

## FILE TO GIS MAPPING

PL 19 245044

REG. REF: PL2/1512

TO GIS Mapping

Signed: Rashyn Cooper A.A.

Date: 8/7/15

## GIS MAPPING

Mapped by: \_\_\_\_\_ A.A.

Date: 9/7/15

To be returned to Processing.

Checked by: Nicole Muehler E.O.

Date: 23/7/15

OS number on file

Signed: CS A.A.

Date: 9/7/15

## WORKSHEET FOR A.A. POST MAPPING

PL 19 245044

**Request from Planning Authority, (if still necessary),  
when file returns from GIS processing:**

History reference numbers: (BP10 Letter)

Full Details	Site Plans, Manager's Order and all internal reports

A copy of the following Drawing Numbers:

Any other relevant information necessary for the current appeal:

Sign: Roslyn Cole

Date: 8/7/15

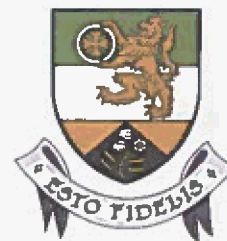
Sign: \_\_\_\_\_ Requested Date: \_\_\_\_\_

## Offaly County Council

Áras an Chontae, Charleville Road,  
Tullamore, Co. Offaly.

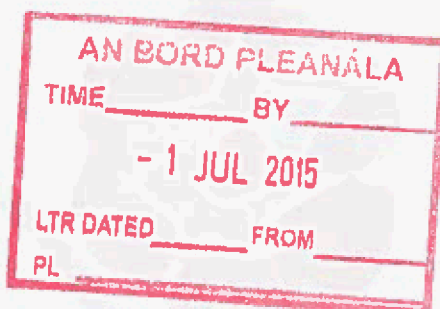
## Comhairle Chontae Uíbh Fhailí

Áras an Chontae, Bóthar Charleville,  
An Tulach Mhór, Contae Uíbh Fhailí.



T: 057 9346800 F: 057 9346868 / www.offaly.ie / customerservices@offalycoco.ie

Glenn O'Connell  
Administrative Assistant,  
An Bord Pleanála  
64 Marlborough Street  
Dublin 1



30<sup>th</sup> June 2015

Your Ref: PL.19.245044  
Our Ref: PL2/15/2

**RE: Permission for (A) demolition of 10 no. existing pig houses, and, (B) construction of 2 no. pig houses, and, extensions to 2 no. existing structures to form pig house no. 3, together with all ancillary structures (to include meal storage bins, storage tanks, stormwater attenuation tank) and all associated site works on the site of an existing pig farming enterprise. 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 2013. An Environmental Impact Statement (E.I.S.) has been submitted with this planning application at Ardra, Bracknagh, Co. Offaly - Rosderra Farms**

Dear Sir,

I refer to the above references and to your letter dated 24<sup>th</sup> June 2015 and I now attach the following:

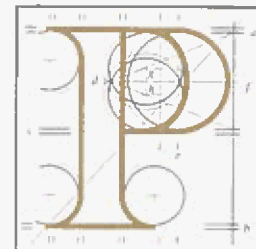
- Full details (i.e. Certified copy of Manager's Order, Site Location and Site Layout Maps, all plans and particulars and any technical reports) on Planning Register Reference number: PL2/15/2.
- History Files - PL2/92/205 and PL2/95/275

Trusting the enclosed is to your satisfaction.

Yours faithfully,

Administrative Officer,  
Planning Section

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## Contingency Submission

5. If the decision of your authority was to refuse permission, you should consider whether the authority wishes to make a contingency submission to the Board as regards appropriate conditions which, in its view, should be attached to a grant of permission should the Board decide to make such a grant. In particular, your authority may wish to comment on appropriate conditions which might be attached to a permission in accordance with section 48 and/or 49 of the 2000 Planning Act (Development / Supplementary Development Contributions) including any special condition which might be appropriate under section 48(2)(c) of the Act.

Any such contingency submission, in circumstances which your authority decided to refuse permission, would be without prejudice to your authority's main submission in support of its decision.

Please quote the above appeal reference number in any further correspondence.

Yours faithfully,

Glenn O'Connell  
Administrative Assistant  
Direct Line: 01-8737170

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I hereby certify that the planning authority has complied with section 128 and section 37(1)(b) of the 2000 Act and that all material relevant to (PL.19.245044) the request at 1 on page 1 of this letter has been forwarded.

Signed: Olivia Hughes

Print: (OLIVIA HUGHES)

Date: 25.6.2015

BP07 Revised 24.05.13

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ACKNOWLEDGEMENT OF RECEIPT OF SUBMISSION OR OBSERVATION ON A  
PLANNING APPLICATION

**THIS IS AN IMPORTANT DOCUMENT**

KEEP THIS DOCUMENT SAFELY. YOU WILL BE REQUIRED TO PRODUCE THIS ACKNOWLEDGEMENT TO AN BORD PLEANÁLA IF YOU WISH TO APPEAL THE DECISION OF THE PLANNING AUTHORITY. IT IS THE ONLY FORM OF EVIDENCE WHICH WILL BE ACCEPTED BY AN BORD PLEANÁLA THAT A SUBMISSION OR OBSERVATION HAS BEEN MADE TO THE PLANNING AUTHORITY ON THE PLANNING APPLICATION.

**PLANNING AUTHORITY NAME** OFFALY COUNTY COUNCIL

**PLANNING APPLICATION REFERENCE No.** PL2/15/2

A submission/observation in writing has been received from Inland Fisheries Ireland

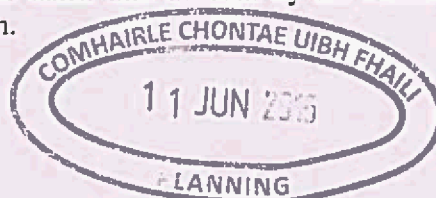
on 03/06/2015 in relation to the above planning application

(Fee not applicable to prescribed bodies)

The submission/observation is in accordance with the appropriate provisions of the Planning and Development Regulations 2001- 2011 and will be taken into account by the Planning Authority in its determination of the planning application.

*Oliver Hughes*

Official's Name



Planning Authority Stamp

11/06/2015

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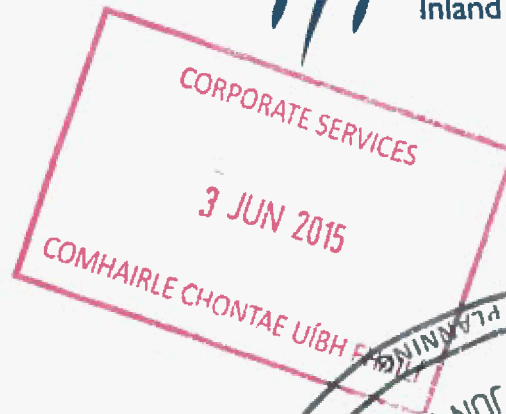




Iascach Intíre Éireann  
Inland Fisheries Ireland

2nd June 2015

Administrative Officer,  
Planning Section,  
Offaly County Council,  
Aras an Chontae,  
Charleville Road,  
Tullamore,  
Co. Offaly.



