

MONAGHAN COUNTY COUNCIL

PLANNING AND DEVELOPMENT ACT 2000 (as amended)

Chief Executive's Order No: P181/18

Reference Number: 17/490

Name of Applicant: Val Fitzpatrick

Address: Moffett Architectural
Corlea,
Ballybay.
Co. Monaghan.

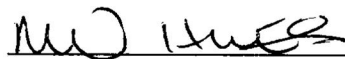
Nature of Application: Permission to construct a poultry unit with underground washing tanks and vertical meal bin, along with new site entrance off public road, together with associated ancillary site works

Location of Development: Lisgillan
Ballybay
Co. Monaghan

ORDER:

I hereby decide, pursuant to the provisions of the Planning and Development Act 2000 (as amended) and the Planning and Development Regulations 2001 (as amended) to grant permission for the above development in accordance with documents submitted, subject to the 9 condition(s) set out in the Schedule attached hereto.

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



Adrian Hughes
SENIOR PLANNER



Date

Maps and Drawings remain
the Copyright of the Originator

P17/490 Val Fitzpatrick.,

- 1a. The developer shall pay to Monaghan County Council a sum of **€3610** 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.
- 2a. All trees and hedgerows bounding the site shall be permanently retained, shall be reinforced with additional planting as per the submitted landscaping proposal and shall be protected from damage at all times, particularly during building operations.
- b. New hedgerow planting shall be in a double staggered row with 8 2-3 year old plants per metre; 250mm apart, with 300mm between rows, and shall be supplemented with native tree species at irregular intervals as per the submitted landscaping proposal.
- c. Any plant which fails in the first planting season shall be replaced. Trees shall be allowed to mature and shall not be topped when trimming hedgerows.
- d. Any boundary fencing shall be of stained wood, or as otherwise agreed in writing by the Planning Authority.
3. Facilitating cut and/or fill shall be graded to a natural contour to reflect the existing topography of the area.
4.
 - a. Prior to the commencement of development, the applicant shall submit written confirmation of the exact (<40,000) number of birds that will be facilitated on-site.
 - b. Said submitted written confirmation shall be approved in writing by the Planning Authority prior to the commencement of any work on this development.
 - c. Development shall be carried out in accordance with these agreed details.
- 5a. The applicant shall ensure that adequate measures are in place for the construction phase to ensure there is no discharge of polluting matter to any watercourse. These measures shall take account of the Guidance produced by Inland Fisheries Ireland titled *Requirements for the Protection of Fisheries Habitat during Construction and Development Works at River Sites*.
- b. There shall be no change in poultry type or change in system that results in a change in dry matter content of the manure or increase in the number of poultry proposed, without prior approval from the Planning Authority.
- c. There shall be no increase in bird numbers beyond the figure confirmed under condition 4.
- d. All proposed surface water drainage systems shall be designed to ensure that no polluting matter enters the surface water collection system.
- e. The applicant shall ensure that runoff from soiled yard areas shall be kept to a minimum, shall be collected in suitably constructed tanks and land spread in accordance with the European Union (Good Agricultural Practice for Protection of Waters) Regulations 2014.

the Copyright of the Originator

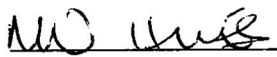
- f. All structures and buildings shall be designed and constructed to the relevant Department of Agriculture specifications and in accordance with requirements of the European Union (Good Agricultural Practice for Protection of Waters) Regulations 2014.
 - g. All soiled waters generated from cleaning or other operations shall be collected and stored in a suitable watertight tank and disposed of in accordance with the European Union (Good Agricultural Practice for Protection of Waters) Regulations 2014.
 - h. All manure/organic fertilisers arising from the development shall be collected in leak proof/suitably constructed tanks and stored in accordance with the European Union (Good Agricultural Practice for Protection of Waters) Regulations 2014.
 - i. Manure/organic fertilisers taken off-site shall conform to the Department of Agriculture Food and the Marine requirements and guidance under animal byproducts legislation and Local Authority guidance on the protection of sensitive waters, including water supply sources. Any change or alteration in arrangements for manure/organic fertilizer arising from the development shall be pre-notified to Monaghan County Council.
 - j. Manure shall be taken off-site by a contractor/hauler registered with the Department of Agriculture Food and Marine and shall be utilized in accordance with the requirements of the European Union (Good Agricultural Practice for Protection of Waters) Regulations 2014.
 - k. Records of manure movements off-site shall be recorded on Record 3 forms (as prescribed by the Department of Agriculture Food and Marine). These forms shall be maintained on-site at all times and submitted to the Environment Section of Monaghan County Council on request. Records maintained shall comply with requirements of Article 23 of the European Union (Good Agricultural Practice for Protection of Waters) Regulations 2014 and as a minimum shall include: name and address of contractor/hauler, date of each disposal operation, quantity (weight and volume) disposed of, the name of receiving premises and any other information as may be periodically required by the Planning Authority.
 - l. If at any time the Planning Authority is satisfied that this development is causing environmental pollution and/or a public health nuisance, the operation shall cease immediately on the direction of the Authority and shall not be resumed until permission is subsequently granted by the Authority.
 - m. Any construction and demolition waste or excess soil generated during the construction phase that cannot be reused on-site shall be disposed/recovered at an appropriately permitted facility in accordance with the requirements of the Local Government (Waste Management) Act 1996 as amended.
-
- 6a. Prior to any other works commencing, visibility splays of 50m, measured to the nearside road edge in each direction, shall be provided from a point in the centre of the new/proposed entrance 3m from the road edge at a height of between 1.05m and 2m above ground level to an object height of between 1.05m and 2m above ground level in both directions. The visibility splays shall be retained and kept clear from obstructions thereafter.
 - b. Where it is necessary to remove hedges, fences, embankments or other obstructions in order to achieve the required visibility splays, they shall be reinstated behind the visibility splays. Any new trees or shrubs shall be planted back from the visibility splays to allow for future growth and some species will require additional set back. All existing planting shall be kept trimmed behind visibility splays.
 - c. Where the existing roadside hedge/embankment is to be removed, the roadside verge shall be widened (by grading back or infilling where necessary using appropriate inert material) to include the entire area within the visibility splays, top soiled, and grassed to the satisfaction of the Planning Authority.
 - d. The new/proposed entrance shall form a bellmouth of 4m radius with edge of new boundary. Recessed entrance shall be of sufficient dimensions to contain a stationary vehicle off the public road. Entrance gates shall open inwards only.

