

X

PLANNING APPLICATION CONTROL FORM

P596/20

Application Reference No.: 20/153

Decision due by 30/06/2020

Previous Ref. Nos.: 17622 19440

Date of Receipt of Application: 06/05/2020 _____

Applicant : Sammy Wilkin

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

Location of Development: Cornwall Rockcorry Co. Monaghan

Description : 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

VALIDATION

Validated by: _____ Date of Validation: _____

SITE NOTICE

Was Notice published on site Yes No

Inspected by: _____ Date of Inspection: 2/06/20

Refer file for reports to:

- | | | | |
|-----------------------|-------------------------------------|--------------------|-------------------------------------|
| Municipal District | <input type="checkbox"/> | Heritage Officer | <input type="checkbox"/> |
| E.H.O. John Quinn | <input checked="" type="checkbox"/> | S.E.E. Roads | <input type="checkbox"/> |
| S.E.E. Water Services | <input type="checkbox"/> | S.E.E. Environment | <input checked="" type="checkbox"/> |
| Irish Water | <input type="checkbox"/> | S.E. Planner | <input checked="" type="checkbox"/> |
| NRA/TII | <input type="checkbox"/> | Housing | <input type="checkbox"/> |
| DoECLG | <input type="checkbox"/> | Fire Officer | <input type="checkbox"/> |
| An Taisce | <input type="checkbox"/> | I.F.I. | <input type="checkbox"/> |
| Roisin Moore | <input type="checkbox"/> | Flooding Section | <input type="checkbox"/> |
| Build Heritage | <input type="checkbox"/> | OPW | <input type="checkbox"/> |

AA required

MONAGHAN COUNTY COUNCIL
PLANNING AND DEVELOPMENT REPORT

File Ref: 20/153

Applicant: Sammy Wilkin

Development: permission for a development consisting of construction of (1) free range poultry unit and associated works (2) infill of existing low-lying portion of lands to allow construction of poultry unit and surrounding area (3) complete all ancillary site works and associated site structures together with the retention of (a) amendments and alterations to poultry unit during construction (b) detached storage shed (c) amended site layout from that previously granted under reference number 17/622.

Location: Cornwall, Rockcorry, Co. Monaghan

Initial Assessment

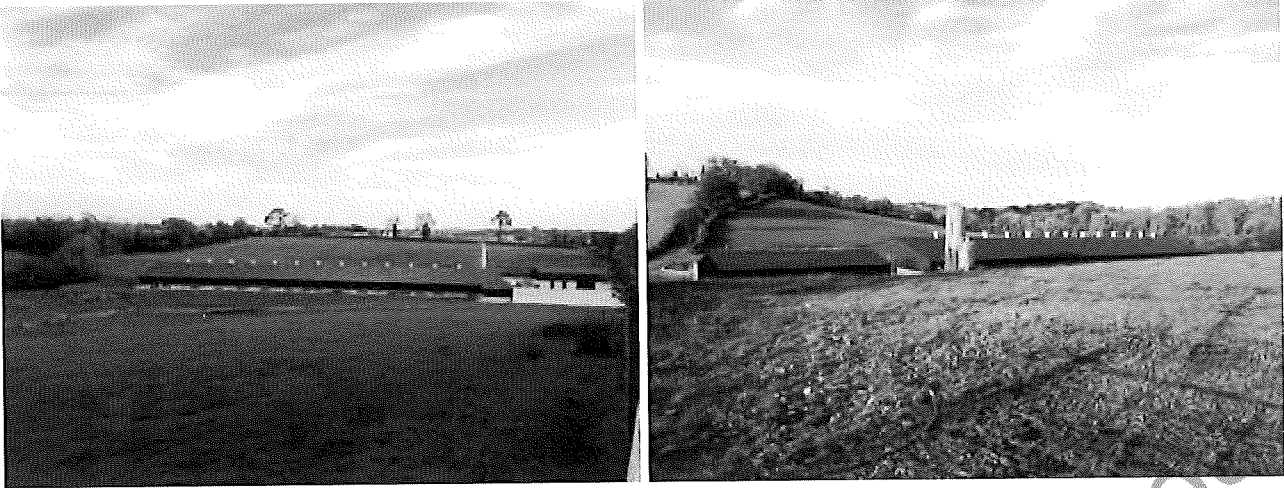
1. Date of Site Inspection

02/06/2020

2 Site Notice & Photos

In order





Photo's taken as part of P19/440 showing position of poultry unit in landscape

3. Pre-Planning Meeting(s)

No as per Application Form

4. Zoning

The subject site is located in a 'Category 2- Remaining Rural Area' as per MCDP 2019-2025.

5. Characteristics of the Site/Area

- Subject site, denoted in red on the map below, has a stated site area of 3.21ha
- Brownfield site with one poultry unit constructed and one under constructed , store and existing access onto Local Tertiary Road (LT23313), granted under 17/622, second unit permission under 19/440 currently under construction
- undulating nature of the surrounding landscape, the proposed unit will be located within a valley i.e low-lying site
- In excess of 100m from nearest dwelling house (155m)
- applicant owns an existing complex to the south east of the site, as per blue line boundary
- Within 15km of Natura 2000 sites- Kilroosky Lough SAC
- No OPW flooding concerns



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6. Submissions/Observations

The last date for observations was the 27/06/20 , 1 no. submission was received from Peter Sweetman and Associates

The submission outlines the local authority's obligations with respect to compliance with EU Directives and quoting European case law. Consideration of the points raised in this submission have been had in the assessment of this application.

The EIAR submitted with this application prepared by CLW Environmental Planners includes an AA Habitats Directive Screening Report prepared by Noreen Mc Loughlin MSC , Environmental Consultant.

The Screening report examined the potential impacts of the development on the 3 Natura 2000 sites located within 15km of the application site. The assessment report concluded no significant effects arising from the proposed development. The impact assessment considered the predicted atmospheric emissions from ammonia and nitrogen arising from this development using a SCAIL model (Simple Calculations of Atmospheric Impact Limits) to determine the potential impacts upon the Natura 2000 sites closest to the site i.e. Magheraveely Mark Loughs and Kilrooskey Lough Cluster. The SCAIL result indicated an additional load of 0.83% for ammonia this represents 1.3% of the critical load for this site. In relation to nitrogen deposition the SCAIL model predicated an extra contribution of 0.36% . It is also noted that due to the prevailing wind direction in Ireland (northeast) and the location of the site east/south east of the closes designated areas , much of the atmospheric emissions from the facility will be blown away from the closest ecological receptors.

The proposed application was considered in combination with other developments in the same townland , there are other agricultural activities ongoing close to the proposed application site therefore the cumulative effects of the operations of these farms were considered. All farms regardless of whether licenced by the EPA or not , are required to operate within the legislation as set out in SI. 605 of 2017 regarding the storage of manure , the maintenance of buffer zones, rules in relation to land spreading, minimisation of soiled water etc . Any future application with the potential to impact upon a Natura 2000 site will be subject to AA as required under Article 3 of the Habitats Directive.

Having regard to the nature and scale of the proposed development, the distance from the nearest European site and that there is no pathway connecting the site, no Appropriate Assessment issues arise, and it is not considered that the proposed development would be likely to have a significant effect, individually, or in combination with other plans or projects, on a European site.

7. Referrals Reports

MCC Internal

Environment: No objection as per report dated 9/07/20

E.H.O: No objection as per report dated 19/05/20

No other Referrals for internal reports on Planning Application Control Form

Consultees

No Consultee Referrals on Planning Application Control Form

Environment Report dated 09/07/20

The application is 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) alterations to the capacity of development(s) approved under planning ref; 19/440 and 17/622 to permit an intensification of use (increase of bird numbers), (4) completion of all ancillary site works.

The receiving waters are located in waterbody NW_36_237 currently classified as “poor” status and has a Water Framework Directive of restore 2021. The site is located on a locally important poor aquifer and on an area of low groundwater vulnerability.

- A Water Protection Plan Checklist has been submitted.
- There is one existing unit onsite. The application is for 80,000 broilers which is above the threshold for EPA Licensing.
- All poultry manure generated from the site is currently and proposed to be removed by George Coulson. DAFM Record 3 Forms shall be completed (signed letter from contractor attached).
- Dead birds collected by a permitted contractor, Michael Galligan (letter attached).
- It is proposed to landspread washwaters along with existing farmyard organic fertilisers. The applicants 2019 Fertiliser Plan has been submitted. Nutrient loadings from the existing broilers numbers has been included. But soiled water from the proposed broiler numbers does not appear to be included in this plan. However, his stocking rate is below the 170kgN/Ha and with the proposed numbers he should still keep within this threshold – *this is not applicable as the applicant is changing from a free-range system to a conventional poultry system*
- Map of lands have been attached with the application, these lands are in low groundwater vulnerability.
- Soiled water proposals have been submitted. Storm water from the existing yard area to go to existing drain and it is proposed to divert storm water from new proposed concrete yard area to silt trap followed by soil polishing filter. Roof water from the proposed and existing units to an existing drain. To offer further protection to the watercourse storm water from all concrete areas should discharge to the proposed silt trap and polishing filter. Roof water should discharge to a soak pit. This should be included in an additional information requested or can be conditioned (Env3)
- No details on the proposed free-range paddock area has been submitted, this should either be included if additional information is requested or can be condition (Env5) – *this is not applicable as the applicant is changing from a free-range system to a conventional poultry system*
- A mechanical aeration system with soil polishing filter has been proposed to service the proposed sanitary facilities. A site assessment was carried out by Michael Holohan, it has been noted that this file was referred to the EHO so I have not made any comment in relation to the proposed wastewater treatment system.

There is no objection to the proposed development subject to details being submitting to address the points raised above.

10. Development Plan Policy/Ministerial Guidelines

Monaghan County Development Plan 2019-2025

Section 15.15 Agricultural Development- Policies AGP1 and AGP2 (Principle of development already approved as per 19/440 and 17 /622 – no new structures proposed , except ancillary works i.e on site waste water treatment system and percolation area and provision of hygiene and storage facilities in previously approved shed)

Section 6.7 Natura 2000 Sites and Appropriate Assessment

Revised Guidelines for Planning Authorities and An Bord Pleanala on carrying out Environmental Impact Assessment, August 2018

11. Planning Assessment

Application Information

Landowner Farm Area:

Site Area:

1.407 ha .

Proposed Floor Area

No additional floor area proposed

12 .Assessment

This is an application for Permission.

EIS/Poultry Thresholds

- Existing permitted capacity for free range enterprise is for 38,950 birds
- The applicant is seeking permission for an additional unit to provide for a total capacity of 85,000 bird places to standard production (not free range) (*the EIAR states that the applicant will still be in a position to revert to the previously approved 38,950 free range if the market demands require it*)
- Total capacity is above the threshold required for the preparation of EIAR (in excess of 40,000 places)
- In accordance with Schedule 5, Part 1, 17 and Schedule 5 Part 2, 1(e)(i) of the Planning and Development Regulations, the proposed development requires an EIS.

