

PLANNING APPLICATION CONTROL FORM

Application Reference No. 14/97

Decision due by 17/06/2014

14 / 374

Previous Ref. Nos. 12372

Date of Receipt of Application 23/04/2014

Applicant : Jim & Mark Wright

Address: Environment Planners Ltd C.L.W The Mews 23 Farnham St Cavan

Location of Development: Crosses, Monaghan

Description : PERMISSION to construct 1 No. pig house, together with all ancillary structures and associated site works

VALIDATION

Validated by: _____

Date of Validation: _____

SITE NOTICE

Was Notice published on site

Yes

No

*

Inspected by: [Signature]

Date of Inspection: 16/5/14

Refer file for reports to:

Area Engineer

S.E.E. Roads

E.H.O.

S.E.E. Environment

S.E.E. Sanitary Services

S.E. Planner

E.P.A

*EIS
AA

not required
not required

PLANNING APPLICATION DECISION FORM

Planning Application
Reference No. 1497

Decision due by: _____

Reports received from:

Area Engineer _____

S.E.E. Roads _____

E.H.O. _____

S.E.E.Environment _____

S.E.E. Sanitary Services _____

Planning Officer _____

I recommend that planning permission be:

Granted, subject to the conditions
Outlined in the enclosed

Refused, for the reasons
outlined in the enclosed

Planning Officer's Report

Planning Officer's Report

Recommended by Senior
Executive Planner: AA

Date: 09.06.14

Recommended by:

Director of Services

Date: _____

DECISION OF MONAGHAN COUNTY COUNCIL:

Approved with conditions
Recommended in

Refused

Planning Officer's Report

Other

Maps and Drawings remain

the Copyright of the Originator

Ann Wheeler
County Manager/Director of Services

12.06.14
Date

**MONAGHAN COUNTY COUNCIL
PLANNING AND DEVELOPMENT REPORT**

File Ref: 14/97

Applicant: Jim and Mark Wright

Development: Permission to construct 1 number pig house, together with all ancillary structures and associated site works.

Location: Crosses, Monaghan

Characteristics of the Site

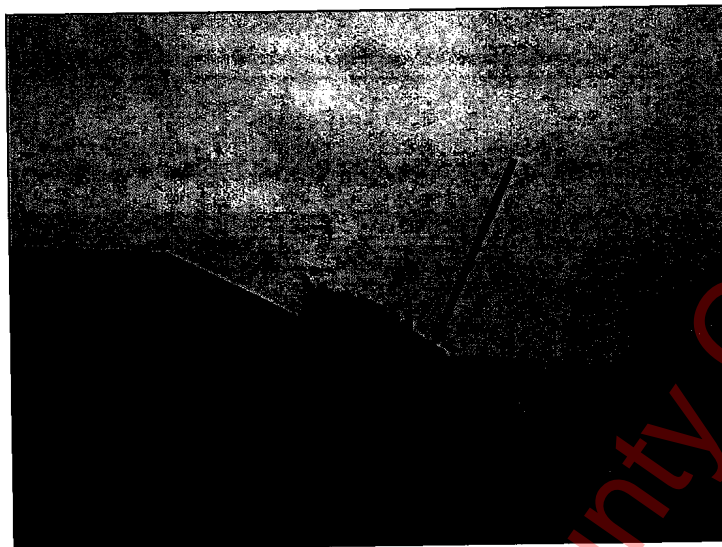
The site comprises an existing pig farm which is located on a site measuring 2.674 hectares in size. Existing structures on the site include a sow house, a weaning house, a food preparation building, an original piggery building and a water storage tanks, all of which are of typical design and size.

Views of the site are restricted from the western approach along the road but are slightly more apparent from the south eastern approach. Due to the undulating nature of the lands surrounding the site, there are limited views of the site from the adjoining local road to the east.



Site viewed from the south eastern approach

Maps and Drawings remain
the Copyright of the Originator



Site viewed from the western approach- note established, existing entrance.

