ltd, Gorteen Lower, Nurney, Co. Kildare Planning Ref 06/2950

Dear Sir/Madam,

I herein respond to your correspondence dated 23rd February 2007 regarding the above Future Pigs Ltd. The following were issues raised in your correspondence:

1. Question

While the Planning Authority acknowledges the previous planning history on the site, it should be noted that, under the provisions of the Planning & development Regulations 2001, the nature of the proposed development is subject to an Environmental Impact Assessment (EIA) in the following instances:

(a) Part 1 (17) (b) & (c) of Schedule 5, the following threshold is applicable: Installations for the intensive rearing of pigs with more than –

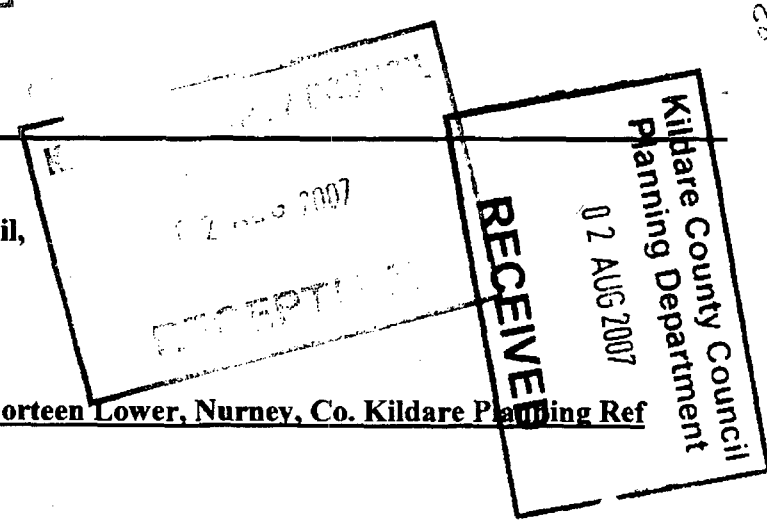
- 3000 places for production pigs (over 30kg)
- 900 places for sows

(b) Part 2 (1) (e) (ii) of Schedule 5, the following threshold is applicable: Installations for the intensive rearing of pigs not included in part 1 of this schedule, which would have more than –

- 2000 places for production pugs (over 30 kg) in a finishing unit
- 400 places for sows in a breeding unit
- Or, 200 places for sows in an integrated unit

(c) Part 2 (13) (a) of Schedule 5, the following threshold is applicable: Any change of extension of development, which would –

- Result in the development being in a class listed in part 1 or paragraph 1 to 12 of Part of Schedule 5, and



- Result in an increase in size greater than 25% or an amount equal to 50% of the appropriate threshold, whichever is greater.

Response

An Environmental Impact Statement has been prepared for this facility, and this issue has been discussed in the enclosed Environmental Impact Statement (EIS) 2.1 relevant regulations for Environmental Impact Statements (EIS).

2. Question

The Applicant is requested to submit full and detailed drawings to clearly show how the proposed Bio Gas plant differs in terms of the proposed scale and nature of operation from that previously submitted under planning reference no. 03/734. Please also submit a full and detailed assessment of the associated impacts of these proposed changes with regards traffic, noise, odour, visual impacts, impacts on adjoining land-uses etc.

Response

The purpose of this planning application to alter the location of the proposed anaerobic digester, was mainly to comply with the Dept of Agriculture & Food Regulations, as same were issued after the previous Grant of Planning Permission. The main requirement was the requirement of a 50m separation buffer from the AD facility to all livestock housing. The current design and layout of the AD facility is similar in scale to that of the previous application excepting for a number of design improvements, due to experience gained by associates in other facilities in a number of other countries.

It is paramount importance that the Digestion process is maintained as stable as possible, this is achieved by keeping the mixture of ingredients of the feedstock as consistent as possible by homogenised mixing.