**PERMISSION SOUGHT BY: ROSDERRA FARMS**

**DATE OF APPLICATION: 2<sup>ND</sup> JANUARY 2015**

**REFERENCE NUMBER IN LOCAL AUTHORITY PLANNING REGISTER: 15/2**

**SUBJECT OF PLANNING PERMISSION APPLICATION: PERMISSION FOR TO A) DEMOLITION OF 10 NO. EXISTING PIG HOUSES, AND, (B) CONSTRUCTION OF 2 NO. PIG HOUSES, AND, EXTENSIONS TO 2 NO. EXISTING STRUCTURES TO FORM PIG HOUSE NO. 3, TOGETHER WITH ALL ANCILLARY STRUCTURES (TO INCLUDE MEAL STORAGE BINS, STORAGE TANKS, STORMWATER ATTENUATION TANK) AND ALL ASSOCIATED SITE WORKS ON THE SITE OF AN EXISTING PIG FARMING ENTERPRISE. 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 2013. AN ENVIRONMENTAL IMPACT STATEMENT (E.I.S.) HAS BEEN SUBMITTED WITH THIS PLANNING APPLICATION AT ARDRA, BRACKNAGH, COUNTY OFFALY.**

Dear Sir/Madam,

Thank you for forwarding by letter dated 28<sup>th</sup> May 2015 a copy of your Council's decision on the above referred application.

Inland Fisheries Ireland (IFI) wish to draw your attention to the fact that the Regulation with which compliance is required under Condition 2(d) of your Council's decision was revoked. Accordingly, Condition 2 (d) as imposed by your Council cannot be complied with.

As of today's date, there is no copy of your Council's Planning Report available on-line. In order to enable examination of the background to your Council's decision, and having regard to the issues set out in our submission dated 16<sup>th</sup> April 2015, IFI request please a copy of same.

Yours faithfully,

Patrick Kilfeather  
Senior Fisheries Environmental Officer

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OFFALY COUNTY COUNCIL

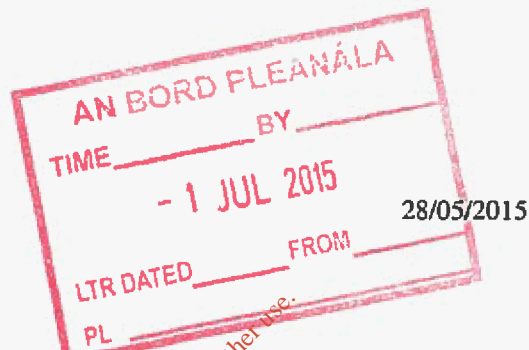
Planning Section  
Áras an Chontae  
Charleville Road  
Tullamore  
Co. Offaly  
Ph. (057) 93 57414

**PLANNING REF. NO:** PL2/15/2

**TO:** Licensing Unit,  
Environmental Protection Agency,  
PO Box 3000,  
Johnstown Castle Estate,  
Co. Wexford.

**RE:** RoSDERRA FARMS

Dear Sir/Madam,



I wish to inform you that by order dated, 26/5/15 this County Council decided to **GRANT** permission for (A) DEMOLITION OF 10 NO. EXISTING PIG HOUSES, AND, (B) CONSTRUCTION OF 2 NO. PIG HOUSES, AND, EXTENSIONS TO 2 NO. EXISTING STRUCTURES TO FORM PIG HOUSE NO. 3, TOGETHER WITH ALL ANCILLARY STRUCTURES (TO INCLUDE MEAL STORAGE BINS, STORAGE TANKS, STORMWATER ATTENUATION TANK) AND ALL ASSOCIATED SITE WORKS ON THE SITE OF AN EXISTING PIG FARMING ENTERPRISE. 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 2013. AN ENVIRONMENTAL IMPACT STATEMENT (E.I.S.) HAS BEEN SUBMITTED WITH THIS PLANNING APPLICATION at ARDRA, BRACKNAGH, CO. OFFALY. Copy of Notification of Decision is attached for your information.

If you are aggrieved by this decision you may appeal within 4 weeks from the date of the decision (26/5/15) to An Bord Pleanála, 64 Marlborough St., Dublin 1. Any appeal made to An Bord Pleanála must be made in accordance with Section 127 of the Planning and Development Act 2000. For more information, please log onto [www.pleanala.ie](http://www.pleanala.ie) and see 'A Guide to Making a Planning Appeal.' If you wish to obtain a hard copy of this information you can contact the Planning Office and same will be forwarded.

Where a fee was payable in respect of submission or observations made by you in respect of the planning application, a copy of the acknowledgement by the Planning Authority or receipt of the submission or observations must accompany the appeal.

Yours faithfully,

  
Administrative Officer

**OFFALY COUNTY COUNCIL**

Planning Section  
Áras an Chontae  
Charleville Road  
Tullamore  
Co. Offaly

Ph. (057) 93 57414

**REF.NO:** 15/2

Date: 28/5/15

**AN TAISCE  
TAILORS HALL  
BACK LANE  
DUBLIN 8**

**Re: ROSDERRA FARMS**

Dear Sir/Madam,

I wish to inform you that by order dated, 26/5/15, this County Council decided to GRANT permission for (A) DEMOLITION OF 10 NO. EXISTING PIG HOUSES, AND, (B) CONSTRUCTION OF 2 NO. PIG HOUSES, AND EXTENSIONS TO 2 NO. EXISTING STRUCTURES TO FORM PIG HOUSE NO. 3, TOGETHER WITH ALL ANCILLARY STRUCTURES (TO INCLUDE MEAL STORAGE BINS, STORAGE TANKS, STORMWATER ATTENUATION TANK) AND ALL ASSOCIATED SITE WORKS ON THE SITE OF AN EXISTING PIG FARMING ENTERPRISE. 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 2013. AN ENVIRONMENTAL IMPACT STATEMENT (E.I.S.) HAS BEEN SUBMITTED WITH THIS PLANNING APPLICATION at ARDRA, BRACKNAGH, CO. OFFALY. Copy of Notification of Decision is attached for your information.

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Yours faithfully,

SD  
Administrative Officer

**OFFALY COUNTY COUNCIL**

Planning Section  
Áras an Chontae  
Charleville Road  
Tullamore  
Co. Offaly

Ph. (057) 93 57414

**REF.NO:** 15/2

Date: 28/5/15

**INLAND FISHERIES IRELAND  
ANGLESEA STREET  
CLONMEL  
CO. TIPPERARY.**

**Re: ROSDERRA FARMS**

Dear Sir/Madam,

I wish to inform you that by order dated, 26/5/15, this County Council decided to GRANT permission for (A) DEMOLITION OF 10 NO. EXISTING PIG HOUSES, AND, (B) CONSTRUCTION OF 2 NO. PIG HOUSES AND, EXTENSIONS TO 2 NO. EXISTING STRUCTURES TO FORM PIG HOUSE NO. 3, TOGETHER WITH ALL ANCILLARY STRUCTURES (TO INCLUDE MEAL STORAGE BINS, STORAGE TANKS, STORMWATER ATTENUATION TANK) AND ALL ASSOCIATED SITE WORKS ON THE SITE OF AN EXISTING PIG FARMING ENTERPRISE. 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 2013. AN ENVIRONMENTAL IMPACT STATEMENT (E.I.S.) HAS BEEN SUBMITTED WITH THIS PLANNING APPLICATION at ARDRA, BRACKNAGH, CO. OFFALY. Copy of Notification of Decision is attached for your information.

