



# 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/Foirgnimh  
Fire/Building Control  
047 30521

Seirbhís Uisce  
Water Services  
047 30504

Wednesday, January 30, 2013

Environmental Protection Agency,  
Environmental Licensing Programme,  
Regional Inspectorate,  
Inniscarra,  
Co Cork.

Attn: Maire Buckley

Your reference: P0936-01

A Chara

I refer to your correspondence dated 17<sup>th</sup> of January 2013

Having reviewed the planning history associated with these developments I can confirm that the decision of the Planning Authority were not appealed by any party to An Bord Pleanála. Accordingly the decision of the Planning Authority is the applicable grant of planning permission relating to this development.

In respect of the proposed license(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 License(s) being issued in respect of the above development. The Environment Section have recommended the inclusion of a specific condition to be attached to any future license. In this regard it is recommended that records be maintained on site of all landbanks/holdings which receive organic manure generation from the permitted poultry operation. (See Appendix 2)

As requested in your correspondence please find attached a copy of the respective planning decisions and the planners report relating to the grant of permission 12/292.

I trust this provides your department with a satisfactory over-view of matters relating to this development.

## Appendix 1

Copy of Permission 12/292 (decision notice) along with copy of planning officers report.



Fáilteann an tUdarás Áitiúil roimh chomhfhreagras i nGaeilge.

Comhairle Contae Mhuineacháin, Oifigí an Chontae, An Gleann, Muineachán, Éire.

Monaghan County Council, Council Offices, The Glen, Monaghan, Ireland.

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## Appendix 2

Copy of condition suggested by Environment Section to ensure records are kept of poultry litter movements from the site to other landholdings/landbanks

1. Records of waste disposal activities shall be maintained on site at all times and submitted to the Environmental Section of Monaghan County Council on request:  
Records shall comply with requirements of Article 23 of the European Communities (Good Agricultural Practice for Protection of Waters) Regulations 2010 and as a minimum shall include:
  - (a) Name and address of Disposal Contractor
  - (b) Date of each disposal operation
  - (c) Quantity (weight and volume) disposed of
  - (d) For each disposal operation, the name, address and telephone number of
    - i. the Company who has taken possession of poultry house manure,
    - ii. together with the end use of the material
  - (e) In the event of poultry manure being landspread farmer name(s) address and Herd number(s)
  - (f) Any other information as may be required from time to time by the Planning Authority.

Mise le meas,

  
Bernadette McElvaney  
Senior Staff Officer



# Comhairle Contae Mhuineacháin Monaghan County Council

Acmhainní Daonna  
Human Resources  
047 30586

19/12/2012

Airgeadas  
Finance  
047 30589

To: Brian Honeyman  
Environment Planners Ltd C.L.W  
The Mews  
23 Farnham St  
Cavan

Na Bóithre  
Roads  
047 30597

Clár na dToghthóirí  
Register of Electors  
047 30547

File Number - 12/292

Comhshaol  
Environment  
047 30593

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

Deontais Ardoideachais  
Higher Education Grants  
047 30550

Monaghan County Council has by order dated 14/11/2012 granted PERMISSION to the above named, for the development of land namely:- to demolish 1 no. existing poultry house and to construct 1 no. poultry house and 1 no. covered collection/loading area, together with all ancillary structures (to include meal bin(s), concrete aprons etc.) 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. , at Corderrybane, Castleblayney, Co Monaghan, subject to the 5 condition(s) set out in the Schedule attached.

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

Signed on behalf of MONAGHAN COUNTY COUNCIL.

Músaem an Chontae  
County Museum  
047 82928

  
SENIOR STAFF OFFICER

Pleanáil  
Planning  
047 30532

19/12/12  
DATE

Pobal & Fiontar  
Community & Enterprise  
047 73719

Rialáí Dóiteáin/Foirgnimh  
Fire/Building Control  
047 30521

Seirbhís Uisce  
Water Services  
047 30504

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.**

Fálltíonn an tUdarás Áitiúil roimh chomhfhreagras i nGaeilge.  
Comhairle Contae Mhuineacháin, Oifigí an Chontae, An Gleann, Muineachán, Éire.  
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- 4 All mitigation measures identified in the submitted EIS dated 21/09/12 shall be fully implemented
- 5 The development shall be carried out strictly in accordance with the plans and documents submitted to the Planning Authority on the 21/09/12

#### REASONS FOR THE IMPOSITION OF THE ABOVE CONDITIONS

1. In the interest of environmental protection
2. It is considered appropriate that the developer should contribute towards the expenditure incurred or proposed to be incurred by the Council in the provision of community, recreation and amenity infrastructure and facilities.
3. In the interest of environmental protection
4. In the interest of environmental protection and a satisfactory standard of development
5. In the interest of proper planning and sustainable development and in order to prevent unauthorised development



### 3.0 Characteristics of Area

The landscape character of the area consists of rolling agricultural land/hills. The predominant land use is agricultural with some sporadic one off housing mainly farmhouses and their associated outbuildings/ sheds.

### 4.0 Consultations

Environment – As the application represents a development for which an IPPC Licence is required the planning authority have no remit to impose environmental conditions. Detailed conditions will be determined within the licensing procedure. No development shall commence until such time as the License has been secured.

In relation to the construction phase of the development, the Environmental Section have requested a waste management plan be submitted.

