



# 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

Our Ref: P10/84

Your Ref: P0941-01

29 August 2013

Environmental Protection Agency  
Headquarters, PO Box 3000  
Johnstown Castle Estate  
Co. Wexford,

Re: Notification under Section 87(11)(f)(i) of the EPA Acts 1992-2012

A Chara,

I refer to your correspondence dated 26 August 2013

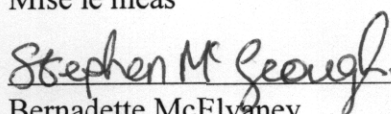
Having reviewed the planning history associated with these developments I can confirm that the decision of the Planning Authority was not appealed by any party to An Bord Pleanála. Accordingly the decision of the Planning Authority is the applicable grant of planning permission relating to this development.

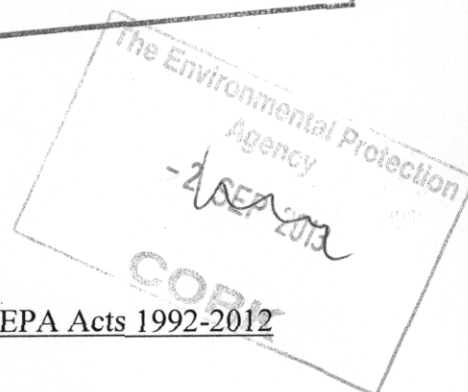
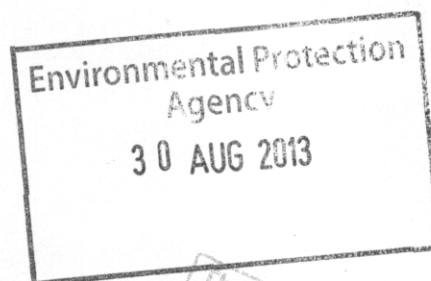
In respect of the proposed licence(s) as referred to in your respective correspondence please be advised that Monaghan County Council has no objections in respect of Integrated Pollution Prevention and Control Licence(s) being issued in respect of the above development. The Environment Section has recommended the inclusion of specific conditions to be attached to any future licence.

Please find attached a copy of the respective planning decisions and the planners report relating to the grant of permission 10/84.

I trust this provides your department with a satisfactory overview of matters relating to this development.

Mise le meas

PP   
Bernadette McElvaney  
Senior Staff Officer.



Fáilteonn 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.

00353 47 30500 00353 47 82739 www.monaghan.ie

eolas@monaghancoco.ie info@monaghancoco.ie EPA Export 03-09-2013:23:50:37

## Appendix 1

Copy of Permission 10/84 along with copy of planning officers report.

For inspection purposes only.  
Consent of copyright owner required for any other use.





# Monaghan

COUNTY COUNCIL  
COMHAIRLE CONTAE  
MHUINEACHÁIN

Arts  
047 71114

Community &  
Enterprise  
047 30500

County Library  
047 51143

County Museum  
047 82928

Environment  
047 30593

Finance  
047 30589

Fire/Building Control  
047 30521

Higher Education  
Grants  
047 30550

Housing Estate  
Management  
047 30529

Housing Loans/Grants  
047 30527

Human Resource  
Management  
047 30586

Motor Tax  
047 81175

Planning  
047 30532

Register of Electors  
047 30547

Roads  
047 30597

Water Services  
047 30504

21/05/2010

To: Michael Mc Elvaney  
C/o Niall McKenna  
Scotstown,  
Co. Monaghan.

File Number - 10/84

Planning and Development Acts 2000 to 2007  
**NOTIFICATION OF FINAL GRANT**

Monaghan County Council has by order dated 16/04/2010 granted RETENTION to the above named, for the development of land namely:- to retain 1 no. poultry unit and all associated site works at Cooldarragh, Threemilehouse, Co. Monaghan, subject to the 2 condition(s) set out in the Schedule attached.

Signed on behalf of MONAGHAN COUNTY COUNCIL.