- e. Entrance/access road shall be surfaced with concrete or bitmac from edge of public road for a minimum of 5m and the surface shall be graded back so that its level at 3m from the edge of the carriageway is a minimum of 100mm below road level. Gradient of access road shall be not greater than 1:20 (5%) for the first 5m from boundary and 1:10 (10%) thereafter.
- f. Surface water drain shall discharge to the nearest appropriate watercourse or drainage pipeline. Suitable gullies shall be placed at start, end and intersection of other drains and at not greater than 40m intervals. Separate application shall be made to Monaghan County Council if this requires a road opening licence.
- g. Provisions shall be made at the new/proposed entrance, and be constructed in an appropriate manner, to prevent water from the entrance flowing onto the public road. Similarly, measures shall be taken to prevent road surface water from flowing onto the entrance. The discharge from the above drainage arrangements shall be piped to an appropriate drainage pipeline or watercourse.
- h. Provision shall be made for surface water drainage and no surface water shall be allowed flow onto the public roadway. The discharge of surface water from the public road onto the site through road surface drainage and road subsoil drainage shall remain unimpeded.
- i. No development exempt or otherwise shall be erected over the public sewer, drain or water-main, unless otherwise agreed in writing with the Planning Authority.
- j. Before any work is commenced on this development a security, by way of a cash deposit, in the sum of €2250, shall be paid to the Planning Authority by the developer to ensure the satisfactory completion of all surface water drainage/boundary work within and abutting the site area, to prevent runoff of surface water onto the public roadway and to ensure that no damage is caused to public roadway and any such damage is repaired satisfactorily. Failure to carry out all entrance works to a standard to the satisfaction of the Planning Authority will result in forfeiture of part or all of the cash security.
- 7a. Roofing material shall be dark green, dark grey, dark blue or black in colour.
- b. No unpainted metal sheeting shall be used for roofing or on the external wall finishes.
- 8. Should a new/modified public water and/or wastewater connection be required, prior to the commencement of development, the developer shall contact Irish Water regarding the provision of said services and confirm the acceptability of the proposed development with regard to source/network infrastructure.
- 9. The development shall be carried out strictly in accordance with the plans and documents submitted on the 12/10/17, as amended on the 26/01/18, except as may otherwise be required in order to comply with the above conditions.

Maps and Drawings remain
the Copyright of the Originator

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 visual amenity.
3. To secure a satisfactory standard of development.
4. To secure a satisfactory/appropriate design standard.
5. In the interest of environmental protection.
6. In the interest of road/traffic safety.
7. In the interest of visual amenity.
8. In the interest of sanitary services and orderly development.
9. In the interest of proper planning and sustainable development.



Adrian Hughes
Senior Planner

21.02.18
Date

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

Maps and Drawings remain
the Copyright of the Originator

MONAGHAN COUNTY COUNCIL

TO: Val Fitzpatrick

17/490
21/02/2018

Moffett Architectural
Corlea,
Ballybay.
Co. Monaghan.

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

Monaghan County Council has by order dated 21/02/2018 decided to GRANT permission to the above named for development of land, in accordance with the documents submitted namely for:- Permission to construct a poultry unit with underground washing tanks and vertical meal bin, along with new site entrance off public road, together with associated ancillary site works at Lisgillan, Ballybay subject to the 9 condition(s) set out in the Schedule attached.

Signed on behalf of Monaghan County Council


ADMINISTRATIVE OFFICER


DATE

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

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

NOTE:

1. Any appeal against a decision of a Planning Authority under Section 34 of the Act of 2000 (as amended) may be made to An Bord Pleanala. The appeal period for the applicant and other persons will be four weeks from the day the Planning Authority makes its decision.
2. Appeals should be addressed to The Secretary, An Bord Pleanala, 64 Marlborough Street, Dublin 1. An appeal by the applicant should be accompanied by this form. In the case of an appeal by any other person, the name of the person, particulars of the proposed development and the date of the decision of the Planning Authority should be stated.
 - (a) The fee for an appeal against a decision of a Planning Authority, on a planning application relating to a commercial development, made by the person who made the planning application is **€1,500 or €3,000** if there is an EIS or NIS involved. Commercial Development means development for the purpose of any professional, commercial or industrial undertaking, development in connection with the provision for reward of services to persons

- or undertakings, or development consisting of the provision of two or more dwellings, but does not include development for the purposes of agriculture.
- (b) Appeal against a decision of a planning authority on a planning application relating to commercial development, made by the person by whom the planning application is made, where the application relates to unauthorised development is **€4,500 or €9,000** if there is an EIS or NIS involved.
 - (c) Appeal made by the person by whom the planning application was made, where the application relates to unauthorised development, other than an appeal mentioned at (a) or (b) is **€660**.
 - (d) Appeal other than appeal mentioned at (a), (b), (c), or (f) is **€220**.
 - (e) Application for leave to appeal is **€110**.
 - (f) Appeal following a grant of leave to appeal is **€110**.