Characteristics of Area

The site is located along local primary road 1500 in the townland of Crosses, approximately 4km south east of Monaghan town. The surrounding area is undulating in nature.

Relevant Site History

Three previous planning histories on this site:

06/1379: Permission to decommission 8 no. existing pig houses and 4 no. existing pre-fabricated pig houses and to construct 2 no. replacement pig houses (house 1 with a double apex roof, house no. 2 with a roof design) with together with all ancillary structures and associated site works arising from the above proposed development. House reference numbers correspond with house numbers correspond with house number shown on site layout plan submitted with this application. 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 2004; *further information requested by the Planning Authority and application subsequently deemed withdrawn*

07/993: Permission to decommission 8 No. existing pig houses, 4 No. existing pre-fabricated pig houses and ancillary structures and to construct 2 No. replacement pig houses (House 1 with a double apex roof, House No. 2 with A roof design) and 1 No. meal store with together with all ancillary structures and associated site works arising from the above development at Crosses, Monaghan, Co. Monaghan. House reference numbers correspond with house numbers shown on site layout plan submitted with this application. 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 2004. An Environmental Impact Statement (E.I.S.) will be submitted with this planning application. This E.I.S. will be available for inspection or purchase at a fee not exceeding the reasonable cost of making a copy during office hours at the offices of Monaghan County Council. *Permission granted by the Planning Authority.*

12/372: Construct extensions to 2 no. existing pig houses, together with all ancillary structures and associated site works arising from the above proposed development. This application relates to a development, which is for the purposes of an activity requiring an Integrated Pollution Prevention and Control (IPPC) licence under part IV of the Environmental Protection Agency (Licensing) Regulations 1994 to 2011. *Granted.*

the Copyright of the Originator

Consultee Responses

Inland Fisheries Ireland: No objection as per report dated 26th May 2014.

E.H.O: No objections as per report dated 26th May 2014.

Environment Section: No objection as per report dated 23rd May 2014.

Area Engineer: No objections as per report dated 19th May 2014.

E.P.A: Comments dated 26th May 2014 are noted.

Objections/Representations Received

No objections/representation received.

Planning Assessment

- Planning Policy

Section 15.12 and policies AFP1, AFP2, AFP4 and AFP9 of the Monaghan County Development Plan 2013-2019 apply.

Policy AFP1

For Appropriate Assessment Screening report refer to separate section at end of report.

Policy AFP2

The Planning Authority recognises that importance of agriculture in contributing to the economic development of the county and as sources of employment in rural areas. Consequently, in accordance with Policy AFP2, favourable consideration to agricultural development will be given subject to meeting a number of criteria:

- It is necessary for the running of the enterprise.*
This application seeks permission for an additional pig house which will be located to the rear of the existing structures on the site. Given that this is an established agricultural enterprise it is considered that the proposal is acceptable.
- Is appropriate in terms of scale, location and design*
The proposal seeks permission for an additional pig house. The design and scale of the structure is standard with regard to agricultural buildings. The proposal will be located to the rear of the existing structures and will integrate successfully.
- Does not seriously impact on the visual amenity of the area or on the natural or manmade environment.*
Given that the building will be located to the rear of a number of existing, established structures there are no concerns with regard to visual amenity and the proposed unit.
- Is located within or adjacent to existing farm buildings, unless where the applicant has clearly demonstrated that the building must be located elsewhere for operational or other reasons.*
As discussed in point (iii) above, the structure will be located to the rear of existing structures within an established agricultural building.
- Is sited so as to benefit from any screening provided by topography or existing landscape.*
The structure will be located to the rear of existing buildings which, coupled with the set back nature of the structure from the local road, will ensure a satisfactory level of integration is achieved.

the Copyright of the Originator

- vi. *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.*
The site in question is not located within 100 metres of any residential dwelling.
- vii. *Will not result in an unacceptable loss of residential amenity by reason of noise, smell, pollution, general disturbance etc.*
Given the location of the site and the fact that there are no third part dwellings located in close proximity to the site, there will be no impact on the amenity of any nearby residents by reason of noise, smell, pollution or general disturbance.
- viii. *Will not result in a traffic hazard:*
The proposal will not generate a significant amount of additional traffic. The existing entrance will be used to facilitate the development. In addition the Area Engineer has no objections to the proposed development.
- ix. *Will not result in a pollution threat to sources of potable water, water courses, aquifers or ground water.*
Environment Section has been consulted and has no objections to the proposal.