The main component differences between the two applications are

(i) The Mixing Tank

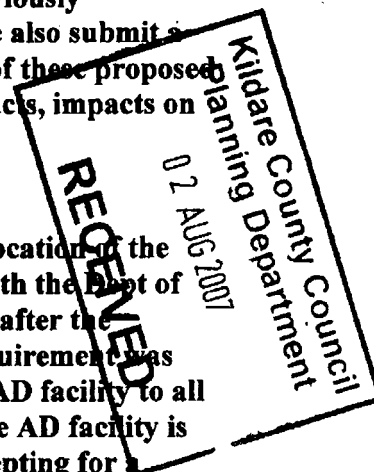
The previous application there was one receiving tank, experience gained from operation of other AD Plants that using a large mixing/receiving tank for manure provides a homogenous feedstock to the AD plant and assists the stability of the Digestion Process. Secondly the Mixing Tank is round helping to reduce the energy requirement for homogenous mixing.

(ii) Reception Tank

A second Reception tank is included in this application to receive other organic materials with a high gas yielding potential such as dairy sludge. This tank allows the dosing rate of these materials to the Digester to be accurately controlled. This tank is also round to reduce the energy requirements for mixing.

(iii) Overground Storage Tanks, Gas Cleaning and Hot Water Accumulation Tanks

Some of these tanks were proposed inside the Machine house in the Previous application. In the current application they are larger. The Feed tanks have a larger capacity to allow better economy of scale for



deliveries reducing vehicle movements to the site as the capacity is now greater than the volume of an arctic tanker 27m².

It also increases the time window for deliveries thereby maintaining process stability.

Hot Water Storage.

The process uses a heating module to heat the mixed feedstock batch to the required digestion temperature (54Deg) prior to dosing the digester. The heat demand to heat the batch has peaks or spikes in the demand from the heating circuit which can be overcome by Accumulation of Hot Water.

Gas Cleaning

The Gas cleaning Process is a vertical cylindrical tank positioned outside the Machine House has been developed and improved on current facilities operated and managed by our associated experts.

(iv) Primary Digester

The dimensions of the Digestion Vessel have been revised, this is to reduce the energy requirements of the mixer unit in the digester.

(v) Secondary Digester

The secondary digester now incorporates the Gas Holder, the previous application had separate gas holding structure whereas they are both combined in the current application. The footprint of the secondary digester increases to provide additional final storage and improve gas recovery.

The associated impacts of this proposed development are discussed in the attached EIS.

3. Question

Please submit a detailed & comprehensive landscaping plan, prepared by a suitably qualified landscape architect/horticulturalist indicating how you intend to landscape the proposed development & shall include the following:

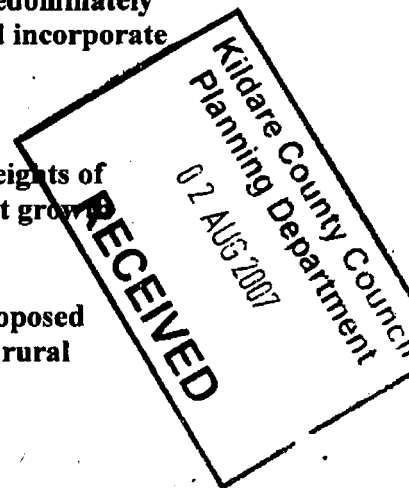
Details of existing mature hedgerow & trees to be maintained reinforced or removed on site.

The names of species in both Latin & English, & a schedule for implementation for the proposal. Species shall be predominately native, deciduous, & indigenous to the area & should incorporate the use of mature & semi-mature tree species.

Cross sections of the sites boundaries, showing the heights of proposed screening at time of planting, & at different growth periods to maturity.

The proposed landscaping plan shall ensure that the proposed development is adequately screened & set into the local rural landscape.

Response



A Landscape report carried out by Liam O' Connor, Forrester, is included as Appendix No. 12 in the enclosed EIS. A drawing is attached which shows the heights of proposed screening at different growth stages.

4. **Question**

The Applicant is advised to contact Michael P. Fitzsimons, Chief Fire Officer, Kildare County Council, Central Fire Station, Newbridge, Co. Kildare to assess fire safety issues. The Applicant shall submit full details of all subsequent revision required for the assessment of the Planning Authority.

