

BCMD
Amek

Obs by wed 17/2

P227/21



PLANNING APPLICATION CONTROL FORM

Application Reference No.: 21/13

Decision due by 10/03/2021

Previous Ref. Nos.:

Date of Receipt of Application: 14/01/2021

Applicant : Stephen Moffett

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

Location of

Development: Corlea (DED Tullycorbet) Ballybay Co. Monaghan

Description : permission to construct a broiler type poultry house & detached general purpose storage shed, along with meal bin, concrete apron, ancillary services and associated site works, using existing site access. The application relates to a development, which is for the purpose of an activity requiring a license under part IV of the Environmental Protection Agency (Licensing) Regulations 1994 to 2013. An Environmental Impact Assessment Report (EIAR) & appropriate Assessment Screening Report (AASR) will be submitted with this application

X Poultry
existing access

HYDREC
11/2

VALIDATION

Validated by: _____

Date of Validation: _____

SITE NOTICE

Was Notice published on site

Yes

No

Inspected by: Amek

Date of Inspection: 17/2

AA not
required
(stage)

Refer file for reports to:

Municipal District

Heritage Officer

E.H.O.

S.E.E. Roads

S.E.E. Water Services

S.E.E. Environment

Irish Water

S.E. Planner

NRA/TII

Housing

DoECLG

Fire Officer

An Taisce

I.F.I.

Roisin Moore

Flooding Section

Build Heritage

OPW

18/187 (H1)

R162 (opp Jeanblard) - LS

MONAGHAN COUNTY COUNCIL
PLANNING AND DEVELOPMENT REPORT

File Ref: 21/13 (Grant Permission)

Applicant: Stephen Moffett

Development: permission to construct a broiler type poultry house & detached general purpose storage shed, along with meal bin, concrete apron, ancillary services and associated site works, using existing site access. The application relates to a development, which is for the purpose of an activity requiring a license under part IV of the Environmental Protection Agency (Licensing) Regulations 1994 to 2013. An Environmental Impact Assessment Report (EIAR) & appropriate Assessment Screening Report (AASR) will be submitted with this application.

Location: Corlea (DED Tullycorbet), Ballybay, Co. Monaghan

1. Date of Site Inspection

4-2-2021

2 Site Notice & Photos

SN In order



Planning Meeting(s)

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 1.271Ha.
- Site encompasses an established poultry farm with 1no. house
- Access from a local secondary road
- Relatively flat site with gentle increase in site levels towards the rear (north) of the site
- nearest dwelling house located to the south-west of the subject site is in family ownership (applicant's father's house)
- mature tree located on the site
- Not within 15km of Natura 2000 sites
- No OPW flooding concerns



6. Proposed Development

This is an application for Permission for:

- a broiler type poultry house & detached general purpose storage shed, along with meal bin, concrete apron, ancillary services and associated site works, using existing site access.

The application relates to a development, which is for the purpose of an activity requiring a license under part IV of the Environmental Protection Agency (Licensing) Regulations 1994 to 2013.

An Environmental Impact Assessment Report (EIAR) & appropriate Assessment Screening