Policy AFP4

The proposal is acceptable and in accordance with this policy.

Policy AFP9

Environment Section has no objections to the proposal. A condition shall be imposed regarding the offsite movements of pig manure.

Water Protection Plan

Section 4.9.9 and Policy WPP 5 of the Monaghan County Development Plan apply.

A water protection plan checklist has been submitted with this planning application. Environment Section has no objections to this element of the proposal

Other Issues

The comments of the Area Engineer dated 19th May 2014 are noted. The proposed pig house will be accessed via the existing entrance and no proposals are included to amend this established entrance. It is not considered necessary to impose conditions with regard to the entrance details.

Development Contributions

In accordance with Category 5(g) of the General Development Contribution Scheme 2013-2019 the following contribution is applicable:

Floor space of proposed structure = 1,573 square metres.

First 300 square metres are exempt from development contributions.

Development contributions are therefore applicable on the remaining 1,273 square metres.

Accordingly €500 = €2 x 1,273 = €3,046.00

Appropriate Assessment

Section 4.88, policies APP1-AAP5 and policy ADP1 of the Monaghan County Development Plan 2013-2019 apply.

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 (i.e. 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). In respect of the Monaghan County Development Plan 2013-2019, policy AAP1 states "Ensure that all plans and projects in the County, not directly connected with or necessary to the management of a Natura 2000 site, but likely to have a significant effect, either directly or indirectly, on a Natura 2000 site, either alone or in combination with other plans or projects, are subject to Appropriate Assessment Screening in accordance with Article 6 of the Habitats Directive".

Notably, the site is not located within or within 15km of any Natura 2000 site. In addition, there are no watercourses in proximity to the application site and no pathway connectors with the Natura 2000 network. It is the opinion of the planning authority therefore, that given the cumulative effects of both the proposed development and any other plan or project, the development is not of a nature or scale to have any significant effects on the integrity of the Natura 2000 network and therefore a Stage 2 Appropriate Assessment is not required.

EIS Requirement

Schedule 5, Part 1, Article 17 of the Planning and Development Regulations 2001-2012 indicates that an EIS is required for installations for the intensive rearing of pigs with more than:

- 3,000 places for production pigs (over 30 kilograms) or 900 places for sows.

The proposed building is to be used for the keeping of 800 gilts (i.e. pigs less than 30 kilograms). In this regard the Planning Authority is satisfied that the proposed development does not fall within the defined threshold in respect on an EIS as indicated above.

Schedule 5, Part 1, Article 13 of the Planning and Development Regulations 2001-2012 indicates that any changes or extension of development already authorised, executed or in the process of being executed which would:

- Result in an increase in size greater than 25% or an amount equal to 50% of the appropriate threshold.

By virtue of the information submitted the following is noted:

- This application is in substitution to the extension to the existing pig house, previously approved under 12/372.
- There will be no increases in animal numbers and/or manure production to that previously approved under 12/372
- Animal numbers will increase by 9.35%
- The amount of organic fertiliser generated will increase by 11.8%

The Planning Authority is satisfied that the proposed development will not result in an increase of 25% in activity/process within the site. A condition shall be imposed to clearly indicate that this development is in substitution to previously approved application 12/372.

Furthermore, having regard to Schedule 7 of the Planning and development Regulations (2001), the nature and scale of the development proposed and the likely implications of the construction works and related activities thereafter, it is considered that the proposed development is not likely to have significant effects on the environment.