A/ADMINISTRATIVE OFFICER

21/5/10

DATE



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.**

1. Within a period of three months from the date of planning permission hereby granted, or in accordance with a phased schedule of payments agreed in writing with the Planning Authority, the developer shall pay to Monaghan County Council a sum of **€6315.00** in accordance with the Development Contribution Scheme 2008-2012 made under Section 48 of the Planning and Development Act 2000 (as amended), towards expenditure incurred or proposed to be incurred by the Council in the provision of community, recreation and amenity public infrastructure and facilities, which will facilitate the development as constructed.  
The Development Contribution Scheme shall be updated by the Planning Authority on an annual basis, in accordance with the Wholesale Price Index for Building and Construction (Materials and Wages). The sum attached to this condition shall be revised from the date of the grant of planning permission to the value pertaining at the time of payment in accordance with the annual update and the amount of contribution attached therein.  
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.
2. The development shall be carried out in accordance with plans submitted to the Planning Authority on the 5<sup>th</sup> March 2010, except as may otherwise be required in order to comply with the above conditions.

THE REASONS FOR THE IMPOSITION OF THE ABOVE ARE:

1. 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.
2. To prevent unauthorised development.



MONAGHAN COUNTY COUNCIL

PLANNING AND DEVELOPMENT

**File Ref: 10/84**

**Applicant: Michael McElvaney**

**Development: Permission to retain 1no. poultry unit and all associated site works**

**Location: Cooldarragh, Threemilehouse**

**Characteristics of Site**

The site consists of an established poultry farm with associated hard-standing yard area and a portion of the adjoining agricultural field.

Boundaries of the site are defined by a post-and-wire fence.

There are 2no. long-standing poultry sheds located adjacent to this shed to be retained.

In terms of contours the site area rises upwards steeply from the level of the local secondary road and the existing poultry sheds have been erected on a plateau. However, by virtue of the set-back from the public road and with there being separate farm buildings located along the roadside the poultry sheds as existing are not visible from any public vantage points.

**Characteristics of Area**

The surrounding area is a mixture of agricultural and residential land uses.

**Planning History**

No recent applications.

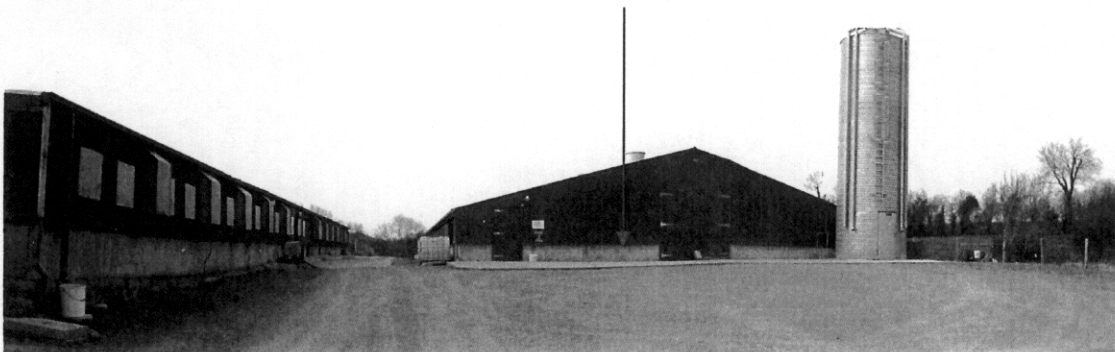
From inspection of the farm yard the adjacent poultry sheds and remaining farm buildings appear to have been in place for in excess of 7 years.

**Consultation Replies**

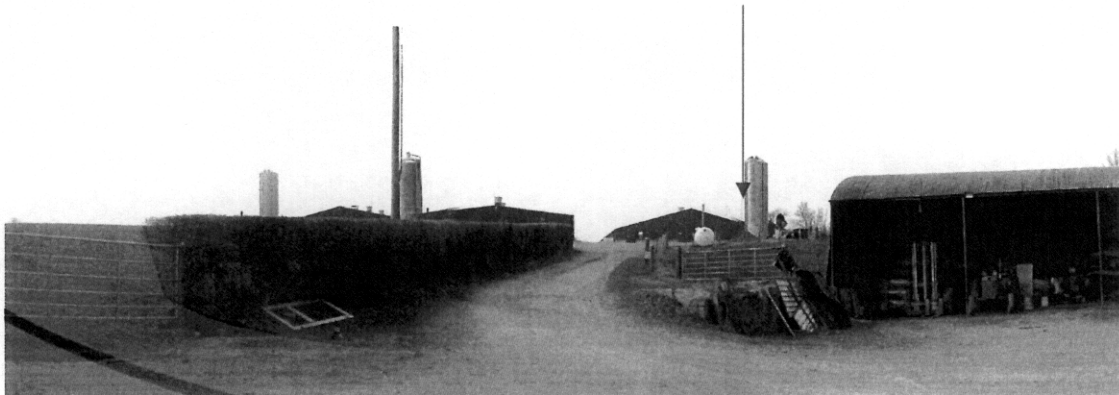
**Environment: no objections**

**Representations/Objections**

No representations or objections received.