EIAR

An Environmental Impact Assessment Report is required to be submitted with the application in accordance with Directive 2014/52/EU (application was received after the 15th May 2017).

The Planning Authority will consider the requirements of the Directive and the content of the submitted Environmental Impact Assessment Report (EIAR), dated 6th of May 2020 as prepared by CLW Environmental Planners.

This Directive requires the EIAR to assess the development in accordance with certain factors which diverge from those previously set out in the Planning and Development Act 2000 (as amended).

The Directive requires that the EIAR shall identify, describe and assess in an appropriate manner, in the light of each individual case, the direct and indirect significant effects of a project on the following factors:

- a) Population and human health
- b) Biodiversity with particular attention to species and habitats protected under Directive 92/42/EEC and Directive 2009/147/EC
- c) Land, soil, water and climate
- d) Material assets, cultural heritage and the landscape
- e) The interaction between the factors referred to in points (a) to (d)

The Directive also requires the assessment of the expected impacts from the vulnerability of the project/proposals to risk of major accidents or disasters which are relevant to the project concerned.

The Directive also requires the assessment of the expected impacts from the vulnerability of the project/proposals to risk of major accidents or disasters which are relevant to the project concerned.

Summary of Environmental Impact Assessment Report

The content of the EIAR is summarised as follows:

Section 3 Description of Reasonable Alternatives

The EIAR explains the rationale for the chosen site.

The current site was deemed to be most suitable, due to topography, distance from neighbours and other poultry enterprises, site access and the integration of the proposed development with the existing structures on the farm. In addition, the proposed development on the current site complies with the Planning Authority's requirements as set out in the Monaghan County Development Plan 2019-2025. The applicant has submitted a thorough assessment in the submitted EIAR report detailing how the poultry farm intensification complies with the provisions of Policy AGP1 & AGP2.

In addition, the proposed site:

- i. is the most suitable site for the proposed development (intensification of bird numbers) as the proposed development can be wholly contained within the structures previously permitted on site, with the exception of ancillary works identified in this application; namely on site hygiene and sanitary

facilities (within previously approved storage shed 19/440) and the proposed on site waste water treatment system

- ii. Applicant would like to maintain Bio-Security to the highest standard. Proposed development will be integrated into the site management protocols governing the existing houses
- iii. Is >125m from any third-party dwellings
- iv. The site has no significant and/or specific environmental constraints which mitigate against the proposed site and/or would support the selection of any alternative site available to the applicant in preference to the proposed site.

Alternative Layout & Design

The EIAR states the following (summarised):

- The existing approved development was designed to ensure that the proposed house would integrate into the existing site with minimal visual impact on the surrounding landscape
- The existing approved layout was also designed to ensure adequate access on site for all traffic associated with the proposed development and to ensure that the site is contained, safe and efficient in operation
- The location and layout of the previously approved poultry house integrated into the existing poultry farmyard and utilising the existing access route will minimise any potential adverse visual impact
- Existing landscaping will be maintained where possible and strengthened where necessary along the boundaries to further screen the existing farm and proposed developments from view
- The layout was designed to ensure optimum access on site for all traffic associated with the development and to ensure that the site is contained, safe and efficient in operation while facilitating a free range or conventional farming system in line with Bord Bia, DAFM and other regulatory /processor requirements
- No revisions are required to the existing/approved structures or layout to accommodate the proposed change in the farming system
- The E.I.A.R states that no other alternative sites, layouts and/or designs were deemed satisfactory and/or appropriate as the proposed development.
 1. Complies with the requirements of the Nitrates Directive
 2. Satisfies the applicants need for efficiencies of scale while not requiring significant additional lands(
 3. Is in line with BAT requirements **Commission Implementing Decision (EU) 2017/302 of 15th of February 2017 establishing best available techniques (BAT) conclusions under Directive 2010/EU of the European Parliament and the intensive rearing of poultry or pigs) and in particular this type of production include**
 - **Natural Ventilation equipped with a non-leaking drinking system (in case of solid floor with deep litter)**
 - **Forced ventilation and a non-leaking drinking system (in case of a solid floor with deep litter)**
 4. Will be well integrated into the landscape and existing farmyard with the use of similar construction techniques, natural/dark coloured finishes as proposed and additional landscaping where required.
 5. Is not located in an area with any significant environmental and/or other constraints
 6. Complied with the requirements of MCDP 2019-2025

Alternative Processes Considered

As the site is an existing poultry farm, the applicant looked at a number of alternative processes including but not limited to:

1.Layer Housing: As a result of recent changes announced by supermarkets and the fact that it is a goal that all eggs will be sourced from free range systems by 2025, the completion of enriched cage housing was not an option.

2. Free Range layer/broiler: This is the main alternative to the conventional production systems; however, this system does not suit the applicant as it requires significant additional land.

3. Additional Free-Range Broiler Houses – This is the main alternative to the conventional farming systems; however, this system would require 2 additional houses to achieve a similar stocking capacity and requiring additional capital investment and significant additional lands. Given the site features – this would likely have necessitated an independent site. This system would not have integrated with the processors current customers requirements.

Notwithstanding points 1 & 2 above the decision on any alternative process was based on the fact that any alternative farming system would pose too great a bio security risk to the applicants existing broiler farm.

The EIAR states that the proposed development offers the best fit between the proposed and existing enterprise on the farm, both from a labour and efficiency viewpoint and to ensure that all activities are carried out in an environmentally and economically sustainable manner.

All chickens from the expanded farm are to be sent to Western Brand.

Section 4 Description of the aspects of the environment likely to be significantly affected by the proposed development

Effects on Population and Human Health

- Proposed development of an average scale by industry standards
- The proposed development will add to the economic activity on the farm with consequent positive “trickle down” effects on the regional and local community particularly with regard to inputs, servicing and labour, thus helping to stabilise the population of the local area
- There are no third-party dwellings close (within 125-150m) of the poultry houses which could be adversely affected by, or experience significant impairment of amenity due to the proposed development
- unlikely to generate or release sounds or odours that will significantly impair amenity at nuisance levels
- The proposed intensification of stocking density on site from 38,950 to 85,000 will increase the number of batches to the site and associated clean outs (5-7 per year) however this will not have a significant adverse impact on the local environment
- not located close to and/or likely to adversely impact on any areas of Primary or Secondary Value as per MCDP 2013-2019
- Where nuisance effects occur, people object and under statutory requirements their objections will have to be investigated and have to be corrected if found to be real and justified.

Effects on biodiversity (flora and fauna)

- proposed development can be accommodated within the previously approved facility (19/440 and 17/622), notwithstanding the intensification of activity it is stated that it will have no adverse impact outside the boundary of the site
- Site forms part of the applicants existing bovine activities, the flora and fauna around the site have developed in the context
- The area to be developed is relatively small and limited to ancillary structures/works i.e installation of proprietary waste water treatment unit and percolation area and ancillary works
- ground works and land profiling will be kept to a minimum outside the footprint of the proposed site
- proposed development is not near to or likely to impact on any primary or secondary amenity area or views from scenic routes
- site is not likely to adversely impact on any Natura 2000 sites, the closest Kilroosky Lough Cluster SAC 001786 is 14km away

- application site lies within the Erne Hydrometric Area and Catchment, and the Dromore Sub-Catchment and Sub-Basin. Clean surface water from the site will be directed to local drains which flow toward Rockorry Stream 163m east of the site. Rockorry stream is a tributary of the Dromore River and the confluence of these two watercourses is 6km south of the application site.
- EPA define the ecological states of the Rockorry stream and its tributaries as poor – under the Water Framework Directive good status must be achieved
- Land use surrounding the site is mainly agricultural and the habitat type is improved grassland, other habitats locally include wet grassland, scrub, coniferous woodland, hedgerows, tree lines and watercourses
- An examination of the website of the National Biodiversity Data Centre revealed the presence of one protected mammal species within 1km of this proposed development, the badger species is *Meles meles*. It is Protected under the Irish Wildlife Acts – a custom polygon generated from the site determined that these records do not pertain to be from the application site.
- no discharge of soiled water or effluent from the proposed development to surface water and therefore there is no impact on surface waters
- A rodent/pest/weed control programme will be developed in line with Bord Bia and Department of Agriculture, Food and The Marine requirements with detailed records maintained on site
- retaining as much as possible of the existing landscaping/hedgerow around the site boundary together with any proposed additional landscaping should maintain biological diversity on the site.

Land and Soil

- proposed development can be accommodated within the existing approved structures with the exception of the new ancillary works proposed i.e waste water treatment system and percolation area no significant potential for any effect on soil outside of the development area, and any land take required to facilitate the proposed development will be minor in terms of the applicant's holding and wider agricultural area
- potential for some positive benefits on soil on potential customer farmer lands as a result of the production of organic fertiliser by the proposed development.
- Subsoil in this area is classified as Drumlin Soils consisting of Gleys (50%) Acid Brown Earths (40%) and Inter Drumlin Peat and Peaty Gleys (10%). Parent material is mainly Ordovician – Silurian Shale

Geological and Geomorphological heritage of the area

- proposed development can be accommodated within the existing approved structures except for minor ancillary works
- no significant potential for any effect outside the development area
- Site is an existing poultry farm – given the nature and extent of the it will not have any adverse impact on the geology of the area. The proposed development will be integrated into the existing approved structures. It will not have any adverse on the landscape and/or the geomorphological heritage of the area

Water

- effects on groundwater from the proposed development should be nil as there will be no process discharge to ground and there is minimal risk of accidental leakage or spillage of polluting liquid on the site
- proposed development will be carried out on an impermeable concrete base with proper storm and soiled water separation and collection facilities
- proposed development will operate on a dry manure basis and all manure will be removed from the houses at the end of each batch, thereby eliminating the risk of any leak to groundwater
- The only soiled water from the proposed development will arise due to washing down of the poultry houses which will increase from 5 -7 times per year due to the intensification of the stocking capacity on site
- A site characterisation form in respect of the proposed on-site waste water treatment system and percolation area is contained in Appendix 7

- volume of water needed for the proposed development once the proposed development has been completed will be proportionate to the proposed stock levels
- The existing water supply on the farm is from Bunnoe Group Water Scheme which will also serve the proposed development
- According to Geological Survey of Ireland (See Appendix 20) the aquifer classification for the site is poor with a vulnerability rating of low
- Notwithstanding intensification of the poultry activity on the site which will result in an increase in the production of organic fertiliser on the farm ,due to the fact that the farm will operate on dry manure basis – all manures will be removed from the site after each batch and transported off site by a registered contractor. As a result there is minimal risk to water supplies in the area.