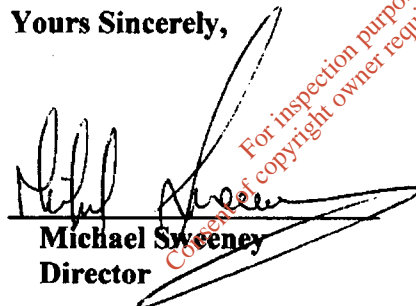
Response

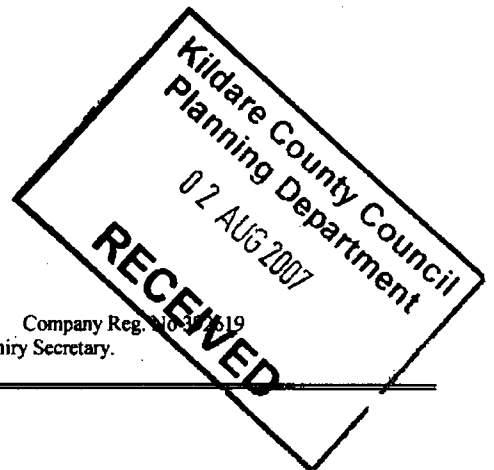
Contact was made with the Chief Fire Officer's Office of Kildare County Council, New Bridge Co Kildare on 25th July at 10.05am to assess the fire safety issues relevant to this application. On foot of those discussion there are no modifications required.

May we further offer that the Direct escape distances is less than 45m as there are more than one escape route within each proposed structure as per Technical Guidance Document B 2006 and Farm Development Services S144.

Trusting this is to your satisfaction. If you have any further queries, please do not hesitate to contact me at the above.

Yours Sincerely,


Michael Sweeney
Director





RE:/ Planning Permission is sought to construct a new Dry Sow house, 2 no. farrowing rooms, extensions to 3 no. meaner houses in compliance with Welfare Regulations. Also for the revision and location of the type and location of the tanks, engineered storage basin and shed for a Biogas Plant to process pig manure and other organic material to produce renewable energy and fertilizer previously granted under Planning Permission 03/734 at Gorteen Lower, Nurney, Co. Kildare. – Future Pig Ltd.
– 06/2950

Only one reply to Further Information requests will be accepted and the documents submitted will be taken as a full and final response to the Further Information request. Failure to fully address all items of Further Information may lead to Clarification of Further Information and/or a decision may be made in the absence of the information requested.

1. While the Planning Authority acknowledges the previous planning history on the site, it should be noted that, under the provisions of the Planning & Development Regulations 2001, the nature of the proposed development is subject to an Environmental Impact Assessment (EIA) in the following instances:
 - (a) Part 1 (17) (b) & (c) of Schedule 5, the following threshold is applicable: *Installations for the intensive rearing of pigs with more than -*
 - 3000 places for production pigs (over 30 kg)
 - 900 places for sows
 - (b) Part 2 (1) (e) (ii) of Schedule 5, the following threshold is applicable: *Installations for the intensive rearing of pigs not included in part 1 of this schedule, which would have more than -*
 - 2000 places for production pigs (over 30 kg) in a finishing unit
 - 400 places for sows in a breeding unit
 - or, 200 places for sows in an integrated unit.
 - (c) Part 2 (13) (a) of Schedule 5, the following threshold is applicable: *Any change or extension of development, which would –*
 - Result in the development being in a class listed in Part 1 or paragraph 1 to 12 of Part of Schedule 5, and
 - Result in an increase in size greater than 25% or and amount equal to 50% of the appropriate threshold, which ever is greater.

You are requested to comment on the foregoing and where it has been determined that the proposed development requires an EIA, to submit a full Environmental Impact Assessment to address the foregoing.

2. The applicant is requested to submit full and detailed drawings to clearly show how the proposed Bio Gas plant differs in terms of the proposed scale and nature of operation from that previously permitted under planning ref no. 03/734. Please also submit a full and detailed assessment of the associated impacts of these proposed changes with regards traffic, noise, odour, visual impacts, impacts on adjoining landuses, etc.



- 3 Please submit a detailed and comprehensive landscaping plan, prepared by a suitably qualified landscape architect/horticulturist indicating how you intend to landscape the proposed development and shall include the following:
- Details of existing mature hedgerow & trees to be maintained, reinforced or removed on site.
 - The names of species in both Latin and English and a schedule for implementation for the proposal. Species shall be predominantly native, deciduous, indigenous to the area, and should incorporate the use of mature and semi-mature tree species.
 - Cross sections of the sites boundaries showing the heights of proposed screening at time of planting and at different growth periods to maturity.

The proposed landscaping plan shall ensure that the proposed development is adequately screened and set into the local rural landscape.