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

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

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

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

Tel. 01-8588100 or LoCall: 1890 275 175

Fax: 01-8722684

E-mail: bord@pleanala.ie

Web: www.pleanala.ie

Maps and Drawings remain
the Copyright of the Originator

P17/490 Val Fitzpatrick.,

- 1a. The developer shall pay to Monaghan County Council a sum of **€3610** 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.
- 2a. All trees and hedgerows bounding the site shall be permanently retained, shall be reinforced with additional planting as per the submitted landscaping proposal and shall be protected from damage at all times, particularly during building operations.
- b. New hedgerow planting shall be in a double staggered row with 8 2-3 year old plants per metre; 250mm apart, with 300mm between rows, and shall be supplemented with native tree species at irregular intervals as per the submitted landscaping proposal.
- c. Any plant which fails in the first planting season shall be replaced. Trees shall be allowed to mature and shall not be topped when trimming hedgerows.
- d. Any boundary fencing shall be of stained wood, or as otherwise agreed in writing by the Planning Authority.
3. Facilitating cut and/or fill shall be graded to a natural contour to reflect the existing topography of the area.
4.
 - a. Prior to the commencement of development, the applicant shall submit written confirmation of the exact (<40,000) number of birds that will be facilitated on-site.
 - b. Said submitted written confirmation shall be approved in writing by the Planning Authority prior to the commencement of any work on this development.
 - c. Development shall be carried out in accordance with these agreed details.
- 5a. The applicant shall ensure that adequate measures are in place for the construction phase to ensure there is no discharge of polluting matter to any watercourse. These measures shall take account of the Guidance produced by Inland Fisheries Ireland titled *Requirements for the Protection of Fisheries Habitat during Construction and Development Works at River Sites*.
- b. There shall be no change in poultry type or change in system that results in a change in dry matter content of the manure or increase in the number of poultry proposed, without prior approval from the Planning Authority.
- c. There shall be no increase in bird numbers beyond the figure confirmed under condition 4.
- d. All proposed surface water drainage systems shall be designed to ensure that no polluting matter enters the surface water collection system.
- e. The applicant shall ensure that runoff from soiled yard areas shall be kept to a minimum, shall be collected in suitably constructed tanks and land spread in accordance with the European Union (Good Agricultural Practice for Protection of Waters) Regulations 2014.

- f. All structures and buildings shall be designed and constructed to the relevant Department of Agriculture specifications and in accordance with requirements of the European Union (Good Agricultural Practice for Protection of Waters) Regulations 2014.
 - g. All soiled waters generated from cleaning or other operations shall be collected and stored in a suitable watertight tank and disposed of in accordance with the European Union (Good Agricultural Practice for Protection of Waters) Regulations 2014.
 - h. All manure/organic fertilisers arising from the development shall be collected in leak proof/suitably constructed tanks and stored in accordance with the European Union (Good Agricultural Practice for Protection of Waters) Regulations 2014.
 - i. Manure/organic fertilisers taken off-site shall conform to the Department of Agriculture Food and the Marine requirements and guidance under animal byproducts legislation and Local Authority guidance on the protection of sensitive waters, including water supply sources. Any change or alteration in arrangements for manure/organic fertilizer arising from the development shall be pre-notified to Monaghan County Council.
 - j. Manure shall be taken off-site by a contractor/haulier registered with the Department of Agriculture Food and Marine and shall be utilized in accordance with the requirements of the European Union (Good Agricultural Practice for Protection of Waters) Regulations 2014.
 - k. Records of manure movements off-site shall be recorded on Record 3 forms (as prescribed by the Department of Agriculture Food and Marine). These forms shall be maintained on-site at all times and submitted to the Environment Section of Monaghan County Council on request. Records maintained shall comply with requirements of Article 23 of the European Union (Good Agricultural Practice for Protection of Waters) Regulations 2014 and as a minimum shall include: name and address of contractor/haulier, date of each disposal operation, quantity (weight and volume) disposed of, the name of receiving premises and any other information as may be periodically required by the Planning Authority.
 - l. If at any time the Planning Authority is satisfied that this development is causing environmental pollution and/or a public health nuisance, the operation shall cease immediately on the direction of the Authority and shall not be resumed until permission is subsequently granted by the Authority.
 - m. Any construction and demolition waste or excess soil generated during the construction phase that cannot be reused on-site shall be disposed/recovered at an appropriately permitted facility in accordance with the requirements of the Local Government (Waste Management) Act 1996 as amended.
-
- 6a. Prior to any other works commencing, visibility splays of 50m, measured to the nearside road edge in each direction, shall be provided from a point in the centre of the new/proposed entrance 3m from the road edge at a height of between 1.05m and 2m above ground level to an object height of between 1.05m and 2m above ground level in both directions. The visibility splays shall be retained and kept clear from obstructions thereafter.
 - b. Where it is necessary to remove hedges, fences, embankments or other obstructions in order to achieve the required visibility splays, they shall be reinstated behind the visibility splays. Any new trees or shrubs shall be planted back from the visibility splays to allow for future growth and some species will require additional set back. All existing planting shall be kept trimmed behind visibility splays.
 - c. Where the existing roadside hedge/embankment is to be removed, the roadside verge shall be widened (by grading back or infilling where necessary using appropriate inert material) to include the entire area within the visibility splays, top soiled, and grassed to the satisfaction of the Planning Authority.
 - d. The new/proposed entrance shall form a bellmouth of 4m radius with edge of new boundary. Recessed entrance shall be of sufficient dimensions to contain a stationary vehicle off the public road. Entrance gates shall open inwards only.