Surface Water

- no process discharge to surface water and minimal risk of accidental leakage or spillage of polluting liquid on the site
- The only discharge from the site to surface waters will be the discharge of rainwater from roof and clean yards to field drainage which flows to the adjacent watercourse and/or to ground
- Policies WPP1-19 of MCDP 2019-2025 for the protection of water quality have been considered in the design of the proposed development . A number of best practice/mitigation measures includes a both during the construction and operational phases are set out to protect water quality

Air

- potential effects of the proposed development on air relate to the odour emissions that may be associated with poultry and poultry manure on site
- Odorous emissions from the developed site are not likely to cause nuisance or impair amenity beyond the site boundary with the possible exception of times when birds and/or manure is being removed from the site which will all occur at the end of each batch, approximately 7 times per year(increasing from 5 as per currently approved farming system)
- management practices which will be implemented so as to minimise potential odour emissions from the proposed development namely proper storage of all wastes ,stock inspections to remove dead birds, thorough cleaning, regular cleaning of outside areas, timely removal of manure of site , use of covered trailers for transporting manure , proper stocking rate and proper management of temperature and humidity controls.
- Management of operations to prevent significant pulse release of odours to ensure minimal impact on air in the vicinity of the site (see Appendix 14 of EIAR)
- Site is located a significant distance away (in excess of 14km) from any Natura 2000 site and emissions including gaseous emissions are unlikely to adversely impact on these sites or any other sensitive area
- In order to predict atmospheric emissions of ammonia and nitrogen from the proposed development at Cornawall a SCAIL model (Simple Calculation of Atmospheric Impact Limits) was run to determine the potential impacts of the farm on designated site . The model was run in respect of the following sites Killooskey Lough Cluster (SAC) ,Magheraveely Marls Loughs SAC(UK) and Upper Lough Erne (SPA)
- In terms of Ammonia levels the percentage of the critical load range arising from the proposed development on the 3 sites for which modelling was completed indicates that the range is well below the critical load level (Table on page 45 of EIAR)
- In respect of Nitrogen Levels ,the predicted deposition of nitrogen is presented in a Table on page 46 of the EIAR for the same three sites . The percentage of the critical load range arising from the proposed development indicates that the range is well below the critical load level
- In relation to SPA sites the SCAIL model cannot generate critical loads as the SPA's are designated for species rather than habitat – as such the main habitat for these birds was assumed to be that of its corresponding SAC and the published critical loads of nitrogen for these habitats as defined by APIS (Air Pollution Information System) or Van Dobben (2013) were used if available. In the case of the habitat type for Magheraveely Lough SAC no critical load data has been finalised by APIS. Other habitat are listed as not being sensitive to nitrogen deposition.

Climate/Climate Change

- climate information such as wind direction and rainfall is an important factor in determining likely impacts that the farm operation and the application of manure will have on the local residents
- Prevailing wind in the Clones area is from the south west. Rainfall in the customer farmlands ranges annually from 800mm -1000mm.
- The amount of methane generated by poultry/pigs is a lot less than ruminants such as cattle and sheep
- Organic fertiliser from this farm will be used in compost production or by customer farmers, customer farmers will allocate it in accordance with the provisions of SI 605 of 2017 should ensure that emissions are kept to an absolute minimum
- all practicable steps, such as landscaping, management routines etc, will be planned for and will be taken so as to minimise odour from the site
- rural setting and location distant from local residences will ensure no effect on human beings
- existing poultry farm operated by the applicant has operated with no adverse impact and no complaints from neighbours
- no significant adverse effect on climate

Effect on Visual Aspects and Landscape

- subject site is located in an area referred to as the Ballybay/Castleblaney Lakeland (LCA 7) and the Drumlin Foothills (LCT 3) in the Monaghan Landscape Character Assessment
- Proposed development represents an intensification of the a previously approved development 19/440 and 17/622
- no effects on the local environment/surrounding landscape- site well integrated within the landscape and poultry farm and will not be visually obtrusive
- site not located near to or likely to adversely impact any Areas of Primary/Secondary Amenity Value, Views from Scenic Routes or Proposed NHAs, SAC or SPA as listed in MCDP 2019-2025

Archaeological and Cultural Heritage

- no visual evidence of any archaeological features on the subject/adjoining sites
- no recorded sites within 0.35km of the subject site as per the Archaeological Survey Database
- closest Record Monuments are Ringfort located c350m-420 south-east of the subject site (Descriptions set on page 52 of EIAR)

Effect on Material Assets

Resources that are valued and that are intrinsic to specific places are called "material assets". They may be of either human or natural origin and the value may arise for either economic or cultural reasons.

Material assets that could potentially be affected by the proposed development include:

Material Assets: agricultural properties including all agricultural enterprises

- The proposed development will be completed on/adjacent to an approved poultry farm that is farmed by the applicant and surrounded by agricultural farmland
- The proposed development will not interact with any lands outside the confines of the site, except for the production of a valuable organic fertiliser which may be utilised by farmers as a replacement to chemical fertiliser
- The operations of the proposed development will be co-ordinated with the applicant existing poultry enterprise, where possible to streamline activities on both sites and minimise any potential impacts

Material Assets: Non-agricultural properties including residential, commercial, recreational and non-agricultural land

- The proposed development is a traditional farming practice in this area and is surrounded by agricultural lands and is located well away from any built-up areas and/or development clusters
- No residential dwellings within 125-150m of the proposed development site
- The development will have no impact on adjoining property values due to the separation distance and the fact that poultry farming is a traditional farming activity in county Monaghan and the structures

to accommodate the proposed intensification have already been approved through 19/440 and 17/622

Material Assets: Natural or other resources including mineral resources, land and energy

- The proposed development within the existing /previously approved structures and site area , there will be no adverse impact outside of the development area
- The development will not require any additional construction material with the exception of the ancillary works structures which are limited in nature. The amount of resources needed for the construction is limited in nature and potential adverse impact is negligible when sourced from authorised sources
- The operation of the farm will require additional feed (classified as renewable resource), gas and water. The applicant will operate modern feeding, ventilation and heating systems to minimise same.
- The farm does not require any major modifications to the existing electricity network, water or road infrastructure in the area.

Description of Likely significant effects of the proposed development

The likely effects detailed in the EIAR are summarised as follows:

Construction and Existence of proposed Poultry Houses

- Proposed development would add to economic activity on farm – trickle down positive effect
- Significant affects on human population not anticipated due to distance from nearest properties circa 125-150m
- Minimal impact on the landscape due to integration into the existing site and previously approved structures , landscaping, proposed external finish and its integration into the existing site, and location adjacent to the existing poultry house and ancillary structures
- long term impact on traffic on the local road as a result of the proposed development will not have a significant adverse impact
- Any short-term increase in traffic would be associated with the construction of the proposed development and would cease upon completion of the proposed development
- Once the proposed development would be completed, there would be additional traffic due to:
 - (i) Feed delivery c10-12 loads per batch c 7 times per annum on average increasing from c6-8 loads/batch c 5 times per annum currently approved
 - (ii) Manure transport c3-4 loads/batch c 7 times per year on average increasing from c 2-3 loads/batch
 - (iii) Bird deliveries, Bird collections, gas and shavings deliveries (c15-18 loads/batch c 7 times per year on average) increasing from c8-10 loads /batch c times per annum as currently approved
 - (iv) fortnightly waste collection and collection of mortalities
- In addition to the above there will other traffic associated with the applicant accessing the site ,inspections, vets , catchers and traffic associated with cleaning and washing – these will remain relatively unchanged per batch as these would occur regardless of sale , however visitors will remain longer on time and overall increase in frequency from c5 – c7 times per annum
- Traffic to and from the site will be minimised by optimising load sizes

Natural Resources

- No impact on land, soil and/or biodiversity outside of the site area
- Gas heating will be required during the early stages of each cycle – this will be minimised by using high insulation standard and modern efficient heating system
- Additional water supply needed – available from Bunnoe Water Scheme
- Main resource to be consumed would be poultry feed which is classifiable as a natural resource that is a renewable resource

Emission of Pollutants

- Site management is to be focused on ensuring that all storm water collection surfaces and facilities are maintained in clean and fully functional condition at all times so that the possibility of storm water carrying significant pollution to the stream is effectively eliminated

- emission of pollutants is to be effectively controlled and prevented by the regular removal of all solid waste materials from the site to authorised disposal/recovery sites elsewhere and by the removal of poultry manure off site by an experienced contractor
- no increase in the amount of wastes/potential pollutants produced or used on the farm that would lead to a significant adverse environmental impact
- The additional organic fertiliser/poultry manure to be produced will be utilised as a resource ingredient in the mushroom compost industry and/or as an organic fertiliser, and will be removed by a contractor
- All soiled water shall be allocated to farmland in accordance with S.I. 605 of 2017 as amended

Creation of Nuisance

- proposed development will be carried out in accordance with the management and operational routine proposed, and in line with the EPA, DAFM, Bord Bia and Monaghan Co Co requirements, and is not expected to create any significant nuisance

Waste/By-Products

- net increase in the volumes of waste/by-product which will be generated will not cause a significant adverse environmental impact
- volumes of organic fertiliser/manure produced will be minimised by efficient cleaning out and the use of high pressure low volume power washers
- opportunity to reduce the volume of waste materials below that which are generated under Good Farming Practice is very small and is near zero
- With regard to the hazardous waste in the form of spent fluorescent tube, the volumes are small and already minimised

Risks to human health, cultural heritage or the environment

- The potential risk to human/health, cultural heritage or the environment due to accidents and/or disasters is limited due to the innate nature of the production system and activities on site
- No significant risk high risk/hazardous products, used, produced or released which would pose a risk to human health, cultural heritage or the environment outside the site boundary

Class A Disease

- Disposal strategy to be employed, in event of a Class A disease, will be decided by Dept of Agriculture, Food and Marine in consultation with the National Expert Epidemiological Group

Impact of Project on Climate

- As the birds will be maintained in a controlled environment within the proposed houses, the operation of the farm is not directly significantly susceptible to climate change
- Climate change may impact on energy use associated with heating/ventilation systems to maintain a controlled environment in the house relative to outside climatic conditions and may have implications for feed supply to feed the birds

Cumulative and Transboundary Effects

- No transboundary effect due to this distance from any international boundary (12.5km)
- All wastes/by-products will be utilised/disposed of/recovered within the country
- No adverse impact on the local environment either within Monaghan area individually or cumulatively

Inter-Relationship between factors referred to in points (a), (b), (c) and (d)

The Planning Authority has summarised (above) the content of the EIAR and the stated direct and indirect significant effects of the proposal on the following factors:

- Population and human health
- Biodiversity with particular attention to species and habitats protected under Directive 92/42/EEC and Directive 2009/147/EC
- Land, soil, water and climate
- Material assets, cultural heritage and the landscape

The inter-relationships between the various factors outlined above are summarised as follows: (see Figure 4.1 of EIAR for Matrix)

Positive impacts:

- (i) Impacts of land/soil on human health/population
- (ii) Impacts of human health/population on other factors including land/soil, water, air, climate and climate change, landscape and visual, bio-diversity, cultural heritage, material assets

Neutral impacts:

- (i) Impacts of land/soil on water, landscape and visual and biodiversity (Flora and Fauna)
- (ii) Impacts of water on bio-diversity (Flora and Fauna)
- (iii) Impacts of air and climate/climate change on biodiversity (Flora and Fauna) and human health/population

EIAR Summary

The EIAR Summary states the following (summarised):

- proposed development involves the intensification of the use of the previously approved poultry farm permitted under 19/440 and 17/622
- The proposed development has been subject to EIA in accordance with the requirements
- The proposal will make a significant positive contribution to the rural economy of County Monaghan and will serve to increase employment and secure the viability and competitiveness of the applicant's farm enterprise as well as the wider poultry farming industry
- The development will not give rise to any significant environmental effects
- The granting of permission for the proposed development will strongly accord with the provisions of the development plan and will provide a significant boost to the economy of the county
- The development will operate under the conditions imposed as part of any grant of planning permission and EPA Licence for this farm
- The proposed development will not have a cumulative adverse impact on the local environment.