- 4 The applicant is advised to contact Michael P. Fitzsimons, Chief Fire Officer, Kildare County Council, Central Fire Station, Newbridge, Co. Kildare. (Tel Phone 045 431370) to assess fire safety issues. The applicant shall submit full details of all subsequent revision required for the assessment of the Planning Authority.

Note to Applicant

You should note that this request for further information is not an indication that your application will receive favourable consideration, but is necessary to provide sufficient information in order to make a full assessment of your application.

Date: 23rd February 07

Signed _____
Authorised Officer

KILDARE COUNTY COUNCIL PLANNING APPLICATION FORM

SECTION A
TO BE COMPLETED BY
ALL APPLICANTS



SECTION B
TO BE COMPLETED
FOR ALL INDIVIDUAL
RURAL DWELLINGS

6 sets of maps, plans etc. must be submitted to the Planning Authority.

Incomplete application forms will be deemed invalid and returned.

SECTION A		TO BE COMPLETED BY ALL APPLICANTS	
1. Name of Applicant(s)	A. Forename <u>FUTURE PICS LTD</u>	Surname <u>W. CASTELLO</u>	
	B. Forename	Surname <u>PATRICIA CASTELLO</u>	
	Tel:	Email:	(See Note 1)
(If applicant is a company, please include list of names of Company Directors together with address and registration number of the company)			
	<u>Company Reg No 112651 MAIN ST KILTIMORE CO. DUBLIN 6</u>		
2. Address of Applicant(s)	<u>CURTEEN LOWER NURNEY CO. KILDARE</u>		
3. Person and Firm by whom drawings prepared	Name <u>M. J. M. ENY</u>	Qualification(s) <u>DEVELOPER</u>	
	Firm	Telephone No. <u>01 671 51</u>	
	Address <u>MAIN ST BALLYMORAN CO. TIPPER</u>	Email: <u>M. ENY @ 11.10</u>	
4. Name and Address to which correspondence is to be sent	<u>NICE LTD MODERN FORT LATIN CO. TIPPERARY</u>		
5. Is Application for	<input checked="" type="checkbox"/> Permission <input type="checkbox"/> Outline Permission <input type="checkbox"/> Permission Consequent <input type="checkbox"/> Retention (See Note 2) on Grant of Outline		
6. Give Reference Nos. of any previous planning applications (including invalid applications) on the proposed site or on the overall landholding (Reference number of any Outline Permission granted must be given here) [See Note 3]	<u>03/734</u>		
7. Location of proposed development	<u>CURTEEN LOWER NURNEY CO. KILDARE</u>		
Townland	<u>CURTEEN LOWER</u>		
Ordinance Survey Sheet No.	<u>KE 27 - KE 31</u>		
8. Brief description of proposed development (including change of use) [See Note 4]	<u>A NEW DAY SOW HOUSE, 2 NO PARKING ROOMS, EXTENSION TO 3 NO WASH ROOMS IN COMPLIANCE WITH WELFARE REGULATIONS</u> <u>REVISION OF TYPE & LOCATION OF TANKS ENGINEERED SEWAGE BASIN, SPEC FOR A BIOGAS PLANT TO PRODUCE GAS MANURE & OTHER ORGANIC MATERIALS TO PRODUCE BIOGAS & FERTILIZER</u>		
9. (a) State applicant's legal interest in the site (e.g. owner, leaseholder, prospective purchaser) [See Note 5]	<u>OWNERS</u>		
(b) If applicant is not the owner of the site, please state name and address of the owner			
10. (a) State date on which planning notice was erected on site and mark position of the notice on the site layout plan	<u>22/12/06</u>		
(b) State title of newspaper and date of issue in which planning notice was inserted	<u>22/12/06</u> [See Note 6]		

11. Does the proposed development involve the demolition of any habitable house ☐ Yes ☒ No [If Yes see Note 7]
12. Does the development consist or comprise the carrying out of works to a protected structure or proposed protected structure? [see Note 8] ☐ Yes ☒ No
13. Source of Water Supply [See Note 9] Public Mains ☐ Group Scheme ☐ Well ☒ Other Specify below
 Specify name of group water scheme (if applicable)
14. Method of Sewage Disposal [See Note 10]
 Public Foul Sewer ☐ Existing septic tank ☐ New septic tank ☐ Other Effluent treatment system ☐
 Specify Type LAND SPREAD IN ACCORDANCE WITH THE NITRATES DIRECTIVE AND A NUTRIENT MANAGEMENT PLAN
15. Method of Surface water disposal [See Note 11]
 Surface Water Drains ☐ Soakaways ☐ Watercourses ☒