- e. Entrance/access road shall be surfaced with concrete or bitmac from edge of public road for a minimum of 5m and the surface shall be graded back so that its level at 3m from the edge of the carriageway is a minimum of 100mm below road level. Gradient of access road shall be not greater than 1:20 (5%) for the first 5m from boundary and 1:10 (10%) thereafter.
- f. Surface water drain shall discharge to the nearest appropriate watercourse or drainage pipeline. Suitable gullies shall be placed at start, end and intersection of other drains and at not greater than 40m intervals. Separate application shall be made to Monaghan County Council if this requires a road opening licence.
- g. Provisions shall be made at the new/proposed entrance, and be constructed in an appropriate manner, to prevent water from the entrance flowing onto the public road. Similarly, measures shall be taken to prevent road surface water from flowing onto the entrance. The discharge from the above drainage arrangements shall be piped to an appropriate drainage pipeline or watercourse.
- h. Provision shall be made for surface water drainage and no surface water shall be allowed flow onto the public roadway. The discharge of surface water from the public road onto the site through road surface drainage and road subsoil drainage shall remain unimpeded.
- i. No development exempt or otherwise shall be erected over the public sewer, drain or water-main, unless otherwise agreed in writing with the Planning Authority.
- j. Before any work is commenced on this development a security, by way of a cash deposit, in the sum of **€2250**, shall be paid to the Planning Authority by the developer to ensure the satisfactory completion of all surface water drainage/boundary work within and abutting the site area, to prevent runoff of surface water onto the public roadway and to ensure that no damage is caused to public roadway and any such damage is repaired satisfactorily. Failure to carry out all entrance works to a standard to the satisfaction of the Planning Authority will result in forfeiture of part or all of the cash security.
- 7a. Roofing material shall be dark green, dark grey, dark blue or black in colour.
- b. No unpainted metal sheeting shall be used for roofing or on the external wall finishes.
- 8. Should a new/modified public water and/or wastewater connection be required, prior to the commencement of development, the developer shall contact Irish Water regarding the provision of said services and confirm the acceptability of the proposed development with regard to source/network infrastructure.
- 9. The development shall be carried out strictly in accordance with the plans and documents submitted on the 12/10/17, as amended on the 26/01/18, except as may otherwise be required in order to comply with the above conditions.

Maps and Drawings remain
the Copyright of the Originator

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 visual amenity.
3. To secure a satisfactory standard of development.
4. To secure a satisfactory/appropriate design standard.
5. In the interest of environmental protection.
6. In the interest of road/traffic safety.
7. In the interest of visual amenity.
8. In the interest of sanitary services and orderly development.
9. In the interest of proper planning and sustainable development.

Maps and Drawings remain
the Copyright of the Originator

PLANNING APPLICATION CONTROL FORM

Application Reference No.: 17/490

Decision due by (06/12/2017)

Previous Ref. Nos.:

Date of Receipt of Application: (12/10/2017) 26/1/18

Applicant : Val Fitzpatrick

Address: Moffett Architectural Corlea, Ballybay. Co. Monaghan.

Location of
Development: Lisgillan Ballybay Co. Monaghan

Description : Permission to construct a poultry unit with underground washing tanks and vertical meal bin, along with new site entrance off public road, together with associated ancillary site works

VALIDATION

Validated by: _____

Date of Validation: _____

SITE NOTICE

Was Notice published on site

Yes



No



Inspected by: _____

Date of Inspection: _____

1/12

Refer file for reports to:

AA not required

Municipal District

☐

S.E.E. Roads

☐

E.H.O.

☐

S.E.E. Environment

☒

S.E.E. Water Services

☐

S.E. Planner

☒

DOAHG

☒

AN Taisce

☒

MONAGHAN COUNTY COUNCIL

PLANNING AND DEVELOPMENT

File Ref: 17/490

Applicant: V Fitzpatrick

Development: Permission to construct a poultry unit with underground washing tanks and vertical meal bin, along with new site entrance off public road, together with associated ancillary site works.

Location: Lisgillan, Ballybay.

Characteristics of Site/Area

- Part of a larger field that slopes away from the adjoining local road.
- Roadside boundary is heavily defined by mature trees and hedgerow.
- Associated farm complex to the east; no other proximate development of note.

Relevant Planning History

None.

Consultation

Environment Section: Further Information (FI) requested.

An Taisce: Comments received and noted.

DCHG: No response.

Representations/Objections

None.

Appropriate Assessment

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. an 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).

Notably, the site is not located within 15km of any Natura 2000 site and there are no significant pathway connectors in the vicinity.

Having regard to the context and the development as proposed, and the activities associated with the development proposal both during and post construction works, it is taken that it is not necessary for an Appropriate Assessment to be carried out in relation to this development.

Maps and Drawings remain
the Copyright of the Originator

Planning Assessment

The following sections, objectives and/or policies contained in the Monaghan County Development Plan 2013-19 pertain:

- Greenfield site; no general justification submitted (Policy AFP 2).
- The farmhouse to the east is encompassed by the applicant's indicated landholding (Policy AFP 2 vi).
- The required 50m sight distances are achievable (Section 15.23 and Policy AFP 2 viii).
- Notwithstanding the new entrance, a considerable amount of roadside vegetation can be retained (Policy AFP 2 iii and v).

AOB

- It is taken that an EIAR is not required in this instance; <40,000 birds proposed. Environment Section has requested confirmation of the exact bird numbers.

Conclusions

- FI is required re justification and environmental protection.
- A pre-application consultation did not take place.

Maps and Drawings remain
the Copyright of the Originator

Recommendation

To request **FURTHER INFORMATION**:

Note: Prior to the submission of this Further Information, you and/or your assigned agent should liaise with Environment Section to discuss the preparation of this Further Information.

1. Policy AFP 2 of the County Development Plan states that favourable consideration shall be given to agricultural type developments where the development:

- i. *Is necessary for the running of the enterprise.*
- ii. *Is appropriate in terms of scale, location, design and nature.*
- iii. *Does not seriously impact on the visual amenity of the area or on the natural or manmade environment.*
- iv. *Is located within or adjacent to existing farm buildings, unless where the applicant has clearly demonstrated that the building must be located elsewhere for essential operational or other reasons.*
- v. *Is sited so as to benefit from any screening provided by topography or existing landscaping.*
- vi. *Is not located within 100 metres of any residential property not located on the holding, unless with the express written consent of the owner of that property.*
- vii. *Will not result in an unacceptable loss of residential amenity by reason of noise, smell, pollution, general disturbance, etc.*
- viii. *Will not result in a traffic hazard.*
- ix. *Will not result in a pollution threat to sources of potable water, water courses, aquifers or ground water.*

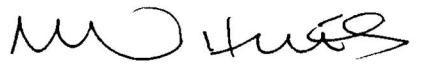
Given the greenfield context and in the interests of clarity and appropriate design, please submit a concise report illustrating how the development complies with the Policy AFP 2 points i – ix.

2. The information submitted is insufficient with regards to environmental protection. Consequently, the following is needed:

As per Environment Section report dated 17/11/17.