Planning Authority's Assessment of Environmental Impact Assessment Report

The Planning Authority has thoroughly assessed the content of the submitted Environmental Impact Assessment Report (EIAR), dated November 2019, as prepared by CLW Environmental Planners.

The Planning Authority is satisfied that there are no significant impacts on the following factors as a result of this proposal:

- (a) Population and human health
- (b) Biodiversity with particular attention to species and habitats protected under Directive 92/42/EEC and Directive 2009/147/EC
- (c) Land, soil, water and climate
- (d) Material assets, cultural heritage and the landscape
- (e) The interaction between the factors referred to in points (a) to(d)

The planning authority is satisfied that the reasoned conclusion on the significant effects on the environment of the development is up to date and accepts the applicants submission in the EIAR that significant impacts on the aforementioned factors are not anticipated.

12 Compliance with Monaghan County Development Plan 2019-2025

Access and sightlines

The access to the site is in situ as approved under 17/622

Applicants Submission

The Applicant has submitted a Planning Report justifying location, operations and management of the proposed poultry unit (Section 3 of submitted EIAR by CLW Environmental Planners Ltd)

Policies for Agricultural Development

The importance of agriculture in County Monaghan is recognised.

- All planning applications shall be required to include an 'Agricultural Development' Form.
- All planning applications shall be required to be accompanied by a completed supplementary planning application form for agricultural developments.

While the Applicant is requested to demonstrate Compliance with Policy AGP 1 and AGP 2, by Additional Information, the Planning Authority will assess the information submitted with this initial application.

Policy for Agricultural Development	
AGP 1	<p>To permit development on new and <u>established</u> agricultural or forestry holdings where it is demonstrated that;</p> <p>It is necessary for the efficient use of the agricultural holding or enterprise,</p> <ol style="list-style-type: none"> The appearance, character and scale are appropriate to its location- no new buildings proposed The proposal visually integrates into the local landscape and additional landscaping is provided where necessary As per a) above The proposal will not have an adverse impact on the natural or built heritage, No impact on heritage – see Section 4.3 of EIAR The proposal will not result in a detrimental impact on the amenity of residential dwellings outside of the holding including potential for issues arising from noise, smell and pollution. Where a development is proposed within 100m of any residential property not located on the holding within the rural area (i.e. outside of a designated settlement) written consent, witnessed by a solicitor or a peace commissioner, from the adjoining property owner stating there is no objection to the proposal must be provided, In excess of 100m from nearest dwelling house Stated to be 155m to nearest house See Section 4 of EIAR The proposal will not result in a pollution threat to sources of potable water, water courses, aquifers or ground water No impact – See section 4 of EIAR Proper provision for disposal of liquid and solid waste is provided. Manure will be removed from site by Licensed Contractor. All soiled water to be collected and stored in accordance with the requirements of S.I 605 of 2017 The proposal will not result in a traffic hazard. 50m sightlines onto local tertiary road in situ as per 17/622 50m sightlines complies with MCDP 2019-2025 No resultant traffic hazard <p><u>Where a new building is proposed applicants must also provide the following information:</u></p> <ol style="list-style-type: none"> Outline why there is no suitable existing building on the holding that cannot be used. Not applicable – no new building proposed Design, scale and materials which are sympathetic to the locality and adjacent buildings. Not applicable no new building proposed The proposal is located within or adjacent to existing farm buildings, unless it has been clearly demonstrated that the building must be located elsewhere for essential operational or other reasons. As per above

	<p>k) Ensure that the proposal will not seriously impact on the visual amenity of the area of the natural surrounding environment and that the finishes and colours used blend into the surroundings. no additional visual impact on surrounding environment – using approved structures as per 19/440 and 17/622 , impact assessment in previous planning consideration</p> <p>l) Where possible, the development is grouped with existing buildings in order to reduce their overall impact in the interests of amenity. As per above</p>
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Policy for Intensive Agriculture /Poultry and Pig Farming	
AGP 2	<p>In addition to the information required under AGP 1 the following additional information will be required for assessing applications for <u>intensive poultry units</u> or similar specialised agri-developments the Council:</p> <p>a) An Environmental Impact Statement (EIS) and/or Appropriate Assessment depending on the size and use of the unit, and its likely impact on the environment. Increase in capacity of farm from 38,950 free range bird places to 85,000 bird places for a conventional poultry farm. These number exceed the 40,000 bird place threshold set out in Schedule 5, Part 1, 17 and Schedule 5 Part 2, 1(e)(i) of the Planning and Development Regulations, the proposed development requires an EIAR</p> <p>b) Details of the scale and intensity of existing operations in the vicinity of the site, including the cumulative impact of similar type developments within proximity of the site. Addressed in Section 4.6 of EIAR</p> <p>c) Methods for waste management including frequency and location of disposal relative to the proposed unit. Addressed in Section 4 & 6 of EIAR</p> <p>d) Details of air pollution arising from the units and effluent storage, transportation and spreading. Addressed in Section 4 , 5 and 6 of EIAR</p> <p>e) Proximity of development to aquifers and water courses and its impact on them. Addressed in Section 4.3.4 and 4.3.5 and in Section 5 and 6 of the submitted EIAR</p> <p>f) The potential impact of the proposal on the residential amenity of adjoining occupiers must be considered. A unit shall not be developed at a distance of less than 100 metres from a dwelling within the rural area (i.e. outside of a designated settlement) unless the third party has given written consent, witnessed by a solicitor or a peace commissioner. No impact on third party residential amenity Stated to be 120- 155m from nearest dwelling house Assessed in Section 4.3.6 and 4.3.10 and Sections 5& 6 of EIAR</p> <p>g) Details of associated activities such as cleaning, ventilation and heating. Set out in Section 4 , 5 & 6 of EIAR</p> <p>h) A comprehensive landscaping plan As per previous permissions 19/440 & 17/622</p> <p>i) A statement outlining why a location on the landholding was deemed more appropriate to alternative options. If the Planning Authority, consider a more appropriate location is available on the landholding the application may not receive favorable consideration. As per Section 3 of EIAR</p> <p>j) Traffic management plans and traffic assessment associated with the proposed development may be required for large proposals. 50m sightlines in situ as permitted under 17/622 There would be an intensification of use of the Local Road and the existing access by the proposed development; however, it is considered that the potential additional</p>

	traffic generated by the proposed development could be facilitated on the local road network and on the site.
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13 .Development Contributions

A Community, Recreation and Amenity Facilities Development Contribution is calculated as per the separately attached sheet.

No additional floor area proposed. Development Contributions will be applied in accordance with 3 (h) or (s)

Site Area = 3.21 ha

14.Appropriate Assessment

Section 15.30 of the Monaghan County Development Plan 2019-2025 applies

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 on 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).

The subject site is located within 15km of 3 Natura 2000 sites, Magheraveelly Mark Lough SAC, Kilroosky Lough SAC, Upper Lough Erne SPA.

The Applicant has submitted an AA Screening Report carried out by Noeleen Mc Loughlin , Environmental Consultant (See Appendix of EIAR). The main objective of the Stage 1 Natura Impact Statement is to determine whether the proposed development either alone or in combination with other plans , programmes or projects will result in significant adverse impacts to the integrity of the Natura 2000 sites.

Having regard to the Screening Report submitted and its conclusions, it is the opinion of the Planning Authority that the development is not of a nature or scale to have any significant effects on the integrity the above mentioned or any other Natura 2000 sites and therefore a Stage 2 Appropriate Assessment is not required in respect of this project.

Conclusion

Having regard to the EIAR, AA Screening report and the full documentation submitted with the planning application it is considered that the proposed development accords with Section 15.15 and Section 6.7 of Monaghan County Development Plan 2019-2025 and the proper planning and sustainable development of the area.

A Grant of Permission, subject to Conditions, is recommended.

Recommendation

It is recommended that permission be GRANTED subject to the following conditions:

1.
 - a. **Development Contributions**
The developer shall pay to Monaghan County Council a sum of **€2160.00** 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. **Noise**
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. **Wastewater Treatment System**
 - 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.
4. **Environmental Protection**
 - 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
 - (i) all soiled waters shall be directed to a storage tank
 - (ii) no effluent or slurry shall discharge or be allowed to discharge to any stream, river, watercourse, groundwater body or to the public road.

- (iii) all surface water arising on the concrete aprons shall discharge to a silt trap followed by an appropriately size sub-soil polishing filter.
 - (iv) 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.
 - (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. In this regard,
- 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 mater 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/haulier 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.

Previous Permission

- 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

General Issues

- 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

Signed : _____
 Darina Kierans
 Executive Planner
 14/07/20

Assessment of Environmental Impact Assessment Report as submitted, and the Environmental Impact Assessment as carried out by the Assigned Officer

Having reviewed the details as contained within the submitted application and the related Environmental Impact Assessment Report and the assessment report as carried out by the assigned planning officer, I consider the Planning Authority to have fully considered the proposed development and I accept the conclusions as reached in respect of this proposed development.

In this regard I therefore consider it appropriate to grant permission for the proposed development, subject to conditions as recommended in the attached report.