### 5.0 Submissions/Observations

None

### 6.0 Policy

Monaghan County Development Plan 2007-2013 sets out policies for the provision of agricultural development, Section 8.7 states that the Council will normally give favourable consideration to non-exempted and necessary agricultural, horticultural and forestry development in rural where;

**AGR1** *"The development is for agricultural, horticultural, or forestry purposes and is necessary for the running of the farm enterprise" - the application is on an existing agricultural poultry operation*

**AGR2** *"The proposal is appropriate in terms of scale, location and design and does not seriously impact on the visual amenity of the area or on the natural or man made environment. In all cases the development shall be sited so as to benefit from the screening provided by the topography or existing landscaping" – The proposed development is on an established farm/poultry farm site and as such raises no significant planning concerns*

**AGR3** *"The proposal is located within or adjacent to existing farm building, unless where the applicant has clearly demonstrated that the building must be located elsewhere for essential operational or other reasons" – The proposed development complies with this policy*

**AGR4** *"The development is not located within 100m of any residential property not located on the holding, unless with the express written consent of the owner of the property, and where it will not result in an unacceptable loss of residential amenity by reason of noise, smell, pollution, general disturbance etc – the proposed development*

- A site description
- A description of the proposed development
- The identification of Natura 2000 sites
- A site synopsis for Lough Outer and Associated Loughs SAC
- Assessment of likely effects <sup>of the</sup>
- Assessment of In-combination effects

The report identifies no direct potential significant adverse impact on the Lough Oughter and Associated Loughs SAC (35km from the subject site). The screening report identified potential secondary indirect adverse effects on the Natura 2000 site as a result of the additional organic fertiliser generated by the proposed development and its location within the catchment area of this SAC. The report states that this impact is mitigated /eliminated as all organic fertiliser is to be allocated for use in accordance with SI 610 of 2010.

The report concludes that there is no requirement for a stage II Habitats Directive Assessment to be carried out for the expansion of the poultry farm on the basis of the distance to the site and the mitigating measures proposed for the discharge to water. All organic fertiliser will be allocated for use in accordance with the requirements of the Nitrates Directive and SI 610 of 2010 ensuring no potential pollution of surface or ground water.

### *Design*

The replacement poultry house is just over 8m high and is to be clad in green agri-cladding over insulated steel cladding. The structure is 105m in length and has a total floor area of 1216sq.m. The development also includes the provision of a meal bin and dung storage area (covered). The shed is larger in scale than the shed(s) permitted under 11/22, however the overall length of the structure is less than the adjoining shed to the east. There is an established hedge along this boundary, part of the hedge has been lowered to facilitate sight lines.

Notwithstanding the scale of the structure proposed, it is considered that given its location on an established poultry farm site and given that there are no amenity/landscape designations applicable to the area, the visual impact is acceptable.

### *Traffic*

The applicant has clarified the following traffic movements to/from the site

- 1.75 load (25 tonnes per load) of organic fertiliser per week
- 3-4 (increasing from c.1-2) feed deliveries per week
- c 2-3 (increasing from c.1-2) staff movements per day
- Daily egg collection and transport to the Nestbox Egg Company Ltd
- Weekly collection of dead birds
- Additional periodical traffic arising due to veterinary inspections, farm maintenance and movements of birds to and from the site at the start/end of the production cycle c.56 weeks

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).

The site is located approximately 35km from the nearest SAC in Co Cavan (Lough Outer), the site is within the water catchment of Lough Outer and associated Loughs. Having regard to the distance of the development from the Natura 2000 site and taking into account the nature of the activity both during construction works and post construction works it is concluded that it is not necessary for an Appropriate Assessment to be carried out in relation to this development.

### **Recommendation**

**It is recommended that permission be GRANTED subject to the following :**

#### **Conditions:**

- 1 The development hereby permitted shall not become operational until such time as an IPPC Licence is granted

€5,570 ✓

- 2a. Prior to commencement of development, or in accordance with a phased schedule of payments agreed in writing with the Planning Authority made prior to commencement of development, the developer shall pay to Monaghan County Council a contribution of ~~€4580~~ in accordance with the terms of the Development Contribution Scheme 2008-2012 made under section 48 of the Planning and Development Act 2000, towards expenditure incurred or proposed to be incurred by the Council in the provision of community, recreation and amenity public infrastructure and facilities. The financial contribution shall be updated in accordance with the Wholesale Index from the date of grant of permission consequent to the value pertaining at the time of payment. The contribution shall be paid prior to the commencement of development or in such phased payments as agreed in writing with the Planning Authority prior to the commencement of any work on this development.

The payment of the said contribution shall be subject to the following:

- (i) Where the proposed works are, within a period of 7 years prior to or from the date of payment of the full contribution or final instalment payment thereof, not commenced, the return of the contribution or the instalments thereof, paid during that period.
- (ii) Where the proposed works are, within a period of 7 years from the date of payment of the full contribution or final instalment payment thereof, carried out in part only, or in such a manner as to facilitate the proposed development to a lesser extent, the return of a proportionate part of the contribution or the instalments thereof paid during that period.
- (iii) Payment of interest at the prevailing interest rate payable by Council on the contribution or any instalments thereof that have been paid, so long as and in so far as it is or they are retained unexpended by the Council.