Information required under Article 22(1)(e) of the Planning and Development Regulations 2001

16. Gross Internal Floor Area of new work m² Site Area ha Development Class
 Gross Internal Floor Area of work to be retained ... m² Gross Floor Area of existing building(if applicable) m² Agri →
 No. of dwellings
 Basis of fee calculation NOT AGRICULTURAL FEES
€ 300
 Fee Payable € 300
 (See Note 12 and Note 13 schedule of fees)
17. Is the application accompanied by an Environmental Impact Statement as required under the Environmental Impact Assessment Regulations as amended? N/A ☐ Yes ☐ No ☒
 (If yes the newspaper notice must indicate this fact)
18. Does the proposed development require a licence under Part IV of the Environmental Protection Agency Act 1992? N/A ☐ Yes ☒ No ☐
 (If yes the newspaper notice must indicate this fact)
19. Does the proposed development require a waste licence in accordance with the Waste Management Act 1996? N/A ☐ Yes ☐ No ☒
20. Do Articles 12 to 18 of the European Communities (Major Accidental Hazards of Certain Industrial Activities) Regulations 1986 to 1992 apply to the proposed development? N/A ☐ Yes ☐ No ☒
21. (a) In relation to housing developments on zoned land, please confirm how you intend to comply with any condition that may be imposed under Section 96 (Part V) of the Planning and Development Act 2000
 (b) Certificate under Section 97 of Planning and Development Act 2000 submitted Yes ☐ No ☒
22. Have you ever had a pre-planning meeting in relation to this application with any official of Kildare County Council? Yes ☐ No ☐
 Pre Planning Ref No. (if Relevant)
 If yes, please give name of official NAIL DILLAN. PAT GALLAGHER
 and the date and place of meeting 20/12/06
23. Please give the name, address and telephone number of a person who will be available to answer technical queries which may arise in connection with this application including access to site M McEWARY, 086-2500332

SECTION B**TO BE COMPLETED FOR ALL INDIVIDUAL RURAL DWELLINGS**

(See guidance notes for section B and map enclosed for assistance when completing this section.)

1. a Are you or any other intended adult occupant(s) of the proposed dwelling natives of County Kildare? Yes ☐ No ☐
- b Are you or any other intended adult occupant(s) a resident of the rural area in which the dwelling is proposed? Yes ☐ No ☐
- c If Yes at (a) or (b) above please give location details, and submit documentary evidence to verify same
(Please indicate location on a map to scale 1:2500")

2. Please give details of place(s) of residence of proposed adult occupants over the past five years

NAME ADDRESS PERIOD

.....

.....

.....

3. Is your current accommodation: Owned ☐ Rented ☐ Other ☐ Specify

4. The following Questions should be answered in respect of the applicant and any other adult occupant(s) of the proposed dwelling

Applicant**Other occupant(s) (Same Questions)**

- (a) Name
- (b) Occupation
- (c) Name & Address of current employer
- (d) Actual place of work
- (e) Distance of work:
- (i) from present residence
- (ii) from proposed site
- (f) Distance of proposed site from current residence



5. (a) State the full name and address of the person from whom the site has or will be acquired
- (b) State applicant's family relationship, if any, to person named at (a)
- (c) Confirm date of purchase of site (Please submit documentary evidence)

6. (a) Have you submitted a certified copy of land registry map and accompanying folio, showing all land in the ownership of the person named in Q5(a) in Co. Kildare. Yes ☐ No ☐
- (b) Have you submitted a map showing all land/plots sold from the original landholding Yes ☐ No ☐
- (c) Confirm reference numbers of all previous planning permissions sought on the original landholding

7. Indicate if, in the event of a grant of permission, you or the person named at 5(a) above would be willing to sterilise from further residential or non agricultural development an area of 5 acres of land and 150 linear yards of road frontage contiguous to the site (10 acres and 200 linear yards if site is located on a Regional Road) Yes ☐ No ☐
- If Yes this land must be indicated clearly on a map of scale 1:2500 and submitted with the application. The written consent of the landowner to sterilisation of the land should also be submitted.