Adrian Hughes
Senior Planner

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Monaghan County Council's Development Contributions Calculations, effective 1st January 2019

Ref No. 19/440

Category	Dev Type	Rate	Floor Area / Number	Calculation	Contributions Due (€)
3 Provision of Community, Recreation, Amenity Infrastructure	h) The use of land for:- 1. Intensive agriculture purposes (eg. market gardening) 2. Afforestation (Initial or replacement) 3. Peat extraction or s) Development not coming within any of the foregoing classes.	€540 per hectare or part thereof €10 per m ² of footprint of structure	4ha (3.21)	€540*4= €2160	
Contributions Due (€)					€2160
Category (a) – (m)	Dev Type	% Reduction	Calculations		
					N/A
Contributions Due – Discount					€2160
Checked / Date					
AP / EP		AO		SEP	

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MONAGHAN COUNTY COUNCIL
PLANNING AND DEVELOPMENT REPORT

File Ref: 20/153
Applicant: Sammy Wilkin
Development: permission for a development consisting of construction of (1) free range poultry unit and associated works (2) infill of existing low-lying portion of lands to allow construction of poultry unit and surrounding area (3) complete all ancillary site works and associated site structures together with the retention of (a) amendments and alterations to poultry unit during construction (b) detached storage shed (c) amended site layout from that previously granted under reference number 17/622.
Location: Cornawall, Rockcorry, Co. Monaghan

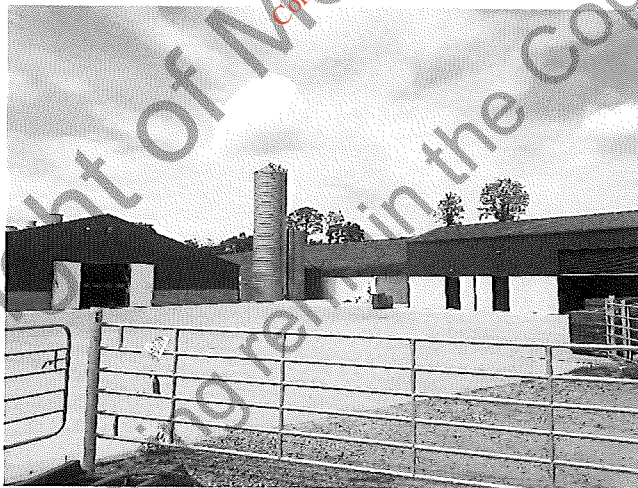
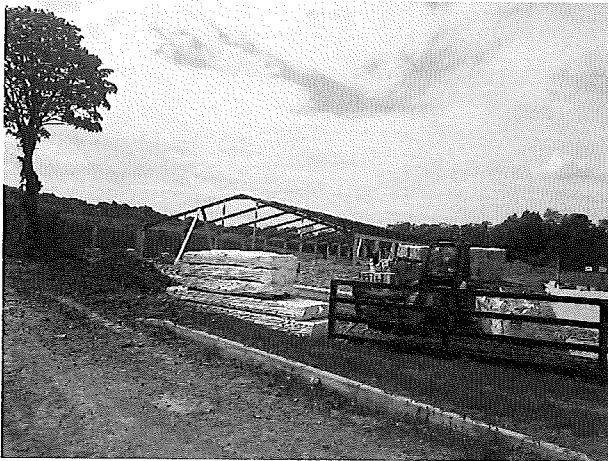
Initial Assessment

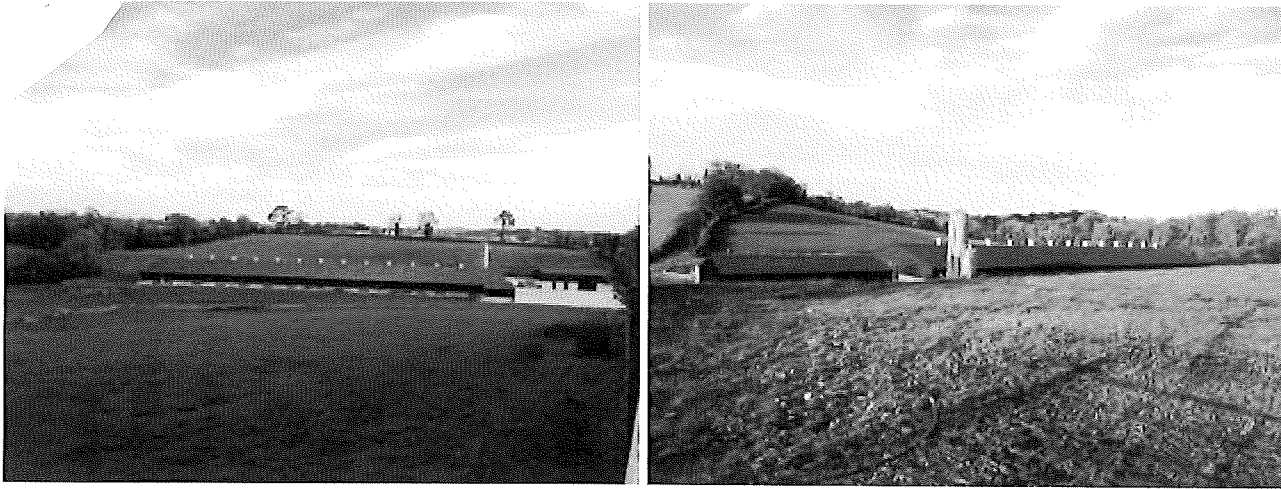
1. Date of Site Inspection

02/06/2020

2 Site Notice & Photos

In order





Photo's taken as part of P19/440 showing position of poultry unit in landscape

3. Pre-Planning Meeting(s)

No as per Application Form

4. Zoning

The subject site is located in a 'Category 2- Remaining Rural Area' as per MCDP 2019-2025.

5. Characteristics of the Site/Area

- Subject site, denoted in red on the map below, has a stated site area of 3.21ha
- Brownfield site with one poultry unit constructed and one under constructed, store and existing access onto Local Tertiary Road (LT23313), granted under 17/622, second unit permission under 19/440 currently under construction
- undulating nature of the surrounding landscape, the proposed unit will be located within a valley i.e low-lying site
- In excess of 100m from nearest dwelling house (155m)
- applicant owns an existing complex to the south east of the site, as per blue line boundary
- Within 15km of Natura 2000 sites- Kilroosky Lough SAC
- No OPW flooding concerns



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Submissions/Observations

The last date for observations was the 27/06/20, 1 no. submission was received from Peter Sweetman and Associates

The submission outlines the local authority's obligations with respect to compliance with EU Directives and quoting European case law. Consideration of the points raised in this submission have been had in the assessment of this application.

The EIAR submitted with this application prepared by CLW Environmental Planners includes an AA Habitats Directive Screening Report prepared by Noreen Mc Loughlin MSC, Environmental Consultant.

The Screening report examined the potential impacts of the development on the 3 Natura 2000 sites located within 15km of the application site. The assessment report concluded no significant effects arising from the proposed development. The impact assessment considered the predicted atmospheric emissions from ammonia and nitrogen arising from this development using a SCAIL model (Simple Calculations of Atmospheric Impact Limits) to determine the potential impacts upon the Natura 2000 sites closest to the site i.e. Magheraveely Mark Loughs and Kilrooskey Lough Cluster. The SCAIL result indicated an additional load of 0.83% for ammonia this represents 1.3% of the critical load for this site. In relation to nitrogen deposition the SCAIL model predicated an extra contribution of 0.36%. It is also noted that due to the prevailing wind direction in Ireland (northeast) and the location of the site east/south east of the closes designated areas, much of the atmospheric emissions from the facility will be blown away from the closest ecological receptors.

The proposed application was considered in combination with other developments in the same townland, there are other agricultural activities ongoing close to the proposed application site therefore the cumulative effects of the operations of these farms were considered. All farms regardless of whether licenced by the EPA or not, are required to operate within the legislation as set out in SI. 605 of 2017 regarding the storage of manure, the maintenance of buffer zones, rules in relation to land spreading, minimisation of soiled water etc. Any future application with the potential to impact upon a Natura 2000 site will be subject to AA as required under Article 3 of the Habitats Directive.

Having regard to the nature and scale of the proposed development, the distance from the nearest European site and that there is no pathway connecting the site, no Appropriate Assessment issues arise, and it is not considered that the proposed development would be likely to have a significant effect, individually, or in combination with other plans or projects, on a European site.

7. Referrals Reports

MCC Internal

Environment: No objection as per report dated 9/07/20

E.H.O: No objection as per report dated 19/05/20

No other Referrals for internal reports on Planning Application Control Form

Consultees

No Consultee Referrals on Planning Application Control Form

Environment Report dated 09/07/20

The application is 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) alterations to the capacity of development(s) approved under planning ref; 19/440 and 17/622 to permit an intensification of use (increase of bird numbers), (4) completion of all ancillary site works.

The receiving waters are located in waterbody NW_36_237 currently classified as “poor” status and has a Water Framework Directive of restore 2021. The site is located on a locally important poor aquifer and on an area of low groundwater vulnerability.

- A Water Protection Plan Checklist has been submitted.
- There is one existing unit onsite. The application is for 80,000 broilers which is above the threshold for EPA Licensing.
- All poultry manure generated from the site is currently and proposed to be removed by George Coulson. DAFM Record 3 Forms shall be completed (signed letter from contractor attached).
- Dead birds collected by a permitted contractor, Michael Galligan (letter attached).
- It is proposed to landspread washwaters along with existing farmyard organic fertilisers. The applicants 2019 Fertiliser Plan has been submitted. Nutrient loadings from the existing broilers numbers has been included. But soiled water from the proposed broiler numbers does not appear to be included in this plan. However, his stocking rate is below the 170kgN/Ha and with the proposed numbers he should still keep within this threshold – *this is not applicable as the applicant is changing from a free-range system to a conventional poultry system*
- Map of lands have been attached with the application, these lands are in low groundwater vulnerability.
- Soiled water proposals have been submitted. Storm water from the existing yard area to go to existing drain and it is proposed to divert storm water from new proposed concrete yard area to silt trap followed by soil polishing filter. Roof water from the proposed and existing units to an existing drain. To offer further protection to the watercourse storm water from all concrete areas should discharge to the proposed silt trap and polishing filter. Roof water should discharge to a soak pit. This should be included in an additional information requested or can be conditioned (Env3)
- No details on the proposed free-range paddock area has been submitted, this should either be included if additional information is requested or can be condition (Env5) – *this is not applicable as the applicant is changing from a free-range system to a conventional poultry system*
- A mechanical aeration system with soil polishing filter has been proposed to service the proposed sanitary facilities. A site assessment was carried out by Michael Holohan, it has been noted that this file was referred to the EHO so I have not made any comment in relation to the proposed wastewater treatment system.

There is no objection to the proposed development subject to details being submitting to address the points raised above.

10. Development Plan Policy/Ministerial Guidelines

Monaghan County Development Plan 2019-2025

Section 15.15 Agricultural Development- Policies AGP1 and AGP2 (Principle of development already approved as per 19/440 and 17 /622 – no new structures proposed , except ancillary works i.e on site waste water treatment system and percolation area and provision of hygiene and storage facilities in previously approved shed)

Section 6.7 Natura 2000 Sites and Appropriate Assessment

Revised Guidelines for Planning Authorities and An Bord Pleanala on carrying out Environmental Impact Assessment, August 2018

11. Planning Assessment

Application Information

Landowner Farm Area:

Site Area: 1.407 ha .

Proposed Floor Area No additional floor area proposed

12 .Assessment

This is an application for Permission.

EIS/Poultry Thresholds

- Existing permitted capacity for free range enterprise is for 38,950 birds
- The applicant is seeking permission for an additional unit to provide for a total capacity of 85,000 bird places to standard production (not free range) (*the EIAR states that the applicant will still be in a position to revert to the previously approved 38,950 free range if the market demands require it*)
- Total capacity is above the threshold required for the preparation of EIAR (in excess of 40,000 places)
- In accordance with Schedule 5, Part 1, 17 and Schedule 5 Part 2, 1(e)(i) of the Planning and Development Regulations, the proposed development requires an EIS.