Accordingly, an EIS is not considered necessary to accompany this planning application.

the Copyright of the Originator

Conclusion

Given the established nature of the site with regard to agricultural development and the recognition in the Monaghan County Development Plan 2013-2019 that agriculture contributes to the economic development of the county and as sources of employment in rural areas, the proposal is considered acceptable. Notably no objections have been received.

Recommendation

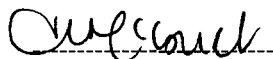
That planning permission is **GRANTED** subject to the following conditions:

1. Prior to commencement of development the developer shall pay to Monaghan County Council a sum of **€3,056.00** in accordance with the General Development Contribution Scheme 2013-2019 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 proposed development.
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.


Reason: 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, which will facilitate the proposed development.

2. The proposal hereby approved is in substitution to the proposal approved under planning application reference P/12/372.
Reason: In the interest of orderly development and to prevent unauthorised development.
3. Animal numbers within this farm complex shall not exceed the details/numbers as per submitted via this application without a prior grant of permission.
Reason: In the interest of orderly development and to prevent unauthorised development.
- 4a. Any excess soils generated on site as a result of site development works and which cannot be reused on site shall be disposed of at an approved permitted facility.
- b. Details of such facilities shall be submitted to the Planning Authority for agreement in writing prior to commencement of development.

- c. Development shall be carried out in accordance with these agreed details or as otherwise agreed with the Planning Authority.
Reason: In the interest of orderly development and environmental protection.
5. As per Environment Report dated 23rd May 2014 (Point 2 only and as amended).
Reason: In the interest of orderly development and environmental protection.
- 6a. All effluent, soiled water and solid wastes shall be stored on site in adequately sized and sited watertight structures.
- b. The proposed building shall comply with Department of Agriculture standards and regulations.
- c. All effluent shall be disposed of by landspreading and shall be carried out in accordance with the Department of Agriculture's booklet Good Farming Practice.
- d. Only clean, uncontaminated storm water shall be discharged to surface water.
Reason: In the interest of orderly development and environmental protection.
7. No unpainted metal sheeting shall be used for roofing or on the external finish of the structure.
Reason: In the interest of visual amenity.
8. The development shall be carried out in accordance with details as submitted to the Planning Authority on the 23rd April 2014, except as may otherwise be required in order to comply with the above conditions.
Reason: To ensure a satisfactory standard of development.



Helen McCourt
Assistant Planner
9th June 2014


09.06.14

Maps and Drawings remain
the Copyright of the Originator

MONAGHAN COUNTY COUNCIL

PLANNING AND DEVELOPMENT ACTS 2000 TO 2010

Chief Executive's Order No: 14/374

Reference Number: 14/97

Name of Applicant: Jim & Mark Wright

Address: Environment Planners Ltd C.L.W
The Mews
23 Farnham St
Cavan

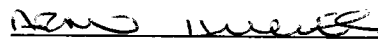
Nature of Application: PERMISSION to Construct 1 No. pig house, together with all ancillary structures and associated site works

Location of Development: Crosses
Monaghan


ORDER:

I hereby decide, pursuant to the provisions of the Planning and Development Acts 2000 to 2010 and the Planning and Development Regulations 2001 to 2007 to grant permission for the above development in accordance with documents submitted, subject to the 8 condition(s) set out in the Schedule attached hereto.

I further decide that PERMISSION be granted subject to the same conditions on the expiration of the period for the taking of an appeal to An Bord Pleanála against this decision if there is then no appeal before the Bord.



Adrian Hughes
A/DIRECTOR OF SERVICES



Date

Maps and Drawings remain
the Copyright of the Originator

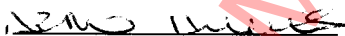
P14/97 Jim & Mark Wright, Crosses, Monaghan.