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Yours faithfully,

  
\_\_\_\_\_  
Administrative Officer

**OFFALY COUNTY COUNCIL**

Planning Section  
Áras an Chontae  
Charleville Road  
Tullamore  
Co. Offaly

Ph. (057) 93 57414

**REF.NO:** 15/2

Date: 28/5/15

**CEO  
WATERWAYS IRELAND  
2 SLIGO ROAD,  
ENNISKILLEN,  
CO. FERMANAGH,**

**Re: ROSDERRA FARMS**

Dear Sir/Madam,

I wish to inform you that by order dated, 26 / 5 / 15 this County Council decided to GRANT permission for (A) DEMOLITION OF 10 NO. EXISTING PIG HOUSES, AND, (B) CONSTRUCTION OF 2 NO. PIG HOUSES, AND, EXTENSIONS TO 2 NO. EXISTING STRUCTURES TO FORM PIG HOUSE NO. 3 TOGETHER WITH ALL ANCILLARY STRUCTURES (TO INCLUDE MEAL STORAGE BINS, STORAGE TANKS, STORMWATER ATTENUATION TANK) AND ALL ASSOCIATED SITE WORKS ON THE SITE OF AN EXISTING PIG FARMING ENTERPRISE. 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 2013. AN ENVIRONMENTAL IMPACT STATEMENT (E.I.S.) HAS BEEN SUBMITTED WITH THIS PLANNING APPLICATION at ARDRA, BRACKNAGH, CO. OFFALY. Copy of Notification of Decision is attached for your information.

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Yours faithfully,

\_\_\_\_\_  
**Administrative Officer**



**OFFALY COUNTY COUNCIL**

Planning Section  
Áras an Chontae  
Charleville Road  
Tullamore  
Co. Offaly

Ph. (057) 93 57414

**REF.NO:** 15/2

Date: 28/5/15

**DEVELOPMENT APPLICATIONS UNIT  
DEPARTMENT OF ARTS, HERITAGE  
AND THE GAELTACHT,  
NEWTOWN ROAD,  
WEXFORD.**

**Re: ROSDERRA FARMS**

Dear Sir/Madam,

I wish to inform you that by order dated, 26/5/15 this County Council decided to GRANT permission for (A) DEMOLITION OF 10 NO. EXISTING PIG HOUSES, AND, (B) CONSTRUCTION OF 2 NO. PIG HOUSES, AND, EXTENSIONS TO 2 NO. EXISTING STRUCTURES TO FORM PIG HOUSE NO. 3, TOGETHER WITH ALL ANCILLARY STRUCTURES (TO INCLUDE MEAL STORAGE BINS, STORAGE TANKS, STORMWATER ATTENUATION TANK) AND ALL ASSOCIATED SITE WORKS ON THE SITE OF AN EXISTING PIG FARMING ENTERPRISE. 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 2013. AN ENVIRONMENTAL IMPACT STATEMENT (E.I.S.) HAS BEEN SUBMITTED WITH THIS PLANNING APPLICATION at ARDRA, BRACKNAGH ,CO. OFFALY. Copy of Notification of Decision is attached for your information.

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Yours faithfully,

  
\_\_\_\_\_  
Administrative Officer



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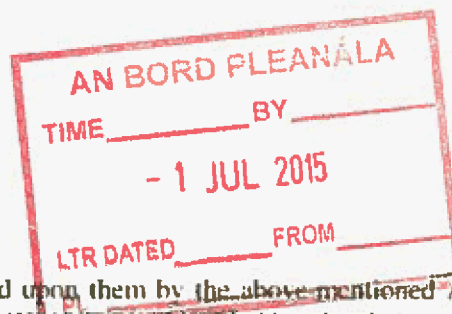
**OFFALY COUNTY COUNCIL  
PLANNING AND DEVELOPMENT ACTS 2000 - 2013  
PLANNING AND DEVELOPMENT REGULATIONS 2001 - 2013**

**NOTIFICATION OF DECISION TO GRANT**

Planning Section  
Áras an Chontae  
Charleville Road  
Tullamore  
Co. Offaly

**TO:** ROSDERRA FARMS,  
C/O PARAIC FAY, B.AGR.SC.,  
C.L.W. ENVIRONMENTAL PLANNERS LTD.,  
THE MEWS,  
23 FARNHAM ST.,  
CAVAN.

**Planning Register Number:** 15/2  
**Application Receipt Date:** 02/01/2015  
**Further Information Received Date:** 07/04/2015



Notice is hereby given that in pursuance of the powers conferred upon them by the above mentioned Acts, Offaly County Council has by order dated 24/5/15 decided to **GRANT PERMISSION** to the above named for development of land, in accordance with the documents lodged, namely:-

(A) DEMOLITION OF 10 NO. EXISTING PIG HOUSES, AND, (B) CONSTRUCTION OF 2 NO. PIG HOUSES, AND, EXTENSIONS TO 2 NO. EXISTING STRUCTURES TO FORM PIG HOUSE NO. 3, TOGETHER WITH ALL ANCILLARY STRUCTURES (TO INCLUDE MEAL STORAGE BINS, STORAGE TANKS, STORMWATER ATTENUATION TANK) AND ALL ASSOCIATED SITE WORKS ON THE SITE OF AN EXISTING PIG FARMING ENTERPRISE. 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 2013. AN ENVIRONMENTAL IMPACT STATEMENT (E.I.S.) HAS BEEN SUBMITTED WITH THIS PLANNING APPLICATION AT ARDRA, BRACKNAGH, CO. OFFALY.

Subject to the 4 conditions set out in the attached schedule.

In deciding the planning application, the Planning Authority had regard to submissions or observations received in accordance with the Regulations.

Signed on behalf of said Co. Council

**DATE:** 26/5/15

  
**ADMINISTRATIVE OFFICER**

Provided there is no appeal against this **DECISION**, a grant of planning permission will issue at the end of four weeks.

**THIS NOTICE IS NOT A GRANT OF PERMISSION AND WORK SHOULD NOT COMMENCE UNTIL PLANNING PERMISSION IS ISSUED.**

**NOTE:**

Any appeal made to An Bord Pleanála, 64 Marlborough Street, Dublin 1 must be in accordance with Section 127 of the Planning and Development Act 2000. The appeal must be received by the Board within the statutory appeal period – Four weeks beginning on the date of decision (N.B. Not the date on which decision is sent or received). See attached leaflets entitled “A Guide to Making a Planning Appeal” and “Planning Appeal Form/Check List”.

In accordance with Section 130 of the Planning and Development Act 2000 any person other than a party to an appeal may make submissions or observations in writing to the Board in relation to an appeal. The fees are set out in the attached schedule entitled “Fees Payable to the Board”.

**File Reference:** PL2/15/2

Application for permission for (a) demolition of 10 No. existing pig houses, and, (b) construction of 2 No. pig houses, and, extensions to 2 No. existing structures to form pig house No. 3, together with all ancillary structures (to include meal storage bins, storage tanks, stormwater attenuation tank) and all associated site works on the site of an existing pig farming enterprise. 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 2013. An Environmental Impact Statement (E.I.S.) has been submitted with this planning application at Ardra, Bracknagh, Co. Offaly. - Rosderra Farms

### FIRST SCHEDULE

Having regard to the nature and scale and the use of the development subject of this application, the issues raised in the planning assessments, third party submissions, referral reports, site inspection, existing pattern of development in the vicinity, the submitted EIS, the submitted NIS and the current Development Plan, it is considered that, subject to the conditions in the Second Schedule, that the development would not seriously injure the amenities of the area or of property in the vicinity, would not be prejudicial to public health and would otherwise accord with the proper planning and sustainable development of the area.

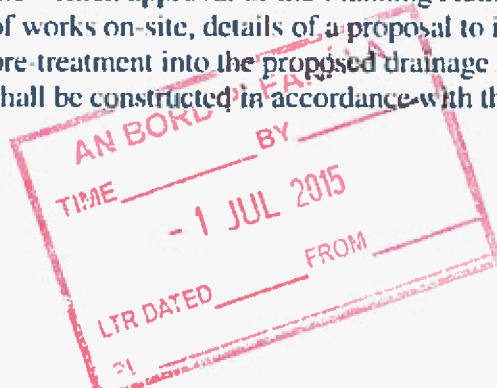
### SECOND SCHEDULE

1. The development shall be carried out and retained in accordance with plans and particulars submitted to the Planning Authority on the 2/1/2015 and amended by revised particulars submitted 7/4/2015 except where altered or amended by conditions in this permission.

