



# Comhairle Contae Mhuineacháin Monaghan County Council

Acmhainní Daonna  
Human Resources  
047 30586

Airgeadas  
Finance  
047 30589

Na Bóithre  
Roads  
047 30597

Clár na dToghthóirí  
Register of Electors  
047 30547

Comhshaol  
Environment  
047 30593

Deontais Ardoideachais  
Higher Education Grants  
047 30550

Na hEalaíona  
Arts  
047 71114

Iasachtaí /Deontais Tithíochta  
Housing Loans/Grants  
047 30527

Leabharlann an Chontae  
County Library  
047 74700

Mótarcháin  
Motor Tax  
047 81175

Músaem an Chontae  
County Museum  
047 82928

Pleanáil  
Planning  
047 30532

Pobal & Fiontar  
Community & Enterprise  
047 73719

Rialú Dóiteáin/Fairgnimh  
Fire/Building Control  
047 30521

Seirbhís Uisce  
Water Services  
047 30504

Tuesday, 15 January 2013

**Environmental Protection  
Agency**

**16 JAN 2013**

Pamela McDonnell,  
Administration Team,  
Environmental Licencing Programme,  
Office of Climate, Licencing & Resource Use,  
EPA,  
PO Box 3000,  
Johnstown Castle Estate,  
County Wexford.

Re: Your references: (i) P0946-01; (II) P0967-01; (III) P092-01.

A Chara,

I refer to your correspondence dated 28<sup>th</sup> November 2012.

Having reviewed the planning history associated with these developments I can confirm that the decisions of the Planning Authority were not appealed by any party to An Bord Pleanála. Accordingly the decisions of the Planning Authority are the applicable grants of planning permission relating to these developments.

In respect of the proposed licence(s) as referred to in your respective correspondence please be advised that Monaghan County Council has no objections in respect of Integrated Pollution Prevention and Control Licence(s) being issued in respect of the applicable developments.

As requested in your correspondence please find attached a copy of the respective planning decisions and the planners report relating to each grant of permission.

I trust this provides your department with a satisfactory over-view of matters relation to these files.

Copy of Permission 12/235 (decision notice) along with copy of planning officers report.

Copy of Permission 12/84 (decision notice) along with copy of planning officers report

Copy of Permission 12/169 (decision notice) along with copy of planning officers report.

Mise le meas,

*Bernadette McElvaney*  
Bernadette McElvaney  
Senior Staff Officer

Encs.

Fálltíonn an tUdarás Áitiúil roimh chomhfhreagras i nGaellge.  
Comhairle Contae Mhuineacháin, Oifigí an Chontae, An Gleann, Mhuineachán, Éire.  
Monaghan County Council, Council Offices, The Glen, Monaghan, Ireland.

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✉ eolas@monaghancoco.ie info@monaghancoco.ie



# Comhairle Contae Mhuineacháin Monaghan County Council

24/08/2012

To: Norman Francey  
Environment Planners Ltd C.L.W  
The Mews  
23 Farnham St  
Cavan

Acmhainní Daonna  
Human Resource  
047 30586

Airgeadas  
Finance  
047 30589

File Number - 12/169

Na Bóithre  
Roads  
047 30597

## Planning and Development Acts 2000 to 2010 NOTIFICATION OF FINAL GRANT

Clár na dToghthóirí  
Register of Electors  
047 30547

Comhshaoil  
Environment  
047 30593

Deontais Ardoideachais  
Higher Education Grants  
047 30550

Na hEalaíona  
Arts  
047 71114

Iasachtaí /Deontais Tithíochta  
Housing Loans/Grants  
047 30527

Leabharlann an Chontae  
County Library  
047 51143

Monaghan County Council has by order dated 19/07/2012 granted PERMISSION to the above named, for the development of land namely:- to re-instate the use of 3 no. poultry layer houses previously decommissioned in line with condition 2 of planning ref. 10/328, together with all ancillary structures and site works associated with the above development. This application relates to a development, which is for the purposes of an activity requiring an Integrated Pollution Prevention and Control (I.P.P.C.) Licence under part IV of the Environmental Protection Agency (Licensing) Regulations, 1994 to 2008. An Environmental Impact Statement (E.I.S.) will be submitted with this planning application. This E.I.S. will be available for inspection or purchase at a fee not exceeding the reasonable cost of making a copy during normal office hours at the offices of Monaghan County Council, at Dunseark, Clones, Co. Monaghan., subject to the 2 condition(s) set out in the Schedule attached.

Signed on behalf of MONAGHAN COUNTY COUNCIL.

