

The Secretary,
Planning Section,
Offaly County Council
Áras an Chontae,
Charleville Road,
Tullamore,
Co. Offaly.

29th July 2015

Appeal

Re: Demolish 10 pig houses, construct 2 pig houses, extensions to 2 existing structures to form pig house no. 3, ancillary structures on site of existing pig farming enterprise.
Ardra, Bracknagh, Co. Offaly.

Dear Sir/Madam,

I have been asked by An Bord Pleanála to refer to the above mentioned appeal.

The Board is of opinion that, in the particular circumstances of this appeal, it is appropriate in the interests of justice to request you to make submissions or observations in relation to the enclosed submission dated 9th July 2015 received from CLW Environmental Planners Ltd. on behalf of the applicant.

In accordance with section 131 of the Planning and Development Act 2000 you are requested to make any submissions or observations that you may have in relation to this enclosure on or before **18th August 2015**. The Board cannot consider comments that are outside the scope of the matter in question. Your submission in response to this notice must be received by the Board not later than **5.30 p.m. on the date specified above**.

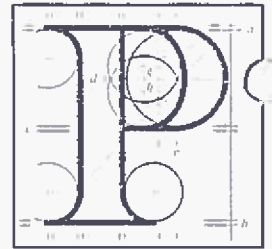
If no submission or observation is received before the end of the specified period, the Board will proceed to determine the appeal without further notice to you, in accordance with section 133 of the 2000 Act.

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

Yours faithfully,

OP

Brid Tiernan
Executive Officer
Direct Line: 01-8737172



Your Ref:

Michael Hoey
152 Crann Nua
Portarlinton
Co. Laois.

29th July 2015

Appeal **Re:** Demolish 10 pig houses, construct 2 pig houses, extensions to 2 existing structures to form pig house no. 3, ancillary structures on site of existing pig farming enterprise.
Ardra, Bracknagh, Co. Offaly.

Dear Sir,

I have been asked by An Bord Pleanála to refer to the above mentioned appeal.

The Board is of opinion that, in the particular circumstances of this appeal, it is appropriate in the interests of justice to request you to make submissions or observations in relation to the enclosed submission dated 9th July 2015 received from CLW Environmental Planners Ltd. on behalf of the applicant.

In accordance with section 131 of the Planning and Development Act 2000 you are requested to make any submissions or observations that you may have in relation to this enclosure on or before **18th August 2015**. The Board cannot consider comments that are outside the scope of the matter in question. Your submission in response to this notice must be received by the Board not later than **5.30 p.m. on the date specified above**.

If no submission or observation is received before the end of the specified period, the Board will proceed to determine the appeal without further notice to you, in accordance with section 133 of the 2000 Act.

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

Yours faithfully,

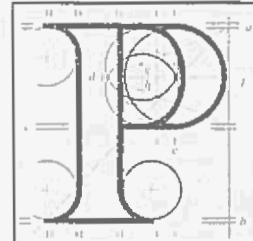


Brid Tiernan
Executive Officer
Direct Line: 01-8737172

BP 70

Registered Post





Your Ref:

The Heritage Council
Áras Na hOidhreachta
Church Lane
Kilkenny

29th July 2015

Appeal **Re:** Demolish 10 pig houses, construct 2 pig houses, extensions to 2 existing structures to form pig house no. 3, ancillary structures on site of existing pig farming enterprise.
Ardra, Bracknagh, Co. Offaly.

Dear Sir/Madam,

I have been asked by the Board to refer to the above-mentioned appeal.

The Board is of the opinion that the proposed development, the subject of the appeal, might have effects in relation to the River Barrow and River Nore. SAC Site Code: 002162.

Having regard to article 28(1)(n) of the Planning and Development Regulations 2001 to 2015, the Board is of the opinion that it is appropriate in the interests of justice to request you to make submissions or observations to it.

In accordance with section 131 of the Planning and Development Act 2000, you are requested to make any submissions or observations you have in relation to the appeal in the context of the matter referred to in the above-mentioned article. The Board cannot consider submissions or observations that are outside the scope of that matter. Your submission in response to this notice must be received by the Board not later than **5.30 p.m. on 25th August 2015**.

If no submissions or observations are received before the end of the specified period, the Board will proceed to determine the appeal without further notice to you, in accordance with section 133 of the 2000 Act.

I enclose for your information a copy of the decision order of the planning authority on the application and a copy of the site location map. The planning application, along with other documents relating to the planning authority decision and copies of the appeal(s) made to the Board are available for inspection at the offices of the planning authority in accordance with section 38 of the Planning and Development Act 2000 and article 68 of the Planning and Development Regulations 2001.

Please quote the appeal reference number in any correspondence.

Yours faithfully,

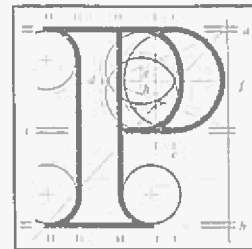
BP Nicholas Mueken

Brid Tiernan
Executive Officer
Direct Line: 01-8737172

BP70a

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The Secretary,
Planning Section,
Offaly County Council
Áras an Chontae,
Charleville Road,
Tullamore,
Co. Offaly.

29th July 2015

Appeal

Re: Demolish 10 pig houses, construct 2 pig houses, extensions to 2 existing structures to form pig house no. 3, ancillary structures on site of existing pig farming enterprise.
Ardra, Bracknagh, Co. Offaly.