EIAR

An Environmental Impact Assessment Report is required to be submitted with the application in accordance with Directive 2014/52/EU (application was received after the 15th May 2017).

The Planning Authority will consider the requirements of the Directive and the content of the submitted Environmental Impact Assessment Report (EIAR), dated 6th of May 2020 as prepared by CLW Environmental Planners.

This Directive requires the EIAR to assess the development in accordance with certain factors which diverge from those previously set out in the Planning and Development Act 2000 (as amended).

The Directive requires that the EIAR shall identify, describe and assess in an appropriate manner, in the light of each individual case, the direct and indirect significant effects of a project on the following factors:

- a) Population and human health
- b) Biodiversity with particular attention to species and habitats protected under Directive 92/42/EEC and Directive 2009/147/EC
- c) Land, soil, water and climate
- d) Material assets, cultural heritage and the landscape
- e) The interaction between the factors referred to in points (a) to (d)

The Directive also requires the assessment of the expected impacts from the vulnerability of the project/proposals to risk of major accidents or disasters which are relevant to the project concerned.

The Directive also requires the assessment of the expected impacts from the vulnerability of the project/proposals to risk of major accidents or disasters which are relevant to the project concerned.

Summary of Environmental Impact Assessment Report

The content of the EIAR is summarised as follows:

Section 3 Description of Reasonable Alternatives

The EIAR explains the rationale for the chosen site.

The current site was deemed to be most suitable, due to topography, distance from neighbours and other poultry enterprises, site access and the integration of the proposed development with the existing structures on the farm. In addition, the proposed development on the current site complies with the Planning Authority's requirements as set out in the Monaghan County Development Plan 2019-2025. The applicant has submitted a thorough assessment in the submitted EIAR report detailing how the poultry farm intensification complies with the provisions of Policy AGP1 & AGP2.

In addition, the proposed site:

- i. Is the most suitable site for the proposed development (intensification of bird numbers) as the proposed development can be wholly contained within the structures previously permitted on site, with the exception of ancillary works identified in this application; namely on site hygiene and sanitary

facilities (within previously approved storage shed 19/440) and the proposed on site waste water treatment system

- ii. Applicant would like to maintain Bio-Security to the highest standard. Proposed development will be integrated into the site management protocols governing the existing houses
- iii. Is >125m from any third-party dwellings
- iv. The site has no significant and/or specific environmental constraints which mitigate against the proposed site and/or would support the selection of any alternative site available to the applicant in preference to the proposed site.

Alternative Layout & Design

The EIAR states the following (summarised):

- The existing approved development was designed to ensure that the proposed house would integrate into the existing site with minimal visual impact on the surrounding landscape
- The existing approved layout was also designed to ensure adequate access on site for all traffic associated with the proposed development and to ensure that the site is contained, safe and efficient in operation
- The location and layout of the previously approved poultry house integrated into the existing poultry farmyard and utilising the existing access route will minimise any potential adverse visual impact
- Existing landscaping will be maintained where possible and strengthened where necessary along the boundaries to further screen the existing farm and proposed developments from view
- The layout was designed to ensure optimum access on site for all traffic associated with the development and to ensure that the site is contained, safe and efficient in operation while facilitating a free range or conventional farming system in line with Bord Bia, DAFM and other regulatory /processor requirements
- No revisions are required to the existing/approved structures or layout to accommodate the proposed change in the farming system
- The E.I.A.R states that no other alternative sites, layouts and/or designs were deemed satisfactory and/or appropriate as the proposed development:
 1. Complies with the requirements of the Nitrates Directive
 2. Satisfies the applicants need for efficiencies of scale while not requiring significant additional lands(
 3. Is in line with BAT requirements Commission Implementing Decision (EU) 2017/302 of 15th of February 2017 establishing best available techniques (BAT) conclusions under Directive 2010/EU of the European Parliament and the intensive rearing of poultry or pigs) and in particular this type of production include
 - Natural Ventilation equipped with a non-leaking drinking system (in case of solid floor with deep litter)
 - Forced ventilation and a non-leaking drinking system (in case of a solid floor with deep litter)
 4. Will be well integrated into the landscape and existing farmyard with the use of similar construction techniques, natural/dark coloured finishes as proposed and additional landscaping where required.
 5. Is not located in an area with any significant environmental and/or other constraints
 6. Complied with the requirements of MCDP 2019-2025

Alternative Processes Considered

As the site is an existing poultry farm, the applicant looked at a number of alternative processes including but not limited to:

- 1.Layer Housing: As a result of recent changes announced by supermarkets and the fact that it is a goal that all eggs will be sourced from free range systems by 2025, the completion of enriched cage housing was not an option.

2. Free Range layer/broiler: This is the main alternative to the conventional production systems; however, this system does not suit the applicant as it requires significant additional land.

3. Additional Free-Range Broiler Houses – This is the main alternative to the conventional farming systems ; however, this system would require 2 additional houses to achieve a similar stocking capacity and requiring additional capital investment and significant additional lands. Given the site features – this would likely have necessitated an independent site. This system would not have integrated with the processors current customers requirements.

Notwithstanding points 1 & 2 above the decision on any alternative process was based on the fact that any alternative farming system would pose too great a bio security risk to the applicants existing broiler farm.

The EIAR states that the proposed development offers the best fit between the proposed and existing enterprise on the farm, both from a labour and efficiency viewpoint and to ensure that all activities are carried out in an environmentally and economically sustainable manner.

All chickens from the expanded farm are to be sent to Western Brand.

Section 4 Description of the aspects of the environment likely to be significantly affected by the proposed development

Effects on Population and Human Health

- Proposed development of an average scale by industry standards
- The proposed development will add to the economic activity on the farm with consequent positive “trickle down” effects on the regional and local community particularly with regard to inputs, servicing and labour , thus helping to stabilise the population of the local area
- There are no third-party dwellings close (within 125-150m) of the poultry houses which could be adversely affected by, or experience significant impairment of amenity due to the proposed development
- unlikely to generate or release sounds or odours that will significantly impair amenity at nuisance levels
- The proposed intensification of stocking density on site from 38,950 to 85,000 will increase the number of batches to the site and associated clean outs (5-7 per year) however this will not have a significant adverse impact on the local environment
- not located close to and/or likely to adversely impact on any areas of Primary or Secondary Value as per MCDP 2013-2019
- Where nuisance effects occur, people object and under statutory requirements their objections will have to be investigated and have to be corrected if found to be real and justified.

Effects on biodiversity (flora and fauna)

- proposed development can be accommodated within the previously approved facility (19/440 and 17/622) ,notwithstanding the intensification of activity it is stated that it will have no adverse impact outside the boundary of the site
- Site forms part of the applicants existing bovine activities, the flora and fauna around the site have developed in the context
- The area to be developed is relatively small and limited to ancillary structures/works i.e installation of proprietary waste water treatment unit and percolation area and ancillary works
- ground works and land profiling will be kept to a minimum outside the footprint of the proposed site
- proposed development is not near to or likely to impact on any primary or secondary amenity area or views from scenic routes
- site is not likely to adversely impact on any Natura 2000 sites, the closest Kilroosky Lough Cluster SAC 001786 is 14km away

- application site lies within the Erne Hydrometric Area and Catchment, and the Dromore Sub-Catchment and Sub-Basin. Clean surface water from the site will be directed to local drains which flow toward Rockorry Stream 163m east of the site. Rockorry stream is a tributary of the Dromore River and the confluence of these two watercourses is 6km south of the application site.
- EPA define the ecological states of the Rockorry stream and its tributaries as poor – under the Water Framework Directive good status must be achieved
- Land use surrounding the site is mainly agricultural and the habitat type is improved grassland, other habitats locally include wet grassland, scrub, coniferous woodland, hedgerows, tree lines and watercourses
- An examination of the website of the National Biodiversity Data Centre revealed the presence of one protected mammal species within 1km of this proposed development, the badger species is *Meles meles*. It is Protected under the Irish Wildlife Acts – a custom polygon generated from the site determined that these records do not pertain to be from the application site.
- no discharge of soiled water or effluent from the proposed development to surface water and therefore there is no impact on surface waters
- A rodent/pest/weed control programme will be developed in line with Bord Bia and Department of Agriculture, Food and The Marine requirements with detailed records maintained on site
- retaining as much as possible of the existing landscaping/hedgerow around the site boundary together with any proposed additional landscaping should maintain biological diversity on the site.

Land and Soil

- proposed development can be accommodated within the existing approved structures with the exception of the new ancillary works proposed i.e waste water treatment system and percolation area no significant potential for any effect on soil outside of the development area, and any land take required to facilitate the proposed development will be minor in terms of the applicant's holding and wider agricultural area
- potential for some positive benefits on soil on potential customer farmer lands as a result of the production of organic fertiliser by the proposed development.
- Subsoil in this area is classified as Drumlin Soils consisting of Gleys (50%) Acid Brown Earths (40%) and Inter Drumlin Peat and Peaty Gleys (10%). Parent material is mainly Ordovician – Silurian Shale

Geological and Geomorphological heritage of the area

- proposed development can be accommodated within the existing approved structures except for minor ancillary works
- no significant potential for any effect outside the development area
- Site is an existing poultry farm – given the nature and extent of the it will not have any adverse impact on the geology of the area. The proposed development will be integrated into the existing approved structures. It will not have any adverse on the landscape and/or the geomorphological heritage of the area

Water

- effects on groundwater from the proposed development should be nil as there will be no process discharge to ground and there is minimal risk of accidental leakage or spillage of polluting liquid on the site
- proposed development will be carried out on an impermeable concrete base with proper storm and soiled water separation and collection facilities
- proposed development will operate on a dry manure basis and all manure will be removed from the houses at the end of each batch, thereby eliminating the risk of any leak to groundwater
- The only soiled water from the proposed development will arise due to washing down of the poultry houses which will increase from 5 -7 times per year due to the intensification of the stocking capacity on site
- A site characterisation form in respect of the proposed on-site waste water treatment system and percolation area is contained in Appendix 7

- volume of water needed for the proposed development once the proposed development has been completed will be proportionate to the proposed stock levels
- The existing water supply on the farm is from Bunnoe Group Water Scheme which will also serve the proposed development
- According to Geological Survey of Ireland (See Appendix 20) the aquifer classification for the site is poor with a vulnerability rating of low
- Notwithstanding intensification of the poultry activity on the site which will result in an increase in the production of organic fertiliser on the farm ,due to the fact that the farm will operate on dry manure basis – all manures will be removed from the site after each batch and transported off site by a registered contractor. As a result there is minimal risk to water supplies in the area.