**Reason:** To define the scope of permission, in the interest of orderly development.

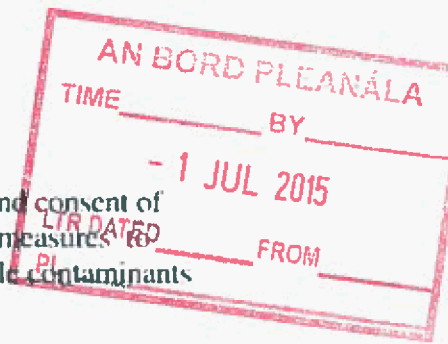
2. (a) The developer shall submit for the written agreement and consent of the Planning Authority prior to commencement of the development details on the authorised waste collector and the authorised facility accepting the wastewater for further treatment works.
- (b) Any surface water discharged to a storm sewer or surface water course from trafficked impermeable areas within the site shall be via a silt trap and class 1 petrol interceptor. The petrol/oil interceptor shall be designed in accordance with BS EN 858-1:2002. The type and size shall in accordance with BS EN 858-2:2003 and the SEPA 2006 Pollution Prevention Guidelines PPG3. The developer shall submit for the written approval of the Planning Authority prior to commencement of works on-site, details of a proposal to incorporate a suitable form of pre-treatment into the proposed drainage system. The development shall be constructed in accordance with these agreed details.

Contd/.....



Contd/.....

**File Reference:** PL2/15/2



- (c) The developer shall submit for the written agreement and consent of the Planning Authority details on well head protection measures to protect the underlain aquifer from the ingress of possible contaminants above ground prior to commencement of works on site
- (d) The developer is required to farm in accordance with SI 610 of 2010, European Communities (Good Agricultural Practice for the protection of waters) Regulations 2010 as amended.
- (e) All wastes arising from/at the proposed development shall be managed in accordance with the Waste Management Acts 1996 as amended. While awaiting removal, all waste materials shall be stored in designated areas protected against spillage or leachate run-off.
- (f) Any environmental nuisance i.e. excessive noise, dust, construction traffic, caused during construction of the development shall be contained at an acceptable level. Construction shall take place during working hours 07.00am to 06.30pm Monday to Friday and 08.00am to 01.30pm Saturday only.
- (g) Prior to commencement of the development, the developer shall submit a formal "Project Construction and Demolition Waste Management Plan" to the Local Authority for agreement prior to Commencement Notice Stage.

*"This report shall include the following as a minimum:*

*Demolition works - details of waste types arising and estimated, proposed waste segregation, waste contractor to be engaged for each waste stream and final destination for each waste stream.*

*Construction Works - details of waste management practices to be implemented on the site including proposed segregation levels, if any, waste receptacles to be used, waste contractor to be engaged for each waste stream and final destination for each waste stream."*

**Reason:** In the interests of public health and orderly development.

- 3. (a) Prior to commencement of works on site the developer shall submit for the written approval of the Planning Authority details for the installation of a wheel wash for all construction related traffic.

Contd/.....

Contd/.....

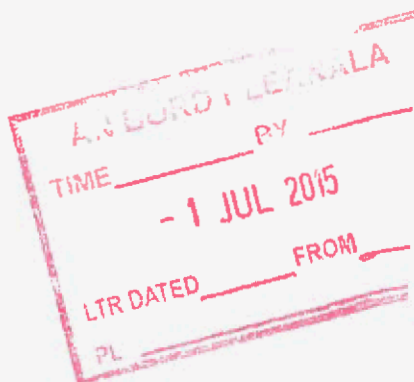
**File Reference:** PL2/15/2

- (b) Prior to commencement of works on site the developer shall submit for the written approval of the Planning Authority details of all traffic movements into and out of the site during construction and how this traffic shall be catered for if using Andra bridge.
  - (c) Prior to commencement of works on site the developer shall submit for the written approval of the Planning Authority proposals for the upgrading for the entrance and edge of the public road to protect the latter during the construction and operation stage of the development. The developer shall also submit for the Planning Authority's written approval arrangements for the ongoing inspection of the entrance and road edge to ensure no damage is caused to the public road during the construction stage or operation stage of the development. Subsequently the developer shall ensure that any damage caused is reported to the Council and arrangements are put in place for the repair of said damage at the developers own expense within a time frame as dictated by the Council.
4. All mitigation measures specified in the submitted Environmental Impact Statement and Natura Impact Statement shall be carried out by the developer.

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

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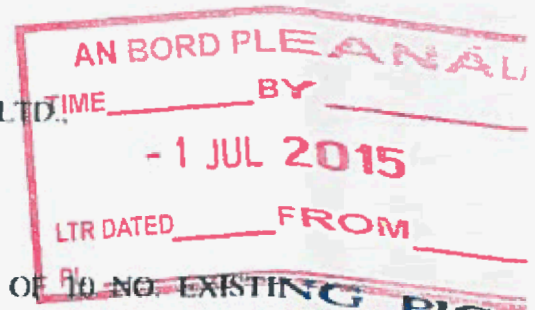
OFFALY COUNTY COUNCIL  
CHIEF EXECUTIVE'S ORDER

PLANNING AND DEVELOPMENT ACTS 2000 - 2013  
PLANNING AND DEVELOPMENT REGULATIONS 2001 - 2013

File Ref. PL2/15/2

Name of Applicant: ROSDERRA FARMS.

Address: C/O PARAIC FAY, B.AGR.SC.  
C.L.W. ENVIRONMENTAL PLANNERS LTD.,  
THE MEWS,  
23 FARNHAM ST.,  
CAVAN.



Nature of Application: PERMISSION FOR (A) DEMOLITION OF 10 NO. EXISTING PIG HOUSES, AND, (B) CONSTRUCTION OF 2 NO. PIG HOUSES, AND, EXTENSIONS TO 2 NO. EXISTING STRUCTURES TO FORM PIG HOUSE NO. 3, TOGETHER WITH ALL ANCILLARY STRUCTURES (TO INCLUDE MEAL STORAGE BINS, STORAGE TANKS, STORMWATER ATTENUATION TANK) AND ALL ASSOCIATED SITE WORKS ON THE SITE OF AN EXISTING PIG FARMING ENTERPRISE. 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 1997 TO 2013. AN ENVIRONMENTAL IMPACT STATEMENT (E.I.S.) HAS BEEN SUBMITTED WITH THIS PLANNING APPLICATION.

I CERTIFY THIS TO  
BE A TRUE COPY

Location of Development: ARDRA, BRACKNAGH, CO. OFFALY.

**ORDER:** That it is hereby decided to GRANT PERMISSION in the case of application 15/2 under the Planning and Development Acts 2000 - 2013 for the reasons and considerations set out in the First Schedule hereto for the development above, subject to the 4 conditions specified in the Second Schedule hereto, the reasons for the imposition of the said conditions being as set out in the Second Schedule.

In deciding the planning application, the Planning Authority had regard to any submissions or observations received in accordance with the Regulations.

It is further decided that at the expiration of four weeks, if there is no appeal before An Bord Pleanála affecting this decision, hereinbefore contained, then the aforementioned application be and is granted subject to the same conditions as in the foregoing decision to grant same.

