

MONAGHAN COUNTY COUNCIL

TO: Sammy Wilkin

20/153
17/07/2020

Michael Hetheron
Unit 3,
Cavan Street,
Oldcastle,
Co. Meath

Re: Planning and Development Act 2000 (as amended)
NOTIFICATION OF DECISION

Monaghan County Council has by order dated 17/07/2020 decided to GRANT permission to the above named for development of land, in accordance with the documents submitted namely for:- permission for a development consisting of (1) installation of hygiene and sanitary facilities in existing detached storage building, (2) installation of proprietary wastewater treatment unit and percolation area, (3) alteration to the capacity of development(s) approved under planning Ref; 19/440 and 17/622 to permit an intensification of use (increase in bird numbers), (4) completion of all ancillary site works and associated site structures. This application relates to a development, which is for the purposes of an activity requiring a Licence under part IV of the Environmental Protection Agency (Licensing) Regulations 1994 to 2013. An Environmental Impact Assessment Report (E.I.A.R.) will be submitted with this planning application at Cornawall, Rockcorry subject to the 6 condition(s) set out in the Schedule attached.

Signed on behalf of Monaghan County Council



ADMINISTRATIVE OFFICER

17/7/2020

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 (as amended) 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

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1.
 - a. The developer shall pay to Monaghan County Council a sum of **€2,160** in accordance with the General Development Contribution Scheme 2013-2019 (as revised), made by the Council 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 in the area.
 - b. 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 Wholesale Price Index for Building and Construction (Materials and Wages).
 - c. No works shall commence until payment of the development contribution is made in full, or until Monaghan County Council has agreed in writing to a schedule of phased payments of the sum.
2. The noise level from within the boundaries of the development not to exceed 55dB(A) equivalent continuous level (leq) at any point along the boundaries of the development between 0800 hours and 2000hrs. At all other times, the noise level not to exceed 45 dB(A) equivalent continuous level (leq). Where noise is impulsive in nature or has clearly audible tone components the above limits to be reduced by 5dB(A).
3.
 - a. The proposed waste water treatment system shall meet the requirements of I.S. EN 12566-3:2005 and shall be installed in accordance with the design and specification of the manufacturer. Details of same to be submitted for approval prior to the commencement of any development.
 - b. The installation shall be supervised and certified by a competent person and a copy of the certificate to be submitted to the Planning Authority prior to occupancy of the dwelling.
 - c. Effluent from the proposed wastewater treatment system shall be disposed of by means of a soil polishing filter constructed in accordance with the requirements as set out in the Environmental Protection Agency Code of Practice "Wastewater Treatment and Disposal Systems Serving Single Houses." (p.e. ≤ 10).
 - d. The construction of the soil polishing filter shall be supervised and certified by a competent person and a copy of the certificate to be submitted to the Planning Authority prior to occupancy of the dwelling
 - e. No part of the soil polishing filter to radiate within 10m of any watercourse or the public road-way or 3m of any boundary.

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- a. The development/facility hereby approved shall be operated in accordance with the European Union (Good Agricultural Practice for Protection of Waters) Regulations 2017.
 - b. In relation to the disposal of contaminated and soiled water the following shall apply
 - all soiled waters shall be directed to a storage tank
 - no effluent or slurry shall discharge or be allowed to discharge to any stream, river, watercourse, groundwater body or to the public road.
 - all surface water arising on the concrete aprons shall discharge to a silt trap followed by an appropriately size sub-soil polishing filter.
 - The silt trap shall be inspected regularly and adequately maintained.
 - c. Prior to the commencement of development, drainage arrangements for the site, including the disposal of surface water, shall be submitted to and agreed in writing with the Planning Authority. In this regard;
 - i. All uncontaminated roof water from buildings and yard water shall be separately collected and discharged in a sealed system to existing drains, streams or adequate soakpits and shall not discharge or be allowed to discharge to the foul effluent drains, foul effluent and slurry storage tanks or to the public road.
 - ii. All uncontaminated yard water from all concrete yard areas shall discharge to an appropriately sized silt trap followed by soil polishing filter.
 - iii. All uncontaminated roof water to discharge to soakpit
 - iv. An inspection manhole shall be installed for sampling and inspection purposes and shall be located on the surface/storm water line after the silt trap and prior to the sub-soil polishing filter.
All drainage works shall be carried out in accordance with these agreed details.
 - v. All drainage works shall be carried out in accordance with these agreed details.
 - d. All organic fertiliser generated by the development hereby approved shall be conveyed through properly constructed channels to the proposed storage facilities and shall not discharge or be allowed to discharge to any stream, river, watercourse, groundwater body or public road.
 - e. All organic fertiliser generated by the proposed development shall be disposed of in accordance with the details submitted to the Planning Authority on 06/05/2020 and in accordance with the European Union (Good Agricultural Practice for Protection of Waters) Regulations 2017.
 - f. Prior to the commencement of development, details on the management of the paddock area shall be submitted to and agreed in writing with the Planning Authority.
 - g. There shall be no change in poultry type or increase in the numbers of poultry being accommodated at this site unless otherwise agreed in writing with the Planning Authority.