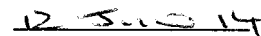
1. Prior to commencement of development the developer shall pay to Monaghan County Council a sum of **€3,056.00** in accordance with the General Development Contribution Scheme 2013-2019 made under Section 48 of the Planning and Development Act 2000 (as amended), towards expenditure incurred or proposed to be incurred by the Council in the provision of community, recreation and amenity public infrastructure and facilities, which will facilitate the proposed development.
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 proposal hereby approved is in substitution to the proposal approved under planning application reference P12/372.
3. Animal numbers within this farm complex shall not exceed the details/numbers as per submitted via this application without a prior grant of permission.
- 4a. Any excess soils generated on site as a result of site development works and which cannot be reused on site shall be disposed of at an approved permitted facility.
 - b. Details of such facilities shall be submitted to the Planning Authority for agreement in writing prior to commencement of development.
 - c. Development shall be carried out in accordance with these agreed details or as otherwise agreed with the Planning Authority.
5. Records of pig manure movements offsite shall be maintained on site at all times and submitted to the Environmental Section of Monaghan County Council on request. The 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 agricultural contractor who transports the manure offsite
 - (b) Date of each movement of pig manure offsite.
 - (c) Quantity (weight and volume) disposed of.
 - (d) For each movement of manure offsite, the name, address and telephone number of
 - i. the Company who has taken possession of the pig manure
 - ii. together with the end use of the material
 - iii. The address and herd number of the receiving farmers
 - (e) Any other information as may be required.

- 6a. All effluent, soiled water and solid wastes shall be stored on site in adequately sized and sited watertight structures.
 - b. The proposed building shall comply with Department of Agriculture standards and regulations.
 - c. All effluent shall be disposed of by landspreading and shall be carried out in accordance with the Department of Agriculture's booklet Good Farming Practice.
 - d. Only clean, uncontaminated storm water shall be discharged to surface water.
7. No unpainted metal sheeting shall be used for roofing or on the external finish of the structure.
 8. The development shall be carried out in accordance with details as submitted to the Planning Authority on the 23rd April 2014, except as may otherwise be required in order to comply with the above conditions.

THE REASONS FOR THE IMPOSITION OF THE ABOVE CONDITIONS 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, which will facilitate the proposed development.
2. In the interest of orderly development and to prevent unauthorised development.
3. In the interest of orderly development and to prevent unauthorised development.
4. In the interest of orderly development and environmental protection.
5. In the interest of orderly development and environmental protection.
6. In the interest of orderly development and environmental protection.
7. In the interest of visual amenity.
8. To ensure a satisfactory standard of development.


Adrian Hughes
A/Director of Services


Date

Maps and Drawings remain
the Copyright of the Originator

MONAGHAN COUNTY COUNCIL

TO: Jim & Mark Wright
c/o Environment Planners Ltd C.L.W
The Mews
23 Farnham St
Cavan

14/97
13/06/2014

Re: Planning and Development Acts 2000 to 2010
NOTIFICATION OF DECISION

Monaghan County Council has by order dated 12/06/2014 decided to GRANT PERMISSION to the above named for development of land, in accordance with the documents submitted namely:- construct 1No. pig house, together with all ancillary structures and associated site works at Crosses, Monaghan subject to the 8 condition(s) set out in the Schedule attached.

Signed on behalf of Monaghan County Council


ADMINISTRATIVE OFFICER


DATE

Provided there is no appeal against this DECISION a grant of planning permission will issue at the end of four weeks (see footnote).

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

NOTE:

1. Any appeal against a decision of a Planning Authority under Section 34 of the Act of 2000 may be made to An Bord Pleanala. The appeal period for the applicant and other persons will be four weeks from the day the Planning Authority makes its decision.
2. Appeals should be addressed to The Secretary, An Bord Pleanala, 64 Marlborough Street, Dublin 1. An appeal by the applicant should be accompanied by this form. In the case of an appeal by any other person, the name of the person, particulars of the proposed development and the date of the decision of the Planning Authority should be stated.
 - (a) The fee for an appeal against a decision of a Planning Authority, on a planning application relating to a commercial development, made by the person who made the planning application is **€1,500 or €3,000** if there is an EIS or NIS involved. Commercial Development means development for the purpose of any professional, commercial or industrial undertaking, development in connection with the provision for reward of services to persons or undertakings, or development consisting of the provision of two or more dwellings, but does not include development for the purposes of agriculture.