8. Is the proposed site/dwelling for:
- (a) a farmer engaged wholtime in agriculture? Yes ☐ No ☐
- (b) a member of the farm family? Yes ☐ No ☐
- (c) applicant's own occupation? Yes ☐ No ☐
- (d) sale? Yes ☐ No ☐
- (e) other? (please specify)

9. Indicate if, in the event of a grant of permission, you would be willing to accept an occupancy condition restricting the first occupancy of the proposed house, as a place of permanent residence, to yourself and/or members of your immediate family only. Yes ☐ No ☐

APPLICATION CHECKLIST

For Office
Use Only

Fully Completed and Documented Application Form

☐

1 Newspaper Notice (Full Page)

☐

2 Site Notices (in approved format) – Location of site notice(s) must be shown on site layout map

☐

Appropriate Fee

☐

Site Location Map – 6 copies (minimum) in accordance with requirements enclosed

☐

Site Layout Plan – 6 copies (minimum) in accordance with requirements enclosed

☐

Detailed plans, Elevations and Sections – 6 copies (minimum)

☐

Site Characterisation Form for an On-Site Waste Water Treatment System

☐

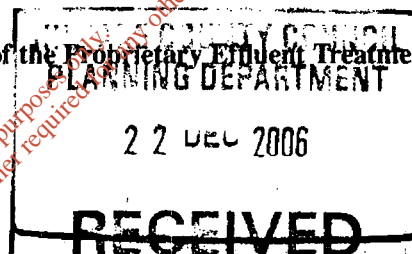
Site Suitability Report from Manufacturers/Suppliers of the Proprietary Effluent Treatment System

☐

Rural Housing Declaration (where appropriate).

☐

Agents Declaration (where appropriate).

☐

6 sets of maps, plans etc. must be submitted to the Planning Authority

Incomplete application forms will be deemed invalid and returned.

I hereby certify that the information given in this form is correct.

Signature of
Applicant

Date

22/12/06

Completed applications should be returned to:

The Secretary,
Planning Department,
Kildare County Council,
Áras Chill Dara,
Devoy Park, Naas,
Co. Kildare.
Telephone: (045) 980840

Opening hours: 9am – 1pm, 2pm – 3pm

Surveyed 1908
Revised 1975
Levelled 1898

Rural PLACE Map



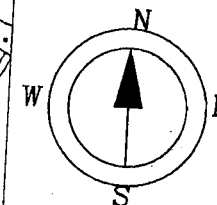
KILDARE COUNTY COUNCIL
PLANNING SECTION
FOR INSPECTION PURPOSES ONLY

Maps Prepared By:
M & J. Mc Eniry
ENGINEERS
Main Street, Ballyporeen, Co. Tipperary.
Tel. 052 67191; Fax. 052 671951 E-mail mjeniry@iol.ie
Ordinance Survey Licence
No AR 0068906.

DESCRIPTION

MAP SCALES

25inch
KE031-07 KE031-03



22 DEC 2006

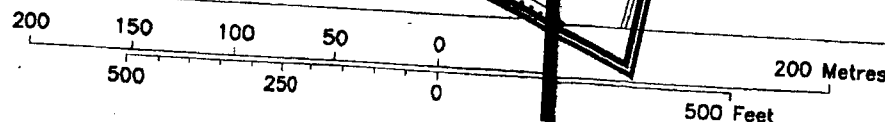
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Plot Ref. No. 23367_3_6
Plot Date 22-APR-2003

Scale:- 1:2500
Scála:- 1:2500



202747
270897

202747
271722

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GORTIEEN

Surveyed 1837
Revised 1909 - 1939
Levelled 1942

Record PLACE Map



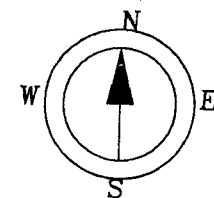
273032
204340

DESCRIPTION

Map Prepared By:
M & J. Mc Eniry
ENGINEERS
Main Street, Ballyporeen, Co. Tipperary.
Tel. 052 67151 Fax 052 67151 E-mail mcmjerry@bt.ie
Ordinance Survey Licence
No AR 0068906.