Ben Clerkin
Planner
05/12/17


06.12.17

Maps and Drawings remain
the Copyright of the Originator

Following the request for Further Information (FI), a formal response was received on the 26/01/18.

Planning Assessment

Re the 2 FI request points:

1. A compliance report re Policy AFP 2 has been submitted.
2. Environment Section is now conditionally satisfied.
Whilst reaffirming that it will be <40,000, the applicant has not explicitly confirmed the bird numbers.

Conclusions

- <40,000 birds are to be facilitated in the proposed unit. As per the submitted information, there are no other poultry units located on the applicant's lands. In this regard, the proposed numbers do not result in the development within this farm being of a class listed in Part 1 or paragraphs 1-12 of Part 2 of the Schedule as defined in the Planning and Development Regulations (2001). Furthermore, having regard to Schedule 7 of the Planning and Development Regulations (2001), the nature and scale of the development proposed and the likely implications of the construction works and related activities thereafter, it is considered that the proposed development is not likely to have significant effects on the environment. Accordingly, it is again taken that an EIAR was/is not required.
- A conditional grant of permission is recommended, with the exact (<40,000) number of birds being confirmed via condition.
- A Community, Recreation and Amenity Facilities Development Contribution is due as per the separately attached calculation sheets.

Maps and Drawings remain
the Copyright of the Originator

Recommendation

That Permission is **GRANTED** subject to the following conditions:

1. (a) The developer shall pay to Monaghan County Council a sum of €3610 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.

Reason: It is considered appropriate that the developer should contribute towards the expenditure incurred or proposed to be incurred by the Council in the provision of community, recreation and amenity infrastructure and facilities in the area.

2. (a) All trees and hedgerows bounding the site shall be permanently retained, shall be reinforced with additional planting as per the submitted landscaping proposal and shall be protected from damage at all times, particularly during building operations.
- (b) New hedgerow planting shall be in a double staggered row with 8 2-3 year old plants per metre; 250mm apart, with 300mm between rows, and shall be supplemented with native tree species at irregular intervals as per the submitted landscaping proposal.
- (c) Any plant which fails in the first planting season shall be replaced. Trees shall be allowed to mature and shall not be topped when trimming hedgerows.
- (d) Any boundary fencing shall be of stained wood, or as otherwise agreed in writing by the Planning Authority.

Reason: In the interest of visual amenity.

3. Facilitating cut and/or fill shall be graded to a natural contour to reflect the existing topography of the area.

Reason: To secure a satisfactory standard of development.

4. (a) Prior to the commencement of development, the applicant shall submit written confirmation of the exact (<40,000) number of birds that will be facilitated on-site.
- (b) Said submitted written confirmation shall be approved in writing by the Planning Authority prior to the commencement of any work on this development.
- (c) Development shall be carried out in accordance with these agreed details.

Reason: To secure a satisfactory/appropriate design standard.

Maps and Drawings remain
the Copyright of the Originator

5. (a) The applicant shall ensure that adequate measures are in place for the construction phase to ensure there is no discharge of polluting matter to any watercourse. These measures shall take account of the Guidance produced by Inland Fisheries Ireland titled *Requirements for the Protection of Fisheries Habitat during Construction and Development Works at River Sites*.
- (b) There shall be no change in poultry type or change in system that results in a change in dry matter content of the manure or increase in the number of poultry proposed, without prior approval from the Planning Authority.
- (c) There shall be no increase in bird numbers beyond the figure confirmed under Condition 4.
- (d) All proposed surface water drainage systems shall be designed to ensure that no polluting matter enters the surface water collection system.
- (e) The applicant shall ensure that runoff from soiled yard areas shall be kept to a minimum, shall be collected in suitably constructed tanks and land spread in accordance with the European Union (Good Agricultural Practice for Protection of Waters) Regulations 2014.
- (f) All structures and buildings shall be designed and constructed to the relevant Department of Agriculture specifications and in accordance with requirements of the European Union (Good Agricultural Practice for Protection of Waters) Regulations 2014.
- (g) All soiled waters generated from cleaning or other operations shall be collected and stored in a suitable watertight tank and disposed of in accordance with the European Union (Good Agricultural Practice for Protection of Waters) Regulations 2014.
- (h) All manure/organic fertilizers arising from the development shall be collected in leak proof/suitably constructed tanks and stored in accordance with the European Union (Good Agricultural Practice for Protection of Waters) Regulations 2014.
- (i) Manure/organic fertilizers taken off-site shall conform to the Department of Agriculture Food and the Marine requirements and guidance under animal byproducts legislation and Local Authority guidance on the protection of sensitive waters, including water supply sources. Any change or alteration in arrangements for manure/organic fertilizer arising from the development shall be pre-notified to Monaghan County Council.
- (j) Manure shall be taken off-site by a contractor/hauler registered with the Department of Agriculture Food and Marine and shall be utilized in accordance with the requirements of the European Union (Good Agricultural Practice for Protection of Waters) Regulations 2014.
- (k) Records of manure movements off-site shall be recorded on Record 3 forms (as prescribed by the Department of Agriculture Food and Marine). These forms shall be maintained on-site at all times and submitted to the Environment Section of Monaghan County Council on request. Records maintained shall comply with requirements of Article 23 of the European Union (Good Agricultural Practice for Protection of Waters) Regulations 2014 and as a minimum shall include: name and address of contractor/hauler, date of each disposal operation, quantity (weight and volume) disposed of, the name of receiving premises and any other information as may be periodically required by the Planning Authority.
- (l) If at any time the Planning Authority is satisfied that this development is causing environmental pollution and/or a public health nuisance, the operation shall cease immediately on the direction of the Authority and shall not be resumed until permission is subsequently granted by the Authority.
- (m) Any construction and demolition waste or excess soil generated during the construction phase that cannot be reused on-site shall be disposed/recovered at an appropriately permitted facility in accordance with the requirements of the Local Government (Waste Management) Act 1996 as amended.