- (b) Appeal against a decision of a planning authority on a planning application relating to commercial development, made by the person by whom the planning application is made, where the application relates to unauthorised development is **€4,500 or €9,000** if there is an EIS or NIS involved.
- (c) Appeal made by the person by whom the planning application was made, where the application relates to unauthorised development, other than an appeal mentioned at (a) or (b) is **€660**.
- (d) Appeal other than appeal mentioned at (a), (b), (c), or (f) is **€220**.
- (e) Application for leave to appeal is **€110**.
- (f) Appeal following a grant of leave to appeal is **€110**.

The appeal must be fully complete, with your name and address, the subject matter of the appeal, the full grounds of appeal and supporting arguments and material, appropriate fee and evidence of payment of submission fee to the Planning Authority.

In the case of a third party appeal, the acknowledgement from the Planning Authority of receipt of the submission or observation made by the person to the Planning Authority at application stage should be submitted and the name of the person, particulars of the proposed development and the date of the decision of the Planning Authority should be stated.

- 3. Submissions or observations to the Board by or on behalf of a person (other than the applicant) as regards an appeal made by another person must be accompanied by a fee of **€50**.

For more information on Appeals you can contact An Bord Pleanála at:-

Tel. 01-8588100 or LoCall: 1890 275 175

Fax: 01-8722684

E-mail: bord@pleanala.ie

Web: www.pleanala.ie

Maps and Drawings remain
the Copyright of the Originator

Notes (See Form/Check List overleaf)

1. Rules for Making Appeals

You are advised to check the latest version of “A Guide to Making a Planning Appeal” issued by the Board. It is available from the Board, telephone (01) 858 8100 and on our website www.pleanala.ie. It may also be available from your planning authority. A significant number of appeals are invalid because they are not made in accordance with the statutory rules.

2. Appeal Fees

You are advised to check the appropriate fee for making an appeal. Different fees apply depending on the nature of the appeal. A leaflet “Guide to Fees payable to the Board” is available from the Board, telephone (01) 858 8100 and on our website www.pleanala.ie. It may also be available from your planning authority. Note that appeal fees may change from time to time. A significant number of appeals are invalid either because no fee or an incorrect fee is included.

3. Time Limits

The time limit for making an appeal is, except where the appeal is made following a successful application for leave to appeal, four weeks beginning on the date of the planning authority decision (not the day it is sent or received). Day one is the day the planning authority decision is made. For example, if the decision of a planning authority is made on Wednesday 2nd of a month, the last day for receipt of the appeal is Tuesday 29th of the same month, NOT Wednesday 30th. There are special rules where the last day falls on a day the Board’s offices are closed or where the appeal period falls over the Christmas/New Year period. Check our leaflet for further information. A significant number of appeals are invalid because they are late – sometimes, just one day late.

4. Delivering the Appeal

- Send the appeal by post to *The Secretary, An Bord Pleanála, 64 Marlborough Street, Dublin 1*, or,
 - deliver it by hand, to an employee of the Board (not a security person), during office hours (9.15 a.m. to 5.30 p.m.) on Monday to Friday,
- so that the appeal reaches the Board by the last day for making an appeal. Do not place the appeal in the Board’s letterbox. A significant number of appeals are invalid because they are incorrectly delivered.

5. Completeness

The appeal must be fully complete from the start. You are not permitted to submit any part of it at a later time, even within the time limit. Neither are you permitted to clarify, elaborate or make further submissions either for the purposes of complying with the rules for making an appeal or otherwise, unless invited by the Board.