  
CHIEF EXECUTIVE/DIRECTOR OF SERVICES

DATE:

26/5/15

**File Reference:**

**PL2/15/2**

Application for permission for (a) demolition of 10 No. existing pig houses, and, (b) construction of 2 No. pig houses, and, extensions to 2 No. existing structures to form pig house No. 3, together with all ancillary structures (to include meal storage bins, storage tanks, stormwater attenuation tank) and all associated site works on the site of an existing pig farming enterprise. 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 2013. An Environmental Impact Statement (E.I.S.) has been submitted with this planning application at Ardra, Bracknagh, Co. Offaly. - Rosderra Farms

### FIRST SCHEDULE

Having regard to the nature and scale and the use of the development subject of this application, the issues raised in the planning assessments, third party submissions, referral reports, site inspection, existing pattern of development in the vicinity, the submitted EIS, the submitted NIS and the current Development Plan, it is considered that, subject to the conditions in the Second Schedule, that the development would not seriously injure the amenities of the area or of property in the vicinity, would not be prejudicial to public health and would otherwise accord with the proper planning and sustainable development of the area.

### SECOND SCHEDULE

1. The development shall be carried out and retained in accordance with plans and particulars submitted to the Planning Authority on the 2/1/2015 and amended by revised particulars submitted 7/4/2015 except where altered or amended by conditions in this permission.

**Reason:** To define the scope of permission, in the interest of orderly development.

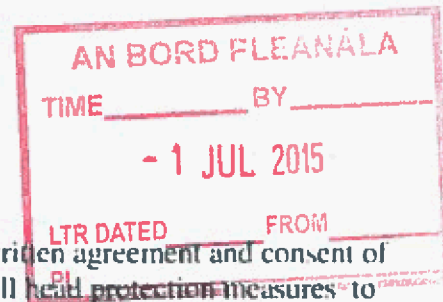
2. (a) The developer shall submit for the written agreement and consent of the Planning Authority prior to commencement of the development details on the authorised waste collector and the authorised facility accepting the wastewater for further treatment works.

(b) Any surface water discharged to a storm sewer or surface water course from trafficked impermeable areas within the site shall be via a silt trap and class 1 petrol interceptor. The petrol/oil interceptor shall be designed in accordance with BS EN 858-1:2002. The type and size shall be in accordance with BS EN 858-2:2003 and the SEPA 2006 Pollution Prevention Guidelines PPG3. The developer shall submit for the written approval of the Planning Authority prior to commencement of works on-site, details of a proposal to incorporate a suitable form of pre-treatment into the proposed drainage system. The development shall be constructed in accordance with these agreed details.

Contd/.....

Contd/.....

**File Reference:** PL2/15/2



- (c) The developer shall submit for the written agreement and consent of the Planning Authority details on well head protection measures to protect the underlain aquifer from the ingress of possible contaminants above ground prior to commencement of works on site
- (d) The developer is required to farm in accordance with SI 610 of 2010, European Communities (Good Agricultural Practice for the protection of waters) Regulations 2010 as amended.
- (e) All wastes arising from/at the proposed development shall be managed in accordance with the Waste Management Acts 1996 as amended. While awaiting removal, all waste materials shall be stored in designated areas protected against spillage or leachate run-off.
- (f) Any environmental nuisance i.e. excessive noise, dust, construction traffic, caused during construction of the development shall be contained at an acceptable level. Construction shall take place during working hours 07.00am to 06.30pm Monday to Friday and 08.00am to 01.30pm Saturday only.
- (g) Prior to commencement of the development, the developer shall submit a formal "Project Construction and Demolition Waste Management Plan" to the Local Authority for agreement prior to Commencement Notice Stage.

*"This report shall include the following as a minimum:*

*Demolition works - details of waste types arising and estimated, proposed waste segregation, waste contractor to be engaged for each waste stream and final destination for each waste stream.*

*Construction Works - details of waste management practices to be implemented on the site including proposed segregation levels, if any, waste receptacles to be used, waste contractor to be engaged for each waste stream and final destination for each waste stream."*

**Reason:** In the interests of public health and orderly development.

3. (a) Prior to commencement of works on site the developer shall submit for the written approval of the Planning Authority details for the installation of a wheel wash for all construction related traffic.

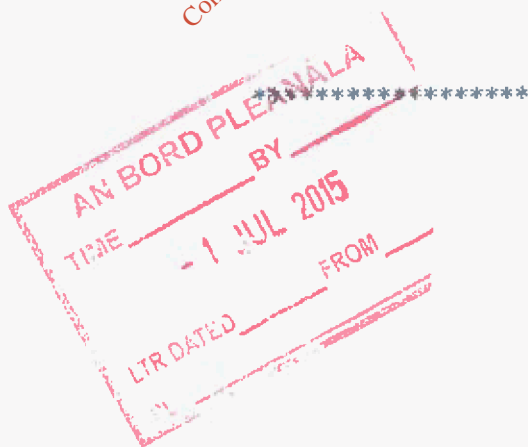
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**File Reference:** PL2/15/2

- (b) Prior to commencement of works on site the developer shall submit for the written approval of the Planning Authority details of all traffic movements into and out of the site during construction and how this traffic shall be catered for if using Ardra bridge.
  - (c) Prior to commencement of works on site the developer shall submit for the written approval of the Planning Authority proposals for the upgrading for the entrance and edge of the public road to protect the latter during the construction and operation stage of the development. The developer shall also submit for the Planning Authority's written approval arrangements for the ongoing inspection of the entrance and road edge to ensure no damage is caused to the public road during the construction stage or operation stage of the development. Subsequently the developer shall ensure that any damage caused is reported to the Council and arrangements are put in place for the repair of said damage at the developers own expense within a time frame as dictated by the Council.
4. All mitigation measures specified in the submitted Environmental Impact Statement and Natura Impact Statement shall be carried out by the developer.

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





## OFFALY COUNTY COUNCIL

### PLANNING REPORT

PL REF. NO: PL2 15/2

APPLICANT: ROSDERRA FARMS

LOCATION: ARDRA, BRACKNAGH, CO. OFFALY

PROPOSAL: (A) DEMOLITION OF 10 NO. EXISTING PIG HOUSES, AND, (B) CONSTRUCTION OF 2 NO. PIG HOUSES, AND, EXTENSIONS TO 2 NO. EXISTING STRUCTURES TO FORM PIG HOUSE NO. 3, TOGETHER WITH ALL ANCILLARY STRUCTURES (TO INCLUDE MEAL STORAGE BINS, STORAGE TANKS, STORMWATER ATTENUATION TANK) AND ALL ASSOCIATED SITE WORKS ON THE SITE OF AN EXISTING PIG FARMING ENTERPRISE. 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 2013. AN ENVIRONMENTAL IMPACT STATEMENT (E.I.S.) HAS BEEN SUBMITTED WITH THIS PLANNING APPLICATION

RECOMMENDATION: Grant

DECISION DUE DATE: ~~26/02/2015~~ 1/6/15

#### SECOND REPORT

#### INTERNAL REPORTS:

<u>Area Engineer:</u>	No objections subject to conditions.
<u>Environment and water services:</u>	No objections subject to conditions. I note an EIA report on various topics regarding this application.
<u>Roads report:</u>	No objections.
<u>CFO:</u>	Application was referred

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#### **PRESCRIBED BODIES:**

<b>Waterways Ireland:</b>	No objections.
<b>OPW:</b>	Application was referred
<b>Inland Fisheries Ireland:</b>	Inland Fisheries have made comments on the NIS submitted. This will be discussed in more detail below.
<b><u>EPA:</u></b>	Notes the EIS appears to address the key points which come within the functions of the agency.
<b><u>Department of Arts Heritage and the Gaeltacht:</u></b>	NIS was referred.
<b><u>An Taisce:</u></b>	Notes the proposal needs to address the EIA directive. I note that the submitted NIS was referred to An Taisce.
<b><u>Barrow Drainage Board:</u></b>	Application was referred.