Reason: In the interest of environmental protection.

the Copyright of the Originator

6. (a) Prior to any other works commencing, visibility splays of 50m, measured to the nearside road edge in each direction, shall be provided from a point in the centre of the new/proposed entrance 3m from the road edge at a height of between 1.05m and 2m above ground level to an object height of between 1.05m and 2m above ground level in both directions. The visibility splays shall be retained and kept clear from obstructions thereafter.
- (b) Where it is necessary to remove hedges, fences, embankments or other obstructions in order to achieve the required visibility splays, they shall be reinstated behind the visibility splays. Any new trees or shrubs shall be planted back from the visibility splays to allow for future growth and some species will require additional set back. All existing planting shall be kept trimmed behind visibility splays.
- (c) Where the existing roadside hedge/embankment is to be removed, the roadside verge shall be widened (by grading back or infilling where necessary using appropriate inert material) to include the entire area within the visibility splays, top soiled, and grassed to the satisfaction of the Planning Authority.
- (d) The new/proposed entrance shall form a bellmouth of 4m radius with edge of new boundary. Recessed entrance shall be of sufficient dimensions to contain a stationary vehicle off the public road. Entrance gates shall open inwards only.
- (e) Entrance/access road shall be surfaced with concrete or bitmac from edge of public road for a minimum of 5m and the surface shall be graded back so that its level at 3m from the edge of the carriageway is a minimum of 100mm below road level. Gradient of access road shall be not greater than 1:20 (5%) for the first 5m from boundary and 1:10 (10%) thereafter.
- (f) Surface water drain shall discharge to the nearest appropriate watercourse or drainage pipeline. Suitable gullies shall be placed at start, end and intersection of other drains and at not greater than 40m intervals. Separate application shall be made to Monaghan County Council if this requires a road opening licence.
- (g) Provisions shall be made at the new/proposed entrance, and be constructed in an appropriate manner, to prevent water from the entrance flowing onto the public road. Similarly, measures shall be taken to prevent road surface water from flowing onto the entrance. The discharge from the above drainage arrangements shall be piped to an appropriate drainage pipeline or watercourse.
- (h) Provision shall be made for surface water drainage and no surface water shall be allowed flow onto the public roadway. The discharge of surface water from the public road onto the site through road surface drainage and road subsoil drainage shall remain unimpeded.
- (i) No development exempt or otherwise shall be erected over the public sewer, drain or water-main, unless otherwise agreed in writing with the Planning Authority.
- (j) Before any work is commenced on this development a security, by way of a cash deposit, in the sum of €2250, shall be paid to the Planning Authority by the developer to ensure the satisfactory completion of all surface water drainage/boundary work within and abutting the site area, to prevent runoff of surface water onto the public roadway and to ensure that no damage is caused to public roadway and any such damage is repaired satisfactorily. Failure to carry out all entrance works to a standard to the satisfaction of the Planning Authority will result in forfeiture of part or all of the cash security.
- Reason: In the interest of road/traffic safety.

7. (a) Roofing material shall be dark green, dark grey, dark blue or black in colour.
- (b) No unpainted metal sheeting shall be used for roofing or on the external wall finishes.
- Reason: In the interest of visual amenity.

the Copyright of the Originator

8. Should a new/modified public water and/or wastewater connection be required, prior to the commencement of development, the developer shall contact Irish Water regarding the provision of said services and confirm the acceptability of the proposed development with regard to source/network infrastructure.

Reason: In the interest of sanitary services and orderly development.

9. The development shall be carried out strictly in accordance with the plans and documents submitted on the 12/10/17, as amended on the 26/01/18, except as may otherwise be required in order to comply with the above conditions.

Reason: In the interest of proper planning and sustainable development.



Ben Clerkin
Planner
19/02/18

MO HUES
20 02.17.

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

Maps and Drawings remain
the Copyright of the Originator

PLANNING APPLICATION DECISION FORM

Planning Application
Reference No. 17490

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 Senior
Executive Planner: _____

Date: _____

Recommended by:

MD Hiss
Senior Planner

Date: 21.02.18

DECISION OF MONAGHAN COUNTY COUNCIL:

Approved with conditions
recommended in ☒

Refused ☐


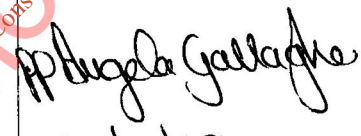
Planning Officer's Report ☒

Other ☐

MD Hiss
Senior Planner

21.02.18
Date

Maps and Drawings remain
the Copyright of the Originator

Development Contributions Calculations - AGR Development 2018					
Category	Dev Type	Rate	Floor Area / Number	Calculation	Contributions Due (€)
3(g) Comm, Rec, Amenity	Bldgs / Structures for Agri	Up to 300sqm Exempt	1840sqm =		
		Over 300sqm €530 plus €2 per sqm over 300sqm	€530 + €3080 (2 x 1540) =		
		Extensions €2 per sqm	€3610		
Contributions Due (€)					€3610
Exemptions / Reductions under Part 18 of Development Contribution Scheme (if applicable)					
Category (a) – (m)	Dev Type	% Reduction	Calculations		Exemption / Reduction (€)
Total Amount Due					
Contributions Due – Discount					Total Due (€)
					€3610
Checked / Date					
AP / EP		AO		SEP	
 19/02/18		 20/2/18			

Maps and Drawings remain
the Copyright of the Originator



Comhairle Contae Mhuineacháin Monaghan County Council

27/03/2018

To: Val Fitzpatrick
Moffett Architectural
Corlea,
Ballybay.
Co. Monaghan.