This document is issued as an aid to making a valid planning appeal to the Board. It may be used as a ‘cover page’ in making such an appeal but there is no legal or other requirement to do so. The document should be read in conjunction with the latest versions of the Board’s leaflets “Making a Planning Appeal under the 2000 Planning Act” and “Guide to Fees payable to the Board”. The guidance given in those leaflets and in this document also applies generally to the making of submissions and observations by ‘observers’ under section 130 of the 2000 Planning Act. A significant number of submissions and observations by ‘observers’ are also invalid because the appropriate rules are not observed.

This document does not purport to be a legal interpretation of the law in relation to making a planning appeal – you should consult the appropriate legislation, including sections 37 and 127 of the Planning and Development Act 2000 for the statutory rules governing the making of appeals (section 130 for ‘observers’).

An appeal or a submission or observation on an appeal that is not made strictly in accordance with the statutory rules will be invalid. The Board has no discretion to relax or vary the rules. The onus is on YOU to meet all the legal requirements at the time you make the appeal/submission/observation.

14th February 2005

P14/97 Jim & Mark Wright, Crosses, Monaghan.

1. Prior to commencement of development the developer shall pay to Monaghan County Council a sum of **€3,056.00** in accordance with the General Development Contribution Scheme 2013-2019 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 proposed development.
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 proposal hereby approved is in substitution to the proposal approved under planning application reference P12/372.
3. Animal numbers within this farm complex shall not exceed the details/numbers as per submitted via this application without a prior grant of permission.
- 4a. Any excess soils generated on site as a result of site development works and which cannot be reused on site shall be disposed of at an approved permitted facility.
 - b. Details of such facilities shall be submitted to the Planning Authority for agreement in writing prior to commencement of development.
 - c. Development shall be carried out in accordance with these agreed details or as otherwise agreed with the Planning Authority.
5. Records of pig manure movements offsite shall be maintained on site at all times and submitted to the Environmental Section of Monaghan County Council on request. The 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 agricultural contractor who transports the manure offsite
 - (b) Date of each movement of pig manure offsite.
 - (c) Quantity (weight and volume) disposed of.
 - (d) For each movement of manure offsite, the name, address and telephone number of
 - i. the Company who has taken possession of the pig manure
 - ii. together with the end use of the material
 - iii. The address and herd number of the receiving farmers
 - (e) Any other information as may be required.

- 6a. All effluent, soiled water and solid wastes shall be stored on site un adequately sized and sited watertight structures.
 - b. The proposed building shall comply with Department of Agriculture standards and regulations.
 - c. All effluent shall be disposed of by landspreading and shall be carried out in accordance with the Department of Agriculture's booklet Good Farming Practice.
 - d. Only clean, uncontaminated storm water shall be discharged to surface water.
7. No unpainted metal sheeting shall be used for roofing or on the external finish of the structure.
 8. The development shall be carried out in accordance with details as submitted to the Planning Authority on the 23rd April 2014, except as may otherwise be required in order to comply with the above conditions.

THE REASONS FOR THE IMPOSITION OF THE ABOVE CONDITIONS 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, which will facilitate the proposed development.
2. In the interest of orderly development and to prevent unauthorised development.
3. In the interest of orderly development and to prevent unauthorised development.
4. In the interest of orderly development and environmental protection.
5. In the interest of orderly development and environmental protection.
6. In the interest of orderly development and environmental protection.
7. In the interest of visual amenity.
8. To ensure a satisfactory standard of development.

Maps and Drawings remain
the Copyright of the Originator

13/06/2014

TO: Inland Fisheries Ireland
IFI Dublin,
3044 Lake Drive
Citywest Business Campus
Dublin 24

Re: *Planning and Development Acts 2000 to 2010*

REF.NO: 14/97 - Jim & Mark Wright, Environment Planners Ltd C.L.W The Mews, 23 Farnham St,Cavan.

Dear Sir/Madam,

I wish to inform you that by order dated 12.6.14 Monaghan County Council decided to Grant PERMISSION to carry out development and site works consisting of: construct 1No. pig house, together with all ancillary structures and associated site works, at Crosses Monaghan . I attach copy of Council's decision.