- h. i. Any construction and demolition waste or excess soil generated during the construction phase which cannot be reused on site shall be disposed/recovered at an appropriately permitted facility in accordance with the requirements of the Waste Management Act 1996 as amended.
- ii. All waste oils and any other hazardous waste materials shall be stored appropriately and collected, recovered or disposed of in accordance with the Waste Management Act 1996 as amended, and records of such shall be kept on site.
- iii. All hazardous liquid waste or oil/fuel storage containers, temporary or otherwise shall be bunded.
- iv. All bunds will be designed to contain 110 % of the capacity of the largest storage container located within the bund.
- v. There shall be no overflow drain facility from any bunds on site and all filling and off-take points shall be located within a bund.
- vi. Facilities shall be provided for the collection and segregation of recyclable waste. Wastes shall be collected for recycling/reuse whenever feasible or otherwise disposed of in accordance with the Waste Management Act 1996 as amended.
- i. The applicant shall immediately inform the Planning Authority & Inland Fisheries Board of an accidental spillage of wastewater, organic fertiliser, fuel, machine oil or any other substance which may threaten the quality of any watercourse or groundwater body.
- j. Prior to commencement of any development on site the applicant shall obtain an Industrial Emissions (IE) Licence from the EPA as the proposed development comprises or is for the purpose of an activity for which an Industrial Emissions (IE) License is required.
- k. During the construction phase of development, the applicant shall immediately inform the Planning Authority & Inland Fisheries Board of an accidental spillage of polluting matter or any other substance which may threaten the quality of any watercourse or groundwater body.
- l. Organic fertiliser shall be taken offsite by the contractor/hauler as stated in the planning application. This contractor must be registered with the Department of Agriculture Food and Marine and the organic fertiliser shall be utilized in accordance with the requirements of the European Union (Good Agricultural Practice for Protection of Waters) Regulations 2018. Any changes in contractor shall be agreed in writing with the Planning Authority.
- m. Within six months from date of grant of planning permission, an ammonia management programme outlining ammonia reduction measures, including timeframes for implementation, appropriate for the site, shall be submitted to the planning authority. The ammonia management programme shall be reviewed annually and a copy of the reviewed ammonia management programme shall be submitted annually to Monaghan County Council by December 31st. The reduction in ammonia emissions from the site using Best Available Techniques (BAT) shall be detailed in the annual ammonia management programme.

5. Notwithstanding the intensification of the capacity of the site hereby approved, all other conditions attached to 17/622 and 19/440 shall be fully complied with.
6. The development shall be carried out in accordance with plans and documentation submitted on the 6th of May 2020 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 in the area.
2. In the interest of the amenity of the area.
3. In the interest of public health.
4. In the interest of environmental protection.
5. In the interest of orderly development and to prevent unauthorised development.
6. In the interest of orderly development and to prevent unauthorised development.

17/07/2020

TO: Peter Sweetman & Associates
113 Lower Rathmines Road,
Dublin 6

Re: *Planning and Development Act 2000 (as amended).*

REF.NO: 20/153 - Sammy Wilkin, Michael Hetheron, Unit 3,, Cavan Street,, Oldcastle,
Co. Meath .

Dear Sir/Madam,

I wish to inform you that by order dated 17/7/20 Monaghan County Council decided to GRANT PERMISSION to carry out development and site works consisting of permission for a development consisting of (1) installation of hygiene and sanitary facilities in existing detached storage building, (2) installation of proprietary wastewater treatment unit and percolation area, (3) alteration to the capacity of development(s) approved under planning Ref; 19/440 and 17/622 to permit an intensification of use (increase in bird numbers), (4) completion of all ancillary site works and associated site structures. This application relates to a development, which is for the purposes of an activity requiring a Licence under part IV of the Environmental Protection Agency (Licensing) Regulations 1994 to 2013. An Environmental Impact Assessment Report (E.I.A.R.) will be submitted with this planning application, at Cornawall Rockcorry Co. 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 (as amended), has regarded your submission/observation received, in accordance with Planning and Development Regulations 2001 (as amended).

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 Pleanála and accompanied by a fee of €50.

Yours faithfully,

A/ADMINISTRATIVE OFFICER

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