Surface Water

- no process discharge to surface water and minimal risk of accidental leakage or spillage of polluting liquid on the site
- The only discharge from the site to surface waters will be the discharge of rainwater from roof and clean yards to field drainage which flows to the adjacent watercourse and/or to ground
- Policies WPP1-19 of MCDP 2019-2025 for the protection of water quality have been considered in the design of the proposed development . A number of best practice/mitigation measures includes a both during the construction and operational phases are set out to protect water quality

Air

- potential effects of the proposed development on air relate to the odour emissions that may be associated with poultry and poultry manure on site
- Odorous emissions from the developed site are not likely to cause nuisance or impair amenity beyond the site boundary with the possible exception of times when birds and/or manure is being removed from the site which will all occur at the end of each batch, approximately 7 times per year(increasing from 5 as per currently approved farming system)
- management practices which will be implemented so as to minimise potential odour emissions from the proposed development namely proper storage of all wastes ,stock inspections to remove dead birds, thorough cleaning, regular cleaning of outside areas, timely removal of manure of site , use of covered trailers for transporting manure , proper stocking rate and proper management of temperature and humidity controls.
- Management of operations to prevent significant pulse release of odours to ensure minimal impact on air in the vicinity of the site (see Appendix 14 of EIAR)
- Site is located a significant distance away (in excess of 14km) from any Natura 2000 site and emissions including gaseous emissions are unlikely to adversely impact on these sites or any other sensitive area
- In order to predict atmospheric emissions of ammonia and nitrogen from the proposed development at Cornawall a SCAIL model (Simple Calculation of Atmospheric Impact Limits) was run to determine the potential impacts of the farm on designated site . The model was run in respect of the following sites Kilrooskey Lough Cluster (SAC) ,Magheraveely Marls Loughs SAC(UK) and Upper Lough Erne (SPA)
- In terms of Ammonia levels the percentage of the critical load range arising from the proposed development on the 3 sites for which modelling was completed indicates that the range is well below the critical load level (Table on page 45 of EIAR)
- In respect of Nitrogen Levels ,the predicted deposition of nitrogen is presented in a Table on page 46 of the EIAR for the same three sites . The percentage of the critical load range arising from the proposed development indicates that the range is well below the critical load level
- In relation to SPA sites the SCAIL model cannot generate critical loads as the SPA's are designated for species rather than habitat – as such the main habitat for these birds was assumed to be that of its corresponding SAC and the published critical loads of nitrogen for these habitats as defined by APIS (Air Pollution Information System) or Van Dobben (2013) were used if available. In the case of the habitat type for Magheraveely Lough SAC no critical load data has been finalised by APIS. Other habitat are listed as not being sensitive to nitrogen deposition.

Climate/Climate Change

- climate information such as wind direction and rainfall is an important factor in determining likely impacts that the farm operation and the application of manure will have on the local residents
- Prevailing wind in the Clones area is from the south west. Rainfall in the customer farmlands ranges annually from 800mm -1000mm.
- The amount of methane generated by poultry/pigs is a lot less than ruminants such as cattle and sheep
- Organic fertiliser from this farm will be used in compost production or by customer farmers, customer farmers will allocate it in accordance with the provisions of SI 605 of 2017 should ensure that emissions are kept to an absolute minimum
- all practicable steps, such as landscaping, management routines etc, will be planned for and will be taken so as to minimise odour from the site
- rural setting and location distant from local residences will ensure no effect on human beings
- existing poultry farm operated by the applicant has operated with no adverse impact and no complaints from neighbours
- no significant adverse effect on climate

Effect on Visual Aspects and Landscape

- subject site is located in an area referred to as the Ballybay/Castleblayney Lakeland (LCA 7) and the Drumlin Foothills (LCT 3) in the Monaghan Landscape Character Assessment
- Proposed development represents an intensification of the a previously approved development 19/440 and 17/622
- no effects on the local environment/surrounding landscape- site well integrated within the landscape and poultry farm and will not be visually obtrusive
- site not located near to or likely to adversely impact any Areas of Primary/Secondary Amenity Value, Views from Scenic Routes or Proposed NHAs, SAC or SPA as listed in MCDP 2019-2025

Archaeological and Cultural Heritage

- no visual evidence of any archaeological features on the subject/adjoining sites
- no recorded sites within 0.35km of the subject site as per the Archaeological Survey Database
- closest Record Monuments are Ringfort located c350m-420 south-east of the subject site (Descriptions set on page 52 of EIAR)

Effect on Material Assets

Resources that are valued and that are intrinsic to specific places are called “material assets”. They may be of either human or natural origin and the value may arise for either economic or cultural reasons.

Material assets that could potentially be affected by the proposed development include:

Material Assets: agricultural properties including all agricultural enterprises

- The proposed development will be completed on/adjacent to an approved poultry farm that is farmed by the applicant and surrounded by agricultural farmland
- The proposed development will not interact with any lands outside the confines of the site, except for the production of a valuable organic fertiliser which may be utilised by farmers as a replacement to chemical fertiliser
- The operations of the proposed development will be co-ordinated with the applicant existing poultry enterprise, where possible to streamline activities on both sites and minimise any potential impacts

Material Assets: Non-agricultural properties including residential, commercial, recreational and non-agricultural land

- The proposed development is a traditional farming practice in this area and is surrounded by agricultural lands and is located well away from any built-up areas and/or development clusters
- No residential dwellings within 125-150m of the proposed development site
- The development will have no impact on adjoining property values due to the separation distance and the fact that poultry farming is a traditional farming activity in county Monaghan and the structures

to accommodate the proposed intensification have already been approved through 19/440 and 17/622

Material Assets: Natural or other resources including mineral resources, land and energy

- The proposed development within the existing /previously approved structures and site area , there will be no adverse impact outside of the development area
- The development will not require any additional construction material with the exception of the ancillary works structures which are limited in nature. The amount of resources needed for the construction is limited in nature and potential adverse impact is negligible when sourced from authorised sources
- The operation of the farm will require additional feed (classified as renewable resource), gas and water. The applicant will operate modern feeding, ventilation and heating systems to minimise same.
- The farm does not require any major modifications to the existing electricity network, water or road infrastructure in the area.

Description of Likely significant effects of the proposed development

The likely effects detailed in the EIAR are summarised as follows:

Construction and Existence of proposed Poultry Houses

- Proposed development would add to economic activity on farm – trickle down positive effect
- Significant affects on human population not anticipated due to distance from nearest properties circa 125-150m
- Minimal impact on the landscape due to integration into the existing site and previously approved structures , landscaping, proposed external finish and its integration into the existing site, and location adjacent to the existing poultry house and ancillary structures
- long term impact on traffic on the local road as a result of the proposed development will not have a significant adverse impact
- Any short-term increase in traffic would be associated with the construction of the proposed development and would cease upon completion of the proposed development
- Once the proposed development would be completed, there would be additional traffic due to:
 - (i) Feed delivery c10-12 loads per batch c 7 times per annum on average increasing from c6-8 loads/batch c 5 times per annum currently approved
 - (ii) Manure transport c3-4 loads/batch c 7 times per year on average increasing from c 2-3 loads/batch
 - (iii) Bird deliveries, Bird collections, gas and shavings deliveries (c15-18 loads/batch c 7 times per year on average) increasing from c8-10 loads /batch c times per annum as currently approved
 - (iv) fortnightly waste collection and collection of mortalities
- In addition to the above there will other traffic associated with the applicant accessing the site ,inspections, vets , catchers and traffic associated with cleaning and washing – these will remain relatively unchanged per batch as these would occur regardless of sale , however visitors will remain longer on time and overall increase in frequency from c5 – c7 times per annum
- Traffic to and from the site will be minimised by optimising load sizes

Natural Resources

- No impact on land, soil and/or biodiversity outside of the site area
- Gas heating will be required during the early stages of each cycle – this will be minimised by using high insulation standard and modern efficient heating system
- Additional water supply needed – available from Bunnoe Water Scheme
- Main resource to be consumed would be poultry feed which is classifiable as a natural resource that is a renewable resource

Emission of Pollutants

- Site management is to be focused on ensuring that all storm water collection surfaces and facilities are maintained in clean and fully functional condition at all times so that the possibility of storm water carrying significant pollution to the stream is effectively eliminated

- emission of pollutants is to be effectively controlled and prevented by the regular removal of all solid waste materials from the site to authorised disposal/recovery sites elsewhere and by the removal of poultry manure off site by an experienced contractor
- no increase in the amount of wastes/potential pollutants produced or used on the farm that would lead to a significant adverse environmental impact
- The additional organic fertiliser/poultry manure to be produced will be utilised as a resource ingredient in the mushroom compost industry and/or as an organic fertiliser, and will be removed by a contractor
- All soiled water shall be allocated to farmland in accordance with S.I. 605 of 2017 as amended

Creation of Nuisance

- proposed development will be carried out in accordance with the management and operational routine proposed, and in line with the EPA, DAFM, Bord Bia and Monaghan Co Co requirements, and is not expected to create any significant nuisance

Waste/By-Products

- net increase in the volumes of waste/by-product which will be generated will not cause a significant adverse environmental impact
- volumes of organic fertiliser/manure produced will be minimised by efficient cleaning out and the use of high pressure low volume power washers
- opportunity to reduce the volume of waste materials below that which are generated under Good Farming Practice is very small and is near zero
- With regard to the hazardous waste in the form of spent fluorescent tube, the volumes are small and already minimised

Risks to human health, cultural heritage or the environment

- The potential risk to human/health, cultural heritage or the environment due to accidents and/or disasters is limited due to the innate nature of the production system and activities on site
- No significant risk high risk/hazardous products, used, produced or released which would pose a risk to human health, cultural heritage or the environment outside the site boundary

Class A Disease

- Disposal strategy to be employed, in event of a Class A disease, will be decided by Dept of Agriculture, Food and Marine in consultation with the National Expert Epidemiological Group

Impact of Project on Climate

- As the birds will be maintained in a controlled environment within the proposed houses, the operation of the farm is not directly significantly susceptible to climate change
- Climate change may impact on energy use associated with heating/ventilation systems to maintain a controlled environment in the house relative to outside climatic conditions and may have implications for feed supply to feed the birds

Cumulative and Transboundary Effects

- No transboundary effect due to this distance from any international boundary (12.5km)
- All wastes/by-products will be utilised/disposed of/recovered within the country
- No adverse impact on the local environment either within Monaghan area individually or cumulatively

Inter-Relationship between factors referred to in points (a), (b), (c) and (d)

The Planning Authority has summarised (above) the content of the EIAR and the stated direct and indirect significant effects of the proposal on the following factors:

- Population and human health
- Biodiversity with particular attention to species and habitats protected under Directive 92/42/EEC and Directive 2009/147/EC
- Land, soil, water and climate
- Material assets, cultural heritage and the landscape

The inter-relationships between the various factors outlined above are summarised as follows: (see Figure 4.1 of EIAR for Matrix)

Positive impacts:

- (i) Impacts of land/soil on human health/population
- (ii) Impacts of human health/population on other factors including land/soil, water, air, climate and climate change, landscape and visual, bio-diversity, cultural heritage, material assets

Neutral impacts:

- (i) Impacts of land/soil on water, landscape and visual and biodiversity (Flora and Fauna)
- (ii) Impacts of water on bio-diversity (Flora and Fauna)
- (iii) Impacts of air and climate/climate change on biodiversity (Flora and Fauna) and human health/population

EIAR Summary

The EIAR Summary states the following (summarised):

- proposed development involves the intensification of the use of the previously approved poultry farm permitted under 19/440 and 17/622
- The proposed development has been subject to EIA in accordance with the requirements
- The proposal will make a significant positive contribution to the rural economy of County Monaghan and will serve to increase employment and secure the viability and competitiveness of the applicant's farm enterprise as well as the wider poultry farming industry
- The development will not give rise to any significant environmental effects
- The granting of permission for the proposed development will strongly accord with the provisions of the development plan and will provide a significant boost to the economy of the county
- The development will operate under the conditions imposed as part of any grant of planning permission and EPA Licence for this farm

Planning Authority's Conclusion of Environmental Impact Assessment

The Planning Authority has thoroughly assessed the content of the submitted Environmental Impact Assessment Report (EIAR), dated November 2019, as prepared by CLW Environmental Planners.