Acmhainní Daonna
Human Resources
047 30586

Airgeadas
Finance
047 30589

Na Bóithre
Roads
047 30597

Clár na dToghthóirí
Register of Electors
047 30551

Comhshaol
Environment
042 9661240

Na hEalaíona
Arts
047 38162

Iasachtaí /Deontais Tithíochta
Housing Loans/Grants
047 30527

Leabharlann an Chontae
County Library
047 74700

Mótarcháin
Motor Tax
047 81175

Músaem an Chontae
County Museum
047 82928

Pleanáil
Planning
047 30532

Pobal
Community
047 73719

Rialú Dóiteáin/Foirgnimh
Fire/Building Control
047 30521

Oifig Fiontair Áitiúil
Local Enterprise Office
047 71818

Seirbhísí Uisce
Water Services
047 30504/30571

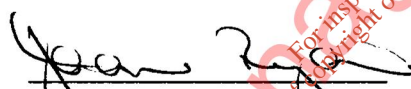

File Number - 17/490

Planning and Development Act 2000 (as amended)

NOTIFICATION OF FINAL GRANT

Monaghan County Council has by order dated 21/02/2018 granted the above named, for the development of land namely for:- Permission to construct a poultry unit with underground washing tanks and vertical meal bin, along with new site entrance off public road, together with associated ancillary site works, at Lisgillan, Ballybay, Co. Monaghan, subject to the 9 condition(s) set out in the Schedule attached.

Signed on behalf of MONAGHAN COUNTY COUNCIL.


ADMINISTRATIVE OFFICER

DATE

It should be noted that an outline permission is a permission subject to the subsequent approval of the Planning Authority and that until such approval has been obtained to detailed plans of the development proposed, the development is **NOT AUTHORISED**.

I refer you to the Health and Safety Authority website www.hsa.ie for new responsibilities for homeowners under Safety, Health and Welfare at Work (Construction) Regulations 2013.

Maps and Drawings remain
the Copyright of the Originator

Fáláilte an tUdarás Áitiúil roimh chomhfhreagras i nGaeilge.

Comhairle Contae Mhuineacháin, Oifig an Chontae, An Gleann, Muineachán, Éire.
Monaghan County Council, Council Offices, The Glen, Monaghan, Ireland.

☎ 00353 47 30500 📠 00353 47 82739 🌐 www.monaghan.ie
✉ leolas@monaghancoco.ie info@monaghancoco.ie

P17/490 Val Fitzpatrick.,

- 1a. The developer shall pay to Monaghan County Council a sum of **€3610** 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.
- 2a. All trees and hedgerows bounding the site shall be permanently retained, shall be reinforced with additional planting as per the submitted landscaping proposal and shall be protected from damage at all times, particularly during building operations.
- b. New hedgerow planting shall be in a double staggered row with 8 2-3 year old plants per metre; 250mm apart, with 300mm between rows, and shall be supplemented with native tree species at irregular intervals as per the submitted landscaping proposal.
- c. Any plant which fails in the first planting season shall be replaced. Trees shall be allowed to mature and shall not be topped when trimming hedgerows.
- d. Any boundary fencing shall be of stained wood, or as otherwise agreed in writing by the Planning Authority.
3. Facilitating cut and/or fill shall be graded to a natural contour to reflect the existing topography of the area.
4.
 - a. Prior to the commencement of development, the applicant shall submit written confirmation of the exact (<40,000) number of birds that will be facilitated on-site.
 - b. Said submitted written confirmation shall be approved in writing by the Planning Authority prior to the commencement of any work on this development.
 - c. Development shall be carried out in accordance with these agreed details.
- 5a. The applicant shall ensure that adequate measures are in place for the construction phase to ensure there is no discharge of polluting matter to any watercourse. These measures shall take account of the Guidance produced by Inland Fisheries Ireland titled *Requirements for the Protection of Fisheries Habitat during Construction and Development Works at River Sites*.
- b. There shall be no change in poultry type or change in system that results in a change in dry matter content of the manure or increase in the number of poultry proposed, without prior approval from the Planning Authority.
- c. There shall be no increase in bird numbers beyond the figure confirmed under condition 4.
- d. All proposed surface water drainage systems shall be designed to ensure that no polluting matter enters the surface water collection system.
- e. The applicant shall ensure that runoff from soiled yard areas shall be kept to a minimum, shall be collected in suitably constructed tanks and land spread in accordance with the European Union (Good Agricultural Practice for Protection of Waters) Regulations 2014.

P17/490 Val Fitzpatrick.,

- 1a. The developer shall pay to Monaghan County Council a sum of **€3610** 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.
- 2a. All trees and hedgerows bounding the site shall be permanently retained, shall be reinforced with additional planting as per the submitted landscaping proposal and shall be protected from damage at all times, particularly during building operations.
- b. New hedgerow planting shall be in a double staggered row with 8 2-3 year old plants per metre; 250mm apart, with 300mm between rows, and shall be supplemented with native tree species at irregular intervals as per the submitted landscaping proposal.
- c. Any plant which fails in the first planting season shall be replaced. Trees shall be allowed to mature and shall not be topped when trimming hedgerows.
- d. Any boundary fencing shall be of stained wood, or as otherwise agreed in writing by the Planning Authority.
3. Facilitating cut and/or fill shall be graded to a natural contour to reflect the existing topography of the area.
4.
 - a. Prior to the commencement of development, the applicant shall submit written confirmation of the exact (<40,000) number of birds that will be facilitated on-site.
 - b. Said submitted written confirmation shall be approved in writing by the Planning Authority prior to the commencement of any work on this development.
 - c. Development shall be carried out in accordance with these agreed details.
- 5a. The applicant shall ensure that adequate measures are in place for the construction phase to ensure there is no discharge of polluting matter to any watercourse. These measures shall take account of the Guidance produced by Inland Fisheries Ireland titled *Requirements for the Protection of Fisheries Habitat during Construction and Development Works at River Sites*.
- b. There shall be no change in poultry type or change in system that results in a change in dry matter content of the manure or increase in the number of poultry proposed, without prior approval from the Planning Authority.
- c. There shall be no increase in bird numbers beyond the figure confirmed under condition 4.
- d. All proposed surface water drainage systems shall be designed to ensure that no polluting matter enters the surface water collection system.
- e. The applicant shall ensure that runoff from soiled yard areas shall be kept to a minimum, shall be collected in suitably constructed tanks and land spread in accordance with the European Union (Good Agricultural Practice for Protection of Waters) Regulations 2014.