#### **ASSESSMENT:**

(See previous planners report)

I refer to the previous planners report and the councils request for further information. I have examined the response received in addition to updated reports and submissions I propose to assess the applicants response to the planning authoritys request for additional information under the following headings:

- **Appropriate assessment**
- **Development Contributions**

#### **Appropriate assessment**

It is noted that the Department of Arts Heritage and the Gaeltacht had indicated that further information should be requested in relation to potential impacts on European sites.

An appropriate assessment screening was carried out by Offaly County Council and it was found that there was potential for significant impacts on European sites.

A Natura Impact Statement was requested from the developer which was to address amongst other matters three main issues.

- **Land spreading of large quantities of slurry within the catchment of the River Barrow and River Nore SAC.**
- **The potential impact of nitrogen deposition arising from this unit on the River Barrow and River Nore SAC Site Code 002162**



- Impacts of a major flood event on the unit. In particular, the possibility of the mobilization of stored slurry during such an event. Also, the potential issues with slurry contaminated storm water run-off.

A natura impact statement has been submitted which addresses these issues. Please see appropriate assessment conclusion statement attached to this planning file which indicates that the proposal will not adversely effect the integrity of European Sites, subject to mitigation.

I note that the Department of Arts Heritage and the Gaeltacht have been referred the Natura Impact Statement and have raised no objections to the proposal.

I note the comments from Inland Fisheries Ireland on the submitted NIS. The comments are in relation to the lack of information of locations for land spreading of slurry. I note and concur with the comments of the Natura Impact Statement that land spreading is a matter for the European Union (Good Agricultural Practice for the Protection of Waters) Regulation 2014 (SI 31 of 2014). As has been specified by An Bord Pleanála under case reference (PL02.240879) *"The spreading of slurry on land does not require planning permission but would also be subject of said law. It is not normally useful or appropriate for a planning decision to attempt to regulate matters for which a separate specific regulatory regime has been established by statute. The board is also under a general obligation to assume that a person will comply with their lawful obligations"*

Third party comments have been submitted by a Mr Michael Hoey subsequent to the advertising for public submissions on the submitted NIS. The submission makes legal points in relation to the Irish states failure to correctly implement the EIA directive and its impacts on the current application. Mr Hoey's submission is unclear in its arguments. He states *"this is a development of a type that requires an EIA to be carried out before development commenced but because of your failure to implement the EIA directive previously it is now not possible to give effect to the directive."* Mr Hoey goes on to mention several court cases involving EIS/EIA without any explanation as to how these cases impact on the current application.

Mr Hoey states that an appropriate assessment has not been carried out in accordance with European Law. At the time of Mr Hoey's submission no appropriate assessment had been completed by Offaly County Council. I note that the relevant directives were transposed in 1997 and the previous permissions on site pre date these Irish regulations.

The submission states that an SEA is required for the proposed development, this is not the case.

Mr Hoey's submission states that *"If an assessment is being carried out it is essential to take into account the loss of water from the catchment from peat removal, the*

*cumulative water abstractions and discharges by Kildare, Laois and Offaly County Councils". I note no peat removal is proposed in this application.*

Mr Hoeys submission states *"the site concerned hosts a priority natural habitat type and /or a priority species"*. This is not the case given the proposal involves the redevelopment of an existing piggery and there is no record of protected habitat or species in the sites immediate vicinity. ✓

#### **Development Contributions**

I note that the following exemption exists in the Offaly County Council Development Contribution Scheme:

*(j) Change of Use Permissions* In order to avoid the practice of 'double charging', change-of-use permissions or extensions to existing developments, where the change of use or extension does not lead to the need for new or upgraded infrastructures services or significant intensification of demand placed on existing infrastructure (including for example, transport infrastructure) (100% exemption)

The proposal does not involve an intensification of activities on this site of an existing piggery in terms of transport requirements during its operation (please see section 7.8 of the EIS). On this basis no development contribution shall be imposed. ✓

#### **Summary of planners report including EIA and AA**

I considered that the redevelopment of this piggery shall not have significant adverse environmental impacts and will have positive economic impacts and the proposal is therefore deemed acceptable and I recommend a grant of planning permission in this instance.

#### **CONCLUSION & RECOMMENDATION:**

Having regard to the above I am satisfied that the development is acceptable subject to schedule one and schedule two and the conditions set out below. ✓

#### **First Schedule, a summary of the main reasons and considerations on which the decision is based**

Having regard to the nature and scale and the use of the development subject of this application, the issues raised in the planning assessments, third party submissions, referral reports, site inspection, existing pattern of development in the vicinity, the submitted EIS, the submitted NIS and the current Development Plan, it is considered that, subject to the conditions in the second schedule, that the development would not seriously injure the amenities of the area or of property in the vicinity, would not be prejudicial to public health and would otherwise accord with the proper planning and sustainable development of the area.

#### **Second Schedule**

1. The development shall be carried out and retained in accordance with plans and particulars submitted to the Planning Authority on the 2/1/2015 and amended by

revised particulars submitted 7/4/2015 except where altered or amended by conditions in this permission.

**Reason:** To define the scope of permission, in the interest of orderly development.

2.

- a) The developer shall submit for the written agreement and consent of the planning authority prior to commencement of the development details on the authorised waste collector and the authorised facility accepting the wastewater for further treatment works.
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**Reason:** in the interests of public health and orderly development.

3.

- a) Prior to commencement of works on site the developer shall submit for the written approval of the planning authority details for the installation of a wheel wash for all construction related traffic.
- b) Prior to commencement of works on site the developer shall submit for the written approval of the planning authority details of all traffic movements into and out of the site during construction and how this traffic shall be catered for if using Ardra bridge.
- c) Prior to commencement of works on site the developer shall submit for the written approval of the planning authority proposals for the upgrading for the entrance and edge of the public road to protect the latter during the construction and operation stage of the development. The developer shall also submit for the planning authority's written approval arrangements for the ongoing inspection of the entrance and road edge to ensure no damage is caused to the public road during the construction stage or operation stage of the development. Subsequently the developer shall ensure that any damage caused is reported to the Council and arrangements are put in place for the repair of said damage at the developers own expense within a time frame as dictated by the Council.

4. All mitigation measures specified in the submitted Environmental Impact Statement and Natura Impact Statement shall be carried out by the developer.

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



Ed Kelly  
Executive Planner  
12/5/2015

Lincoln ref  
2015/15  
Report Noted  
27  
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**APPROPRIATE ASSESSMENT CONCLUSION STATEMENT  
REPORT FOR PLANNING APPLICATION**

Planning Authority : OCC

Planning App Ref. No.: 15/2

<b>(A) DESCRIPTION OF PROJECT AND LOCAL SITE:</b>			
Proposed development:	<p>(A) DEMOLITION OF 10 NO. EXISTING PIG HOUSES, AND, (B) CONSTRUCTION OF 2 NO. PIG HOUSES, AND, EXTENSIONS TO 2 NO. EXISTING STRUCTURES TO FORM PIG HOUSE NO. 3, TOGETHER WITH ALL ANCILLARY STRUCTURES (TO INCLUDE MEAL STORAGE BINS, STORAGE TANKS, STORMWATER ATTENUATION TANK) AND ALL ASSOCIATED SITE WORKS ON THE SITE OF AN EXISTING PIG FARMING ENTERPRISE. 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 2013. AN ENVIRONMENTAL IMPACT STATEMENT (E.I.S.) HAS BEEN SUBMITTED WITH THIS PLANNING APPLICATION</p>		
Site location:	ARDRA, BRACKNAGH, CO. OFFALY		
Site size:	3.8ha	Floor Area of Proposed Development:	7579sqm
Identification of nearby <i>European</i> Site(s):	Barrow and river Nore cSAC		
Distance to <i>European</i> Site(s):	9.3 Kms downstream or 5.9km directly.		
The characteristics of existing, proposed or other approved plans / projects which may cause interactive / cumulative impacts with the project being assessed and which may affect the	None		