MAP SCALES

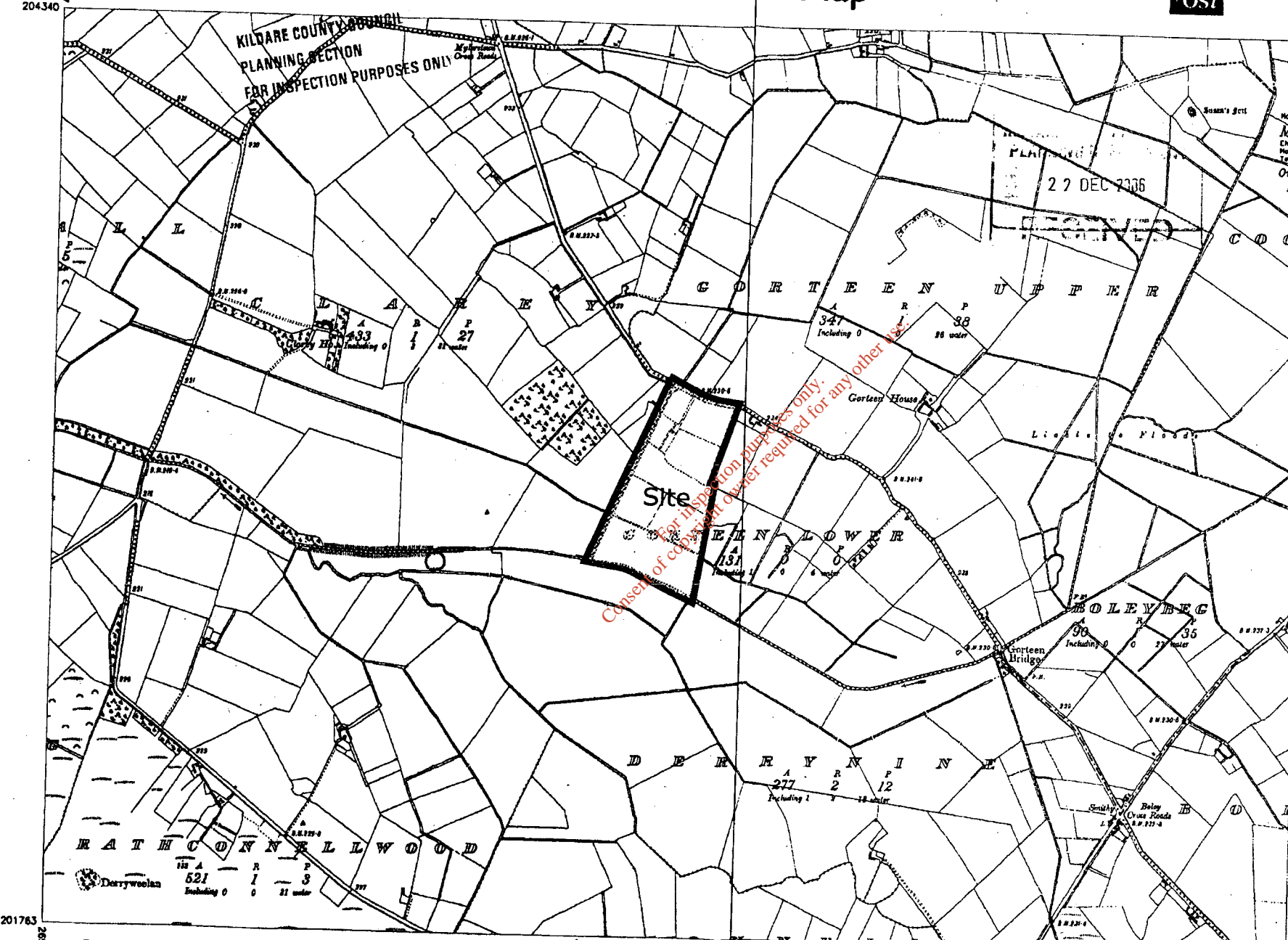
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KE027 KE031



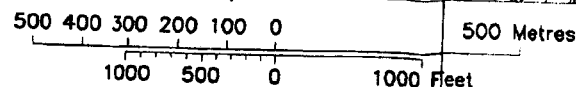
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Scale: - 1:10560
Scála: - 1:10560



Plot Ref. No. 23367_3_7
Plot Date 22-APR-2003

201763
273032