Dear Sir/Madam,

An Bord Pleanála has asked me to refer to the documents already received from you in relation to the above-mentioned appeal.

To enable consideration of the appeal to proceed, the following further documentation relevant to the application and to your decision is required:-

A copy of pre-application records dated 17/12/14.

A copy of the EIS & NIS in CD format.

A copy of the objection made by Michael Hoey.

A copy of the letter received from the DAU referred to on page 3 of the Planner's Report.

Would you be good enough to have these documents forwarded **by return of post** please.

In relation to "history" documents relating to a grant of permission, please include details of the final grant.

Yours faithfully,

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



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Case Memorandum

To: Ms. Nora Ryan Senior Executive Officer	CC: Please forward file to Ms. Holohan for her comments & notes on control record & date for Inspector to come back with EPA letter
From: Ms. Nichola Meehan Executive Officer	
Date: 23rd July 2015	File No: 19 245044
Re: Demolish 10 pig houses, construct 2 pig houses, extensions to 2 existing structures to form pig house no. 3, ancillary structures on site of existing pig farming enterprise. Ardrara, Bracknagh, Co. Offaly.	

D 28/7/15.

This is a third party appeal received from Michael Hoey on 22nd June, 2015, against the decision of Offaly County Council to grant permission for the proposed development.

A copy of the appeal was issued to the planning authority and the applicant on 24th June, 2015 and responses to same were received. It is considered necessary to invoke section 131 of the Planning and Development Act, 2000 circulating the applicant's response to the appellant and the planning authority.

An EIS was submitted at application stage. "EIS Recommendation - EIS Submitted" form is attached for SEO to complete.

An NIS was submitted on foot of a further information request. "NIS Recommendation - NIS Submitted" form is attached.

It is noted that the proposed development is located near the River Barrow and Nore SAC - Site Code:002162. Submissions were received by the planning authority from An Taisce and the Department of Arts, Heritage and the Gaeltacht - Development Applications Unit. It is considered necessary to issue a section 131 notice invoking article 28 to the Heritage Council.

It is stated in the public notices that an IPPC licence is required for the proposed development. It may be appropriate to invite comments from the EPA. Attached is a draft EPA05 letter. The inspectorate section has been informed of the receipt of the appeal.

AA to complete admin procedures as per screening assessment form.

File forwarded for comments.

Inspector to note details of access to site set out on agent's letter dated 9 July 2015.

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E.I.S. RECOMMENDATION – E.I.S. SUBMITTED

PL 25044

1. To: Director of Planning/Assistant Director of Planning/Senior Planning Inspector/Planning Inspector

From: [Signature] S.E.O.

Date: 28/7/15

☒

An EIS is included with this appeal/application. Please recommend whether or not the EIS complies with the requirements of Article 94 and Schedule 6 to the Planning and Development Regulations 2001, as amended.

☐

The activity is/is not/may be licensable under the EPA Act 1992, as amended/Waste Management Act 1996, as amended. Please recommend whether or not the EPA should be requested to confirm the licensing status and to submit observations on the EIS, where appropriate.

2. To: Director of Planning/Assistant Director of Planning

From:- Reporting Inspector

In my view, the submitted EIS:-

☒

Complies with the requirements of the above Regulations.

☐

Does not comply with the requirements of the above Regulations, for the reasons set out in the attached memo.

☐

I consider that further information (as set out in the attached memo) is necessary to enable the Board to determine the appeal. I recommend that this information should be requested under Section 132 of the Regulations.

In my view, the EPA should/~~should not~~ be requested to confirm the licensing status and to submit observations on the EIS, as appropriate.

[Signature] Date: 17 Aug 2015

3. Decision

Pursuant to Board Resolution of 2/12/2008, under Section 111 (6) (a) of the Planning and Development Act 2000, as amended, which authorised me to perform certain of its functions, I hereby

☐

agree with the above recommendation.

☐

disagree with the above recommendation for reasons set out in the attached memo.

D.O.P/A.D.P: _____ Date: _____

Revised eissub dot (green form)

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N.I.S. RECOMMENDATION – N.I.S. SUBMITTED

PL 245044

1. To: **Director of Planning / Assistant Director of Planning / Senior Planning Inspector / Planning Inspector**

From: [Signature] S.E.O.

Date: 28/7/15

An N.I.S. is included with this appeal / application. Please recommend whether or not the NIS complies with the requirements of Part XAB of the Planning and Development Act, 2000, as amended.

The activity is/is not licensable under the EPA Act 1992, as amended / Waste Management Act 1996, as amended. The developer has/has not been requested to confirm the licensing status with the EPA.

2. To: **Director of Planning / Assistant Director of Planning**

From: **Reporting Inspector**

In my view, the N.I.S.:

Complies

☒

Does not comply for the reasons set out in the attached memo with the requirements of the above Act.

☐☐

I consider that further information (set out in attached memo) is necessary to enable the Board to determine the appeal / application. I recommend that this information should be requested under section 132 of the Planning and Development Act 2000, as amended.

[Signature] Date: 28/8/15

3. Decision

Pursuant to Board Resolution of 2/12/2008, under Section 111 (6)(a) of the Planning and Development Act, which authorised me to perform certain of its functions I hereby

☐

agree with the above recommendation.

☐

disagree with the above recommendation for reasons set out in the attached memo.

D.O.P / A.D.P.: _____ Date: _____



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