<b>European site:</b>	
Is the application accompanied by an EIS?	Yes
<b>(B) IDENTIFICATION OF THE RELEVANT EUROPEAN SITE(S):</b>	
The reasons for the designation of the <i>European</i> site:	
<p>The site is a candidate SAC selected for alluvial wet woodlands and petrifying springs, priority habitats on Annex I of the E.U. Habitats Directive. The site is also selected as a candidate SAC for old oak woodlands, floating river vegetation, estuary, tidal mudflats, <i>Salicornia</i> mudflats, Atlantic salt meadows, Mediterranean salt meadows, dry heath and eutrophic tall herbs, all habitats listed on Annex I of the E.U. Habitats Directive. The site is also selected for the following species listed on Annex II of the same directive - Sea Lamprey, River Lamprey, Brook Lamprey, Freshwater Pearl Mussel, Nore Freshwater Pearl Mussel, Crayfish, Twaite Shad, Atlantic Salmon, Otter, Desmoulin's Whorl Snail <i>Vertigo moulinsiana</i> and the Killarney Fern.</p>	
The conservation objectives / qualifying interests of the site and the factors that contributes to the conservation value of the site: (which are taken from the <i>European</i> site synopses and, if applicable, a Conservation Management Plan; all available on <a href="http://www.npws.ie">www.npws.ie</a> ) <b>(ATTACH INFO.)</b>	
<p>National Parks and Wildlife Service Conservation Objectives River Barrow and River Nore SAC 002162          See link  <a href="http://www.npws.ie/sites/default/files/protected-sites/conservation_objectives/CO002162.pdf">http://www.npws.ie/sites/default/files/protected-sites/conservation_objectives/CO002162.pdf</a></p>	
<b>(C) NPWS ADVICE:</b>	
Advice received from NPWS over phone:	None received.
Summary of advice received from NPWS in written form <b>(ATTACH SAME):</b>	Referral report dated 24/2/2015 which requires a NIS.

**D: Assessment of Adverse Impacts & Mitigation Measures:**

Potential Adverse Impacts on Integrity of European site (direct, indirect, short term,	How Adverse Impacts can be Mitigated. (alternatives may have been proposed)	How Mitigation Measures will be secured / implemented / monitored.
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long term, construction, operational, decommissioning, on own & in combination). (habitat loss; habitat fragmentation; breeding productivity; feeding, migratory & nesting patterns; water quality / quantity; disturbance by noise or human actions.)	If adverse impacts have not been shown to be mitigated, state 'mitigation not demonstrated adequately' below.	(may include timescales)
Land spreading of manure may damage water quality in designated sites.	SI 31 of 2014 shall ensure land spreading of manure shall not damage the environment.	Records of land spreading are submitted to the department of agriculture, food and marine on an annual basis
Ammonia/ nitrogen deposition on European sites.	Notes proposal is a redevelopment and will not increase ammonia/nitrogen at European sites. Nitrogen is not being released from chimneys and will not effect European sites.	
Mobilisation of slurry during a flood event.	Tanks are above flood levels.	Requirements of planning permission.
Contaminated storm water run off impacting on European sites.	Will be collected into a tank	Requirements of planning permission.

#### E: Comments / Conclusion:

It is considered that subject to mitigation measures above that the proposed development will have no adverse impact on the integrity of European sites.

Ed Kelly  
Exec Planner  
12/5/2015

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Linden of  
20/5/15

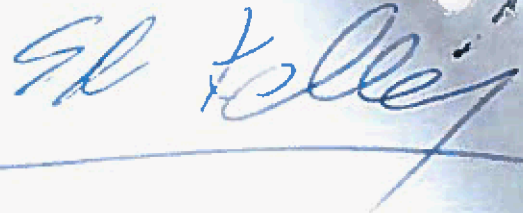
## Conservation Objectives

National Parks and Wildlife Service Conservation Objectives River Barrow and River  
Nore SAC 002162

See link

[http://www.npws.ie/sites/default/files/protected  
sites/conservation\\_objectives/CO002162.pdf](http://www.npws.ie/sites/default/files/protected/sites/conservation_objectives/CO002162.pdf)

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**Decision-maker's written statement on EIA**

It is noted that the environmental impact assessment carried out by the Executive Planner Ed Kelly in report PL2 15 2 has been carried out giving full consideration to the environmental impact statement submitted with the application all submissions and observations validly made in relation to the environmental effects of the development

It is considered that the planning report on PL2 15/2 generally contains a fair and reasonable assessment of the likely significant effects of the development on the environment. The assessment as reported is adopted as the assessment of Offaly County Council.

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To: Planning

Planning Ref: 15002 Rosderra Farms, Ardra, Bracknagh

Date: 27<sup>th</sup> April, 2015



*Permission for*

- (a) Demolition of 10 no. Existing Pig Houses*
- (b) Construction of 2 No. Pig Houses and Extensions to 2 No. Existing Structures to form Pig House No.3, together with all ancillary structures (to include meal storage bins, storage tanks, storm-water attenuation tank) and all associated site works on the site of an existing pig farming enterprise.*

*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 2013.*

*An Environmental Impact Statement (E.I.S.) was been submitted with this Planning Application.*

**I refer to the Natura Impact Statement received on 7<sup>th</sup> April, 2015 in relation to the above application and comment as follows:**

Environment & Water Services have no comment to make on the Natura Impact Statement.

**Report By:**

*Jide O'Connell*  
Jide O'Connell, AS,  
Environment & Water Services

**Approved By:**

*J. Ryan*  
Jean Ryan, A/SEE,  
Environment & Water Services

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29.04.2015  
PLANNING

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ACKNOWLEDGEMENT OF RECEIPT OF SUBMISSION OR OBSERVATION ON A  
PLANNING APPLICATION

**THIS IS AN IMPORTANT DOCUMENT**

KEEP THIS DOCUMENT SAFELY. YOU WILL BE REQUIRED TO PRODUCE THIS ACKNOWLEDGEMENT TO AN BORD PLEANÁLA IF YOU WISH TO APPEAL THE DECISION OF THE PLANNING AUTHORITY. IT IS THE ONLY FORM OF EVIDENCE WHICH WILL BE ACCEPTED BY AN BORD PLEANÁLA THAT A SUBMISSION OR OBSERVATION HAS BEEN MADE TO THE PLANNING AUTHORITY ON THE PLANNING APPLICATION.

PLANNING AUTHORITY NAME    OFFALY COUNTY COUNCIL

PLANNING APPLICATION REFERENCE No.    PL2/ 1572

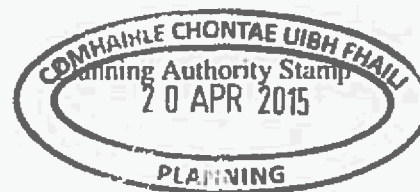
A submission/observation in writing, has been received from    **Waterways Ireland**  
on    17/04/2015    in relation to the above planning application.

(Fee not applicable to prescribed bodies)

The submission/observation is in accordance with the appropriate provisions of the Planning and Development Regulations 2001- 2013 and will be taken into account by the Planning Authority in its determination of the planning application.