Shed to be retained



View of shed to be retained in the context of adjacent farm buildings



View of site area from roadside (shed to be retained)

## Planning Issues

### Assessment

The Council will normally give favourable consideration to non-exempted and necessary agricultural, horticultural and forestry development in rural areas where;

**AGR1** – The development is for agricultural, horticultural or forestry purposes and is necessary for the running of the farm or enterprise.

- *There are no issues in this regard as the proposal is with an existing operational poultry farm.*

**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 should be sited so as to benefit from any screening provided by topography or existing landscaping.

- *There are no issues in this regard as visual impact of the poultry shed is to an acceptable degree.*

**AGR3**- The proposal is located within or adjacent to existing farm buildings, unless where the applicant has clearly demonstrated that the building must be located elsewhere for essential operational or other reason.

- *The proposal is satisfactorily positioned alongside established and operational farm buildings.*



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

- *There are no issues in this regard.*

**AGR5-** The development will not result in a traffic hazard.

- *There are no issues in this regard.*

**AGR6-** The development will not result in a pollution threat to sources of potable water, water courses, aquifers or ground water

- *There are no issues in this regard.*

**Other considerations:**

- Existing site access being utilised;
- The development is sub-threshold for an EIS as defined under Schedule 5, Part 1 (17a) of the Planning and Development Regulations 2001 (as poultry nos. proposed will be less than 85000 broilers in total within the farm.

**Development contributions:**

**Applicable as the floor-space proposed exceeds 300 sq. metres.**

Floorspace proposed: 1362.7 (1363 rounded off)

**Calculation: €1000 for 1<sup>st</sup> 300 sq. metres &**

**€5 per sq. metre above 300 sq.m (1063 sq. metres x €5 ) = €5315.00**

**€1000 & €5315 = €6315.00 contributions due.**

**Recommendation:**

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

1. Within a period of three months from the date of planning permission hereby granted, or in accordance with a phased schedule of payments agreed in writing with the Planning Authority, the developer shall pay to Monaghan County Council a sum of **€6315.00** in accordance with the Development Contribution Scheme 2008-2012 made under Section 48 of the Planning and Development Act 2000 (as amended), towards expenditure incurred or proposed to be incurred by the Council in the provision of community, recreation and amenity public infrastructure and facilities, which will facilitate the development as constructed. ✓

The Development Contribution Scheme shall be updated by the Planning Authority on an annual basis, in accordance with the Wholesale Price Index for Building and Construction (Materials and Wages). The sum attached to this condition shall be revised from the date of the grant of planning permission to the value pertaining at the time of payment in accordance with the annual update and the amount of contribution attached therein.

(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.

(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.

REASONS FOR THE IMPOSITION OF THE ABOVE CONDITIONS ARE:

2. To prevent unauthorised development.

Ronan Woods  
Assistant Planner  
14/4/10

15.04.10



## 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. Where land spreading of manure is proposed to take place in Co Monaghan, the licensee should submit detailed proposals to the Environment Section of Monaghan County Council for acceptance. Such proposals shall:
  - (i) Include location and maps of any off site storage facility and land banks.
  - (ii) Demonstrate that sensitive areas including those described in Chapter 4, Section 4.9 of the Monaghan County Development Plan 2013-2019 have been considered.
  - (iii) Demonstrate that DAFM guidelines on land spreading poultry manure (to include minimisation of disease) and industry best practice on land spreading have been taken into account.
  - (iv) Include a nutrient management plan.
2. The site drainage system should be reviewed in relation to new requirements of the Monaghan County Development Plan 2013-2019 (Section 4.9 and Appendix 13 refer) and as minimum effective silt traps(s) shall be incorporated into existing drainage system. In the case of a discharge of storm water to any first order stream with a gravel bed or to higher order streams some form of SUDS in addition to adequate silt trap(s) should be incorporated into existing drainage system.

Regards

Helen Hughes.

For inspection purposes only  
Consent of copyright owner required for any other use