Mótarcháin  
Motor Tax  
047 81175

Músaem an Chontae  
County Museum  
047 82928

Bruce  
SENIOR STAFF OFFICER

24.08.12  
DATE

Pleanáil  
Planning  
047 30532

Pobal & Fiontar  
Community & Enterprise  
047 30500

Rialú Doiteáin/Foirgnimh  
Fire/Building Control  
047 30521

## Maps and Drawings remain

It should be noted that an outline permission is a permission subject to the subsequent approval of the Planning Authority and that until such approval has been obtained to detailed plans of the development proposed, the development is NOT AUTHORISED.

Comhairle Contae Mhuineacháin, Oifigí an Chontae, An Gleann, Muineachán, Éire.  
Monaghan County Council, Council Offices, The Glen, Monaghan, Ireland.

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1. Until the poultry numbers within the site area exceed 40,000, or until the applicant has obtained an Integrated Pollution Prevention and Control Licence in respect of the development hereby approved, the following conditions shall be adhered to:
  - a. All existing and proposed surface water gulleys shall be designed to ensure that no polluting matter enters the surface water collection system.
  - b. All structures and buildings to be designed and constructed to Department of Agriculture specifications and in accordance with requirements of the European Communities (Good Agricultural Practice for Protection of Waters) Regulations 2010.
  - c. All soiled waters generated from cleaning or other operations shall be collected and stored in a suitable water tight tank and disposed of in accordance with the Code(s) of Good Farming Practice issued by the Department of Agriculture, Food and Rural Development and also the European Communities (Good Agricultural Practice for Protection of Waters) Regulations 2010.
  - d. Uncontaminated surface/roof water shall be discharged separately to a watercourse or suitable soakpit.
  - e. The poultry litter shall be exported to the farm lands as detailed in the planning application hereby approved. Any changes in this disposal of manure shall be agreed in writing with the Planning Authority.
  - f. If at any time the Planning Authority is satisfied that the disposal of wastes generated by this development is causing environmental pollution and/or a public health nuisance, the disposal operations shall cease immediately on the direction of the said authority and shall not be resumed until permission is granted by the Planning Authority.
  - g. Records of waste disposal activities shall be maintained on site at all times and submitted to the Planning Authority on request:

*Records to include:*

- (i) Name and address of Disposal Contractor
- (ii) Date of each disposal operation
- (iii) Quantity (weight and volume) disposed of
- (iv) For each disposal operation, the name, address and telephone number of
  - (a) the Company who has taken possession of poultry house waste,
  - (b) together with the end use of the material
- (v) Proposals for covered storage of manure during the closed season for spreading of nitrates on lands.
- (vi) Any other information as may be required from time to time by the Planning Authority.

If at any time the Planning Authority is satisfied that the disposal of wastes generated by this development is causing environmental pollution and / or a public health nuisance, the disposal operation shall cease immediately on the direction of the said authority and shall not be resumed until permission is granted by the Planning Authority.

2. The development shall be carried out and completed in accordance with plans submitted to the Planning Authority on the 31<sup>st</sup> May 2012, except as may otherwise be required in order to comply with the above condition.

REASONS FOR THE IMPOSITION OF THE ABOVE CONDITIONS ARE:

1. In the interest of environmental protection.
2. To ensure a satisfactory standard of development

Maps and Drawings remain  
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**MONAGHAN COUNTY COUNCIL**

**PLANNING AND DEVELOPMENT**

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**File Ref:** 12169

**Applicant:** Norman Francey

**Development:** Permission to re-instate the use of 3no. poultry layer houses previously decommissioned in line with condition #2 of permission 10/328, together with all ancillary structures and site works associated with the above development.

This application relates to a development which is for the purposes of an IPPC licence and an EIS will be submitted with this application

**Location:** Dunseark, Clones

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**Characteristics of Site/Area**

The site is located in a typical rural area. The site area consists of an existing farmyard with existing sheds and related yard area.



Existing sheds seeking to be utilised

Shed as constructed under ref 10/328

Maps and Drawings remain  
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Sheds seeking permission to be used for poultry farming

### Planning History

10/328: Permission to consist of the decommissioning of 3 no. existing poultry layer houses and the construction of 1 no. poultry layer house with integrated egg packaging area and storage area together with meal storage bin, covered manure storage building, new site entrance, boundary fencing and wheel wash area together with all associated landscaping and ancillary works; granted.

11/316: Permission to retain revised position of poultry house; (2) retain alterations and amendments made during construction to poultry house from that previously granted under ref. no. 10/328; (3) permission to complete all ancillary site works from that previously granted under application ref. no. 10/328

### Consultation

Environment: no objections

EHO: no comments received

### Representations/Objections

None

### Planning Assessment

**Overview:** This application is being submitted seeking to use existing farm sheds which were decommissioned as part of permission 10/328.

Notwithstanding this application is seeking to carry out works /reinstate buildings which were required to be decommissioned by condition #2 of permission 10/328, this proposed application is valid in terms of legislative requirements given the 'works' as proposed via this application.