  
Official's Name

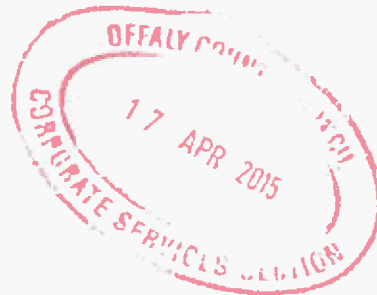
20/04/2015



Offaly County Council  
Planning Section  
Áras an Chontae  
Charleville Road  
Tullamore  
Co Offaly

2 Sligo Road  
Enniskillen  
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E: [info@waterwaysireland.org](mailto:info@waterwaysireland.org)  
W: [www.waterwaysireland.org](http://www.waterwaysireland.org)



15<sup>th</sup> April 2015

Dear Sir/Madam,

Re PL2/15/2 Application for permission for demolition of Pig Houses and Construction of New Pig Houses at Ardra, Bracknagh, Co Offaly – Rosderra Farms

I wish to inform you that the location of the proposed development is close to the Figle River near Portarlinton and does not impinge on the Grand Canal, therefore Waterways Ireland has no observations to make.

Yours sincerely,



Lorraine Nugent  
Operations Administration



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ACKNOWLEDGEMENT OF RECEIPT OF SUBMISSION OR OBSERVATION ON A  
PLANNING APPLICATION

**THIS IS AN IMPORTANT DOCUMENT**

KEEP THIS DOCUMENT SAFELY. YOU WILL BE REQUIRED TO PRODUCE THIS ACKNOWLEDGEMENT TO AN BORD PLEANÁLA IF YOU WISH TO APPEAL THE DECISION OF THE PLANNING AUTHORITY. IT IS THE ONLY FORM OF EVIDENCE WHICH WILL BE ACCEPTED BY AN BORD PLEANÁLA THAT A SUBMISSION OR OBSERVATION HAS BEEN MADE TO THE PLANNING AUTHORITY ON THE PLANNING APPLICATION.

PLANNING AUTHORITY NAME OFFALY COUNTY COUNCIL

PLANNING APPLICATION REFERENCE No. PL2/H/2

A submission/observation in writing, has been received from Inland Fisheries Ireland  
on 17/04/2015 in relation to the above planning application.

(Fee not applicable to prescribed bodies)

The submission/observation is in accordance with the appropriate provisions of the Planning and Development Regulations 2001 - 2013 and will be taken into account by the Planning Authority in its determination of the planning application.

  LH    
Official's Name

20/04/2015



16<sup>th</sup> April 2015

Administrative Officer,  
Planning Section,  
Offaly County Council,  
Aras an Chontae,  
Charleville Road,  
Tullamore,  
Co. Offaly.



**PERMISSION SOUGHT BY: ROSDERRA FARMS**

**DATE OF APPLICATION: 2<sup>ND</sup> JANUARY 2015**

**REFERENCE NUMBER IN LOCAL AUTHORITY PLANNING REGISTER: 15/2**

**SUBJECT OF PLANNING PERMISSION APPLICATION:** PERMISSION FOR TO A) DEMOLITION OF 10 NO. EXISTING PIG HOUSES, AND, (B) CONSTRUCTION OF 2 NO. PIG HOUSES, AND, EXTENSIONS TO 2 NO. EXISTING STRUCTURES TO FORM PIG HOUSE NO. 3, TOGETHER WITH ALL ANCILLARY STRUCTURES (TO INCLUDE MEAL STORAGE BINS, STORAGE TANKS, STORMWATER ATTENUATION TANK) AND ALL ASSOCIATED SITE WORKS ON THE SITE OF AN EXISTING PIG FARMING ENTERPRISE. 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 2013. AN ENVIRONMENTAL IMPACT STATEMENT (E.I.S.) HAS BEEN SUBMITTED WITH THIS PLANNING APPLICATION AT ARDRA, BRACKNAGH, COUNTY OFFALY.

Dear Sir/Madam,

Thank you for forwarding by letter dated 7<sup>th</sup> January 2015 a copy of the above referred application for planning permission received by your Council, and for seeking our observations and comments thereon. Thank you also for forwarding as an attachment to your Council's letter dated 8<sup>th</sup> inst. a copy of the applicant's response comprising further information being a Natura Impact Statement (NIS) dated March 2015 in relation to the above referred planning application, and for also seeking our observations and comments thereon. At the outset, I wish to apologise for the delay in replying due to on-going reprioritisation of fisheries environmental issues falling under our statutory remit.

While Inland Fisheries Ireland (IFI) has no objection in principle to the development as proposed, we are bound to draw your attention to page 72 of the EIS where under the heading **(b) Customer farmlands**, the following is stated.

***'The customer farmland areas are eminently suitable for grass/crop production. They are environmentally safe for the application of organic fertilisers at the levels permitted by and in accordance with the requirements of S. I. 31 of 2014.'***

In circumstances where the location(s) of said spreadlands has not being provided, and similarly where no data on the nature and nutrient status of said lands is contained within the EIS, it cannot be established for the purposes of evaluation of the EIS in terms of the proper planning and development of the area, whether or not these statements are factually correct.

We are also bound to draw your attention to Appendix 10 of the EIS, specifically to the Tables therein which provide certain results in respect of surface water sampling in 2014 at locations denoted SW1 and SW2. (Unfortunately the pages are not numbered but are those final pages in Appendix 10). In circumstances where it appears samples were collected on 30<sup>th</sup> June 2014 (Enva Ireland Ltd report dated 18/7/2014 – samples described as 'Backnagh SW1 30.06.14' and 'Bracknagh SW2 30.06.14') and where the report shows these samples were received on 02/07/2014, little reliance can be placed on results obtained having regard to the apparent time delay between collection and analysis. In any event, reporting as in the case of ammonia a result being some unspecified value <0.2 mg/l where both the mean and 95%ile standards prescribed under the European Communities Environmental Objectives (Surface Waters) Regulations, 2009 - S.I. No. 272 of 2009 for ammonia are less than this means the data is of limited use.

The final paragraph on page 6 of the NIS referring to The Appropriate Assessment Process includes the following text/commentary....

***'consent can only be granted for a project if, as a result of the appropriate assessment either (a) it is concluded that the integrity of the site will not be adversely affected, or'.....***

The final paragraph on page 11 of the NIS includes the following text/commentary....

***'Due to the location of this pig farm, a significant number of the potential customer farmers will be located in County Offaly. A number of additional customer farmers (or parts thereof) may be located in adjoining counties such as Kildare and Laois',.....***

Section 3.4 on page 18 of the NIS describes the process **Identification of Potential Impacts** and lists as one of these....

***'Deterioration in water quality in designated areas resulting from pollution/eutrophication caused by the land-spreading of the manure produced at the site;'***

Following from the above references to pages 6, 11 and 18 of the NIS, as already referred to above in relation to the EIS, the location(s) of the proposed spreadlands have not being provided. In the NIS, the locations are again not provided. Equally, no data on the nature and nutrient status of the spreadlands is contained within the NIS. In these circumstances, it is difficult to understand where not even the counties proposed to receive pig slurry are definitively established, how on page 38 in Section 6 of the NIS there can be a **'Finding of No Significant Effects'**.

As required by the Planning Regulations, kindly confirm in writing receipt of this submission. Please forward to IFI - Clonmel marked for the attention of undersigned, a copy of any notice served by your Council on the applicant seeking the submission or further information, the applicants response to same, and a copy of your Council's decision on this application as soon as same has been made.

Yours faithfully,



Patrick Killeather  
Senior Fisheries Environmental Officer

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