

PLANNING & DEVELOPMENT ACTS 2000 - 2020

NOTIFICATION OF DECISION TO GRANT A PERMISSION

(SUBJECT TO CONDITIONS) UNDER THE ABOVE ACTS

CAVAN COUNTY COUNCIL

TO: John & Charles Smith
C/o C.L.W. Environmental Planners Ltd.
The Mews
23 Farnham Street
Cavan
Co. Cavan

Planning Register Number: 20/563
Application Receipt Date: 11/12/2020
Valid Application Date: 11/12/2020
Further Information Received Date:

In pursuance of the powers conferred upon them by the above-mentioned Acts, Cavan County Council has by Order dated 12/02/2021 decided to **GRANT PERMISSION** for development of land, namely:- to construct extensions to 2 No. existing poultry houses together with all ancillary structures and all associated site works (to include new site entrance) arising from the above proposed development. 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 application at Lislea, Virginia Co. Cavan in accordance with the plans submitted with the application.

Subject to the 14 condition(s) set out in the attached 2nd Schedule and for the reason set out in the 1st Schedule.

Signed on behalf of Cavan County Council


Senior Staff Officer

Date: 12 February, 2021

Provided there is no appeal against this **DECISION** a grant of planning permission will issue at the end of period within which an appeal may be made.
THIS NOTICE IS NOT A GRANT OF PERMISSION AND WORK SHOULD NOT COMMENCE UNTIL PLANNING PERMISSION IS ISSUED.

NOTE:

An appeal against the decision may be made to An Bord Pleanála within four weeks beginning on the date of the **DECISION**. Any appeal must be accompanied by a copy of acknowledgement of your submission to the Planning Authority.

Appeal against a decision of a Planning Authority on a planning application must be accompanied by the appropriate fee. Forms and full particulars are available from www.pleanala.ie/appeals.

Appeal should be addressed to **An Bord Pleanála, 64 Marlborough Street, Dublin 1, D01 V902.**

PLANNING & DEVELOPMENT ACTS 2000 – 2020

PLANNING APPLICATION: John & Charles Smith REG. NO. 20/563

SCHEDULE 1

It is considered that, subject to compliance with the conditions set out below, the proposed development would not injure the amenities of the area, give rise to a traffic hazard or be prejudicial to public health and would be in accordance with the proper planning and development of the area.

SCHEDULE 2

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application on the 11th December 2020, except as may otherwise be required in order to comply with the following conditions. Where such conditions require details to be agreed with the Planning Authority, the developer shall agree such details in writing with the Planning Authority prior to commencement of development and the development shall be carried out and completed in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. The developer shall pay the sum of €5,480 to the Planning Authority in respect of public infrastructure and facilities benefiting development in the area of the planning authority that is provided or intended to be provided by or on behalf of the authority in accordance with the terms of the Development Contribution Scheme made under section 48 of the Planning and Development Act 2000, as amended. The contribution shall be paid prior to commencement of development or in such phased payments as the planning authority may facilitate and shall be subject to any applicable indexation provisions of the Scheme at the time of payment.

Reason: It is a requirement of the Planning and Development Act 2000, as amended, that a condition requiring a contribution in accordance with the Development Contribution Scheme made under section 48 of the Act be applied to the permission.

3. The external construction materials of the proposed development shall match the existing poultry houses on the site.

Reason: In the interest of visual amenity.

4. During the construction phase the developer shall be responsible for ensuring that no pavement or structural damage occurs to the adjoining public road network as a consequence of heavy plant using the local system and any damage shall be repaired by the Council at cost to the developer.

Reason: In the interest of traffic safety.

5. No construction or demolition work shall be carried out between the hours of 19:00 – 08:00 or on Sundays or public holidays.

Reason: In the interest of residential amenity.

6. Uncontaminated surface run-off from roofs and clean paved areas within the development shall be collected separately from effluent and shall be disposed of to an approved watercourse adjoining the site in accordance with the Department of Agriculture and Food specifications S129.

Reason: In the interest of public health and environmental sustainability.

7. All wells must be located in accordance with the recommend minimum distance for any silage effluent, slurry or soiled water storage facilities, as per Department of Agriculture Specification - S123.

Reason: In the interest of public health and environmental sustainability.

8. All wastes arising from the development site shall be removed from the site using appropriately authorised waste collection contractors only.

Reason: In the interest of sustainable waste management.

9. The area between the entrance gates and the new boundary and the bituminous\tarred road shall be treated in the following manner:
- (a) existing roadside drainage shall be piped under the entrance and area forward of new boundary walls shall be drained with spigot & socket concrete pipes, the diameter of which shall be a minimum of 225mm.
 - (b) the area shall be backfilled and graded downwards from the bituminous\tarred edge of the public road, provided with lockable type gullies and a surface water drainage system ('Acco' channel or similar approved) that ensures no surface water flows from the entrance (or layby area) to the road but is collected and discharged direct to nearby watercourses.
 - (c) area forward of new fence line shall be constructed with a minimum depth of 400mm layer of Clause 804 and finished in 100mm layer of bitumen macadam.
 - (d) No surface water from roofs or paved areas shall flow from the site (including entrance area) onto the road adjoining the site but shall be collected by a surface water drainage system and discharged direct to nearby watercourses.
 - (e) All works relating to entrance and frontage construction, including gate piers, boundary walls, gullies and finished off layby etc. shall be completed concurrently with house occupation.

Reason: To prevent flooding and frost damage to the road in the interests of traffic safety.

10. All Mitigation Measures from the submitted Environment Impact Assessment Report and Natura Impact Statement shall be carried out in full and in strict accordance with the submitted EIAR and NIS. A detailed report of mitigation measures from the EIAR and NIS and how they will be implemented on site, shall be submitted to the Panning Authority for written approval prior to the commencement of work on site.

Reason: In the interest of clarity.

11. The construction of the development shall be managed in accordance with a Construction Management Plan, which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This plan shall provide details of intended construction practice for the development, including hours of working, noise management measures and off-site disposal of construction/demolition waste.

Reason: In the interest of public safety and amenity.

12. Excess soil and stone that is not reused as part of the development shall be removed from the site using appropriately authorised waste collection contractors only, and such soil and stone shall be subject to a waste recovery activity at an appropriately authorised waste facility.

Reason: In the interests of sustainable waste management.

13. Prior to the movement of excess soil and stone off-site, the applicant shall provide details to the Waste Management section of Cavan County Council relating to the waste collection contractor to be used and details of the permitted waste recovery facility to be used.

Reason: In the interests of sustainable waste management.

14. Water supply and drainage arrangements, including the disposal of surface and soiled water, shall comply with the requirements of the planning authority for such works and services.

Reason: In the interest of protecting watercourses and natural habitats and the prevention of environmental pollution.

The applicant is advised as to the proximity of the proposed development to potential N3 Virginia By-pass option corridors, and that the option corridors are available for viewing / download on the project website: www.n3virginiabypass.ie.”


Senior Staff Officer