The associated increase in poultry numbers within this farm as proposed via this application will be increasing from 39,000 overall to 74,000 birds. Cumulatively the development within the site area falls within the mandatory EIA threshold as defined in the Planning and Development Regulations 2001.

Accompanying this application is an EIS which provides an overview of the overall farm operations.

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## EIS DETAILS & CONSIDERATION

Non technical summary adequately details the proposed development;

**Visual impact:** A description of the proposed development in relation to the surrounding landscape is detailed. No issues in this regard given the sheds existing at present.

**Effluent and site drainage:** Specific details in relation to water monitoring at the site will be dealt with via IPPC licence.

**Manure storage:** general details are submitted detailing the proposed customer base to spread the poultry manure on farm land. However, these submitted details do not allow for the increase in poultry manure which will emanate from this proposed development as submitted details relate solely to the applicant's existing poultry sheds. Also, it is noted that the manure store as required under permission 10/328 has not been constructed to date. Revised details to be requested from the applicant in this regard.

**Noise:** no issues identified as activity will be similar to existing farmyard noise levels.

**Traffic:** 2 loads of manure per week; 2 deliveries of feed per week; circa 14 staff movements per week and 7 vehicles per week collecting eggs; on consideration of anticipated traffic movements the proposed development will not result in excessive traffic movements for this road/location.

**Flora/Fauna:** no major impact anticipated on local environment

**Natural Heritage:** no issues identified in this regard

In summary, the following is noted:

- In total an additional 35000 laying hens are proposed via this development.
- Manure/chicken litter is to be stored on-site. However, as the development is subject to IPPC licensing then until such a licence is obtained a condition to be attached to a grant of permission requiring records to be kept of disposal of manure associated with this site/farm.
- Monitoring of surface water discharge to be dealt with as part of IPPC licensing.

### - Appropriate Assessment/Screening

Under Article 6(3) of the EU Habitats Directive and Regulation 30 of SI no. 94/1997 "European Communities (Natural Habitats) Regulations" (1997) any plan or project which has the potential to significantly impact of the integrity of a Natura 2000 site (ie. SAC or SPA) must be subject to an Appropriate Assessment.

This requirement is also detailed under Section 177(U) of the Planning and Development Acts (2000-2010).

- Notably there are no watercourses in proximity to the application site and no pathway connectors with any SPA's or SAC's. Having regard to the development as proposed and the activities associated with the development proposal both during construction works and post construction works it is therefore concluded that it is not necessary for an Appropriate Assessment to be carried out in relation to this development

### Conclusions

- The farm sheds/former poultry sheds seeking permission to be used for poultry farming again means there is no visual impact of the proposed development.

- Considered in the context of the existing established business then this application should be looked on as an extension to the existing farm business.

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**Development contributions:**

No additional floor-space proposed and this application is seeking to use existing redundant farm buildings for use as poultry farming. Accordingly, development contributions not deemed applicable in respect of community, recreation and amenity infrastructure.

Notably the applicant has paid development contributions as per permission 10/328.

**Recommendation:**

**That permission be granted subject to the following conditions:**

- 1a. Until the poultry numbers within the site area exceed 40,000, or until the applicant has obtained an Integrated Pollution Prevention and Control Licence in respect of the development hereby approved, the following conditions shall be adhered to:
- a. All existing and proposed surface water gulleys shall be designed to ensure that no polluting matter enters the surface water collection system.
  - b. All structures and buildings to be designed and constructed to Department of Agriculture specifications and in accordance with requirements of the European Communities (Good Agricultural Practice for Protection of Waters) Regulations 2010.
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  - f. If at any time the Planning Authority is satisfied that the disposal of wastes generated by this development is causing environmental pollution and/or a public health nuisance, the disposal operations shall cease immediately on the direction of the said authority and shall not be resumed until permission is granted by the Planning Authority.
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  - i. the Company who has taken possession of poultry house waste,
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- e. Proposals for covered storage of manure during the closed season for spreading of nitrates on lands.
- f. Any other information as may be required from time to time by the Planning Authority.

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- g. If at any time the Planning Authority is satisfied that the disposal of wastes generated by this development is causing environmental pollution and / or a public health nuisance, the disposal operation shall cease immediately on the direction of the said authority and shall not be resumed until permission is granted by the Planning Authority.

**Reason: In the interest of environmental protection.**

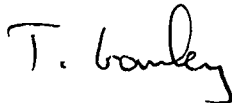
2. The development shall be carried out and completed in accordance with plans submitted to the Planning Authority on the 31<sup>st</sup> May 2012, except as may otherwise be required in order to comply with the above condition.

**REASONS FOR THE IMPOSITION OF THE ABOVE CONDITIONS ARE:**

1. In the interest of environmental protection.
2. To ensure a satisfactory standard of development



**R Woods**  
**Assistant Planner**  
**18<sup>th</sup> July 2012**



19-7-12

Maps and Drawings remain

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