the Copyright of the Originator

- e. Entrance/access road shall be surfaced with concrete or bitmac from edge of public road for a minimum of 5m and the surface shall be graded back so that its level at 3m from the edge of the carriageway is a minimum of 100mm below road level. Gradient of access road shall be not greater than 1:20 (5%) for the first 5m from boundary and 1:10 (10%) thereafter.
- f. Surface water drain shall discharge to the nearest appropriate watercourse or drainage pipeline. Suitable gullies shall be placed at start, end and intersection of other drains and at not greater than 40m intervals. Separate application shall be made to Monaghan County Council if this requires a road opening licence.
- g. Provisions shall be made at the new/proposed entrance, and be constructed in an appropriate manner, to prevent water from the entrance flowing onto the public road. Similarly, measures shall be taken to prevent road surface water from flowing onto the entrance. The discharge from the above drainage arrangements shall be piped to an appropriate drainage pipeline or watercourse.
- h. Provision shall be made for surface water drainage and no surface water shall be allowed flow onto the public roadway. The discharge of surface water from the public road onto the site through road surface drainage and road subsoil drainage shall remain unimpeded.
- i. No development exempt or otherwise shall be erected over the public sewer, drain or water-main, unless otherwise agreed in writing with the Planning Authority.
- j. Before any work is commenced on this development a security, by way of a cash deposit, in the sum of **€2250**, shall be paid to the Planning Authority by the developer to ensure the satisfactory completion of all surface water drainage/boundary work within and abutting the site area, to prevent runoff of surface water onto the public roadway and to ensure that no damage is caused to public roadway and any such damage is repaired satisfactorily. Failure to carry out all entrance works to a standard to the satisfaction of the Planning Authority will result in forfeiture of part or all of the cash security.
- 7a. Roofing material shall be dark green, dark grey, dark blue or black in colour.
- b. No unpainted metal sheeting shall be used for roofing or on the external wall finishes.
- 8. Should a new/modified public water and/or wastewater connection be required, prior to the commencement of development, the developer shall contact Irish Water regarding the provision of said services and confirm the acceptability of the proposed development with regard to source/network infrastructure.
- 9. The development shall be carried out strictly in accordance with the plans and documents submitted on the 12/10/17, as amended on the 26/01/18, except as may otherwise be required in order to comply with the above conditions.

Maps and Drawings remain
the Copyright of the Originator

- f. All structures and buildings shall be designed and constructed to the relevant Department of Agriculture specifications and in accordance with requirements of the European Union (Good Agricultural Practice for Protection of Waters) Regulations 2014.
 - g. All soiled waters generated from cleaning or other operations shall be collected and stored in a suitable watertight tank and disposed of in accordance with the European Union (Good Agricultural Practice for Protection of Waters) Regulations 2014.
 - h. All manure/organic fertilisers arising from the development shall be collected in leak proof/suitably constructed tanks and stored in accordance with the European Union (Good Agricultural Practice for Protection of Waters) Regulations 2014.
 - i. Manure/organic fertilisers taken off-site shall conform to the Department of Agriculture Food and the Marine requirements and guidance under animal byproducts legislation and Local Authority guidance on the protection of sensitive waters, including water supply sources. Any change or alteration in arrangements for manure/organic fertilizer arising from the development shall be pre-notified to Monaghan County Council.
 - j. Manure shall be taken off-site by a contractor/hauler registered with the Department of Agriculture Food and Marine and shall be utilized in accordance with the requirements of the European Union (Good Agricultural Practice for Protection of Waters) Regulations 2014.
 - k. Records of manure movements off-site shall be recorded on Record 3 forms (as prescribed by the Department of Agriculture Food and Marine). These forms shall be maintained on-site at all times and submitted to the Environment Section of Monaghan County Council on request. Records maintained shall comply with requirements of Article 23 of the European Union (Good Agricultural Practice for Protection of Waters) Regulations 2014 and as a minimum shall include: name and address of contractor/hauler, date of each disposal operation, quantity (weight and volume) disposed of, the name of receiving premises and any other information as may be periodically required by the Planning Authority.
 - l. If at any time the Planning Authority is satisfied that this development is causing environmental pollution and/or a public health nuisance, the operation shall cease immediately on the direction of the Authority and shall not be resumed until permission is subsequently granted by the Authority.
 - m. Any construction and demolition waste or excess soil generated during the construction phase that cannot be reused on-site shall be disposed/recovered at an appropriately permitted facility in accordance with the requirements of the Local Government (Waste Management) Act 1996 as amended.
-
- 6a. Prior to any other works commencing, visibility splays of 50m, measured to the nearside road edge in each direction, shall be provided from a point in the centre of the new/proposed entrance 3m from the road edge at a height of between 1.05m and 2m above ground level to an object height of between 1.05m and 2m above ground level in both directions. The visibility splays shall be retained and kept clear from obstructions thereafter.
 - b. Where it is necessary to remove hedges, fences, embankments or other obstructions in order to achieve the required visibility splays, they shall be reinstated behind the visibility splays. Any new trees or shrubs shall be planted back from the visibility splays to allow for future growth and some species will require additional set back. All existing planting shall be kept trimmed behind visibility splays.
 - c. Where the existing roadside hedge/embankment is to be removed, the roadside verge shall be widened (by grading back or infilling where necessary using appropriate inert material) to include the entire area within the visibility splays, top soiled, and grassed to the satisfaction of the Planning Authority.
 - d. The new/proposed entrance shall form a bellmouth of 4m radius with edge of new boundary. Recessed entrance shall be of sufficient dimensions to contain a stationary vehicle off the public road. Entrance gates shall open inwards only.

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 visual amenity.
3. To secure a satisfactory standard of development.
4. To secure a satisfactory/appropriate design standard.
5. In the interest of environmental protection.
6. In the interest of road/traffic safety.
7. In the interest of visual amenity.
8. In the interest of sanitary services and orderly development.
9. In the interest of proper planning and sustainable development.

Maps and Drawings remain
the Copyright of the Originator