The Planning Authority is satisfied that there are no significant impacts on the following factors as a result of this proposal:

- (a) Population and human health
- (b) Biodiversity with particular attention to species and habitats protected under Directive 92/42/EEC and Directive 2009/147/EC
- (c) Land, soil, water and climate
- (d) Material assets, cultural heritage and the landscape
- (e) The interaction between the factors referred to in points (a) to (d)

The Planning Authority accepts the Applicants submission in the EIAR that significant impacts on the aforementioned factors are not anticipated.

12 Compliance with Monaghan County Development Plan 2019-2025

Access and sightlines

The access to the site is in situ as approved under 17/622

Applicants Submission

The Applicant has submitted a Planning Report justifying location, operations and management of the proposed poultry unit (Section 3 of submitted EIAR by CLW Environmental Planners Ltd)

Policies for Agricultural Development

The importance of agriculture in County Monaghan is recognised.

- All planning applications shall be required to include an 'Agricultural Development' Form.
- All planning applications shall be required to be accompanied by a completed supplementary planning application form for agricultural developments.

While the Applicant is requested to demonstrate Compliance with Policy AGP 1 and AGP 2, by Additional Information, the Planning Authority will assess the information submitted with this initial application.

Policy for Agricultural Development	
AGP 1	<p>To permit development on new and <u>established</u> agricultural or forestry holdings where it is demonstrated that;</p> <p>It is necessary for the efficient use of the agricultural holding or enterprise,</p> <ol style="list-style-type: none"> a) The appearance, character and scale are appropriate to its location- no new buildings proposed b) The proposal visually integrates into the local landscape and additional landscaping is provided where necessary As per a) above c) The proposal will not have an adverse impact on the natural or built heritage, No impact on heritage – see Section 4.3 of EIAR d) The proposal will not result in a detrimental impact on the amenity of residential dwellings outside of the holding including potential for issues arising from noise, smell and pollution. Where a development is proposed within 100m of any residential property not located on the holding within the rural area (i.e. outside of a designated settlement) written consent, witnessed by a solicitor or a peace commissioner, from the adjoining property owner stating there is no objection to the proposal must be provided, In excess of 100m from nearest dwelling house Stated to be 155m to nearest house See Section 4 of EIAR e) The proposal will not result in a pollution threat to sources of potable water, water courses, aquifers or ground water No impact – See section 4 of EIAR f) Proper provision for disposal of liquid and solid waste is provided. Manure will be removed from site by Licensed Contractor. All soiled water to be collected and stored in accordance with the requirements of S.I 605 of 2017 g) The proposal will not result in a traffic hazard. 50m sightlines onto local tertiary road in situ as per 17/622 50m sightlines complies with MCDP 2019-2025 No resultant traffic hazard <p><u>Where a new building is proposed applicants must also provide the following information:</u></p> <ol style="list-style-type: none"> h) Outline why there is no suitable existing building on the holding that cannot be used. Not applicable – no new building proposed i) Design, scale and materials which are sympathetic to the locality and adjacent buildings. Not applicable no new building proposed j) The proposal is located within or adjacent to existing farm buildings, unless it has been clearly demonstrated that the building must be located elsewhere for essential operational or other reasons. As per above k) Ensure that the proposal will not seriously impact on the visual amenity of the area of the natural surrounding environment and that the finishes and colours used blend into the surroundings. no additional visual impact on surrounding environment – using approved structures as per 19/440 and 17/622 , impact assessment in previous planning consideration

	<p>l) Where possible, the development is grouped with existing buildings in order to reduce their overall impact in the interests of amenity. As per above</p>
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Policy for Intensive Agriculture /Poultry and Pig Farming	
AGP 2	<p>In addition to the information required under AGP 1 the following additional information will be required for assessing applications for <u>intensive poultry units</u> or similar specialised agri-developments the Council:</p> <ul style="list-style-type: none"> a) An Environmental Impact Statement (EIS) and/or Appropriate Assessment depending on the size and use of the unit, and its likely impact on the environment. Increase in capacity of farm from 38,950 free range bird places to 85,000 bird places for a conventional poultry farm. These number exceed the 40,000 bird place threshold set out in Schedule 5, Part 1, 17 and Schedule 5 Part 2, 1(e)(i) of the Planning and Development Regulations, the proposed development requires an EIAR b) Details of the scale and intensity of existing operations in the vicinity of the site, including the cumulative impact of similar type developments within proximity of the site. Addressed in Section 4.6 of EIAR c) Methods for waste management including frequency and location of disposal relative to the proposed unit. Addressed in Section 4 & 6 of EIAR d) Details of air pollution arising from the units and effluent storage, transportation and spreading. Addressed in Section 4 , 5 and 6 of EIAR e) Proximity of development to aquifers and water courses and its impact on them. Addressed in Section 4.3.4 and 4.3.5 and in Section 5 and 6 of the submitted EIAR f) The potential impact of the proposal on the residential amenity of adjoining occupiers must be considered. A unit shall not be developed at a distance of less than 100 metres from a dwelling within the rural area (i.e. outside of a designated settlement) unless the third party has given written consent, witnessed by a solicitor or a peace commissioner. No impact on third party residential amenity Stated to be 120- 155m from nearest dwelling house Assessed in Section 4.3.6 and 4.3.10 and Sections 5& 6 of EIAR g) Details of associated activities such as cleaning, ventilation and heating. Set out in Section 4 , 5 & 6 of EIAR h) A comprehensive landscaping plan As per previous permissions 19/440 & 17/622 i) A statement outlining why a location on the landholding was deemed more appropriate to alternative options. If the Planning Authority, consider a more appropriate location is available on the landholding the application may not receive favorable consideration. As per Section 3 of EIAR j) Traffic management plans and traffic assessment associated with the proposed development may be required for large proposals. 50m sightlines in situ as permitted under 17/622 There would be an intensification of use of the Local Road and the existing access by the proposed development; however, it is considered that the potential additional traffic generated by the proposed development could be facilitated on the local road network and on the site.

13 .Development Contributions

A Community, Recreation and Amenity Facilities Development Contribution is calculated as per the separately attached sheet.

No additional floor area proposed. Development Contributions will be applied in accordance with 3 (h) or (s)

Site Area = 3.21 ha

14.Appropriate Assessment

Section 15.30 of the Monaghan County Development Plan 2019-2025 applies

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 on 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).

The subject site is located within 15km of 3 Natura 2000 sites, Magheraveelly Mark Lough SAC, Kilroosky Lough SAC, Upper Lough Erne SPA.

The Applicant has submitted an AA Screening Report carried out by Noeleen Mc Loughlin , Environmental Consultant (See Appendix of EIAR). The main objective of the Stage 1 Natura Impact Statement is to determine whether the proposed development either alone or in combination with other plans , programmes or projects will result in significant adverse impacts to the integrity of the Natura 2000 sites.

Having regard to the Screening Report submitted and its conclusions , it is the opinion of the Planning Authority that the development is not of a nature or scale to have any significant effects on the integrity the above mentioned or any other Natura 2000 sites and therefore a Stage 2 Appropriate Assessment is not required in respect of this project.

Conclusion

The proposed development accords with Section 15.15 and Section 6.7 of Monaghan County Development Plan 2019-2025 and the proper planning and sustainable development of the area.

A Grant of Permission, subject to Conditions, is recommended.

Recommendation

It is recommended that permission be GRANTED subject to the following conditions:

Development Contributions

1. a. The developer shall pay to Monaghan County Council a sum of **€2160.00** 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.

Noise

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).

Wastewater Treatment System

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 roadway or 3m of any boundary.

Environmental Protection

4. 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
 - (i) all soiled waters shall be directed to a storage tank
 - (ii) no effluent or slurry shall discharge or be allowed to discharge to any stream, river, watercourse, groundwater body or to the public road.

- (iii) all surface water arising on the concrete aprons shall discharge to a silt trap followed by an appropriately size sub-soil polishing filter.
 - (iv) 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.
 - (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. In this regard;
- 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.
- (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 mater 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/haulier 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.

Previous Permission

- 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

General Issues

- 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

Signed : Darina Kierans
 Darina Kierans
 Executive Planner
 14/07/20

Assessment of Environmental Impact Assessment Report as submitted, and the Environmental Impact Assessment as carried out by the Assigned Officer

Having reviewed the details as contained within the submitted application and the related Environmental Impact Assessment Report and the assessment report as carried out by the assigned planning officer, I consider the Planning Authority to have fully considered the proposed development and I accept the conclusions as reached in respect of this proposed development.

In this regard I therefore consider it appropriate to grant permission for the proposed development, subject to conditions as recommended in the attached report.

Adrian Hughes
Senior Planner

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Monaghan County Council's Development Contributions Calculations, effective 1st January 2019
 Ref No. 19/440

Category	Dev Type	Rate	Floor Area / Number	Calculation	Contributions Due (€)
3 Provision of Community, Recreation, Amenity Infrastructure	h) The use of land for:- 1. Intensive agriculture purposes (eg. market gardening) 2. Afforestation (Initial or replacement) 3. Peat extraction or s) Development not coming within any of the foregoing classes.	€540 per hectare or part thereof €10 per m ² of footprint of structure	4ha (3.21)	€540*4= €2160	

Contributions Due (€) **€2160**

Category (a) – (m)	Dev Type	% Reduction	Calculations	
				N/A

Contributions Due – Discount **€2160**

Checked / Date		
AP / EP <i>DK</i>	AO <i>PP Michelle Bogle 15/12/20</i>	SEP

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PLANNING APPLICATION DECISION FORM

Planning Application
Reference No. 20153

Decision due by: _____

Reports received from:

Municipal District _____

S.E.E. Roads _____

E.H.O. _____

S.E.E. Environment _____

S.E.E. Water 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
Executive Planner: _____

Date: _____

Recommended by:

M. J. Hall
Senior Planner

Date: 17.07.2020

DECISION OF MONAGHAN COUNTY COUNCIL:

Approved with conditions
recommended in

Refused

Planning Officer's Report

Other

M. J. Hall
Senior Planner

17.07.2020
Date