In making its decision on this planning application, the planning authority, in accordance with Section 34(3) of the Planning and Development Act 2000, has regarded your submission/observation received, in accordance with Planning and Development Regulations 2001 to 2007.

If you are aggrieved by this decision you may appeal it within **four weeks** from the day of the decision by forwarding your grounds of appeal to The Secretary, An Bord Pleanala, 64 Marlborough Street, Dublin 1.

Appeals should be addressed to The Secretary, An Bord Pleanala, 64 Marlborough Street, Dublin 1. An appeal by the applicant should be accompanied by this form. **In the case of a third party appeal, the acknowledgement from the Planning Authority of receipt of the submission or observation made by the person to the Planning Authority at application stage should be submitted and the name of the person, particulars of the proposed development and the date of the decision of the Planning Authority should be stated.** The fee for a third party appeal is €220. The appeal must be fully complete, with your name and address, the subject matter of the appeal, the full grounds of appeal and supporting arguments and material, appropriate fee and evidence of payment of submission fee to the Planning Authority.

Submissions or observations to the Bord by or on behalf of a person (other than the applicant) as regards an appeal made by another person must be submitted within four weeks of receipt of appeal by An Bord Pleanala and accompanied by a fee of €50.

Yours faithfully,


ADMINISTRATIVE OFFICER

For more information on Appeals you can contact An Bord Pleanála at:-

Tel. 01-8588100 or LoCall: 1890 275 175

Fax: 01-8722684

E-mail: bord@pleanala.ie

Web: www.pleanala.ie

Copyright of Monaghan County Council

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

Maps and Drawings remain
the Copyright of the Originator

13/06/2014

TO: Environmental Protection Agency
Regional Inspectorate,
Inniscarra
Co. Cork

Re: *Planning and Development Acts 2000 to 2010*

REF.NO: 14/97 - Jim & Mark Wright, Environment Planners Ltd C.L.W The Mews, 23 Farnham St, Cavan.

Dear Sir/Madam,

I wish to inform you that by order dated 12.6.14 Monaghan County Council decided to Grant PERMISSION to carry out development and site works consisting of Construct 1 No. pig house, together with all ancillary structures and associated site works, at Crosses Monaghan. I attach copy of Council's decision. In making its decision on this planning application, the planning authority, in accordance with Section 34(3) of the Planning and Development Act 2000, has regarded your submission/observation received, in accordance with Planning and Development Regulations 2001 to 2007.

If you are aggrieved by this decision you may appeal it within **four weeks** from the day of the decision by forwarding your grounds of appeal to The Secretary, An Bord Pleanala, 64 Marlborough Street, Dublin 1.

Appeals should be addressed to The Secretary, An Bord Pleanala, 64 Marlborough Street, Dublin 1. An appeal by the applicant should be accompanied by this form. **In the case of a third party appeal, the acknowledgement from the Planning Authority of receipt of the submission or observation made by the person to the Planning Authority at application stage should be submitted and the name of the person, particulars of the proposed development and the date of the decision of the Planning Authority should be stated.** The fee for a third party appeal is €220. The appeal must be fully complete, with your name and address, the subject matter of the appeal, the full grounds of appeal and supporting arguments and material, appropriate fee and evidence of payment of submission fee to the Planning Authority.

Submissions or observations to the Bord by or on behalf of a person (other than the applicant) as regards an appeal made by another person must be submitted within four weeks of receipt of appeal by An Bord Pleanala and accompanied by a fee of €50.

Yours faithfully,


ADMINISTRATIVE OFFICER

For more information on Appeals you can contact An Bord Pleanála at:-
Tel. 01-8588100 or LoCall: 1890 275 175
Fax: 01-8722684
E-mail: bord@pleanala.ie
Web: www.pleanala.ie

Copyright of Monaghan County Council

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

Maps and Drawings remain
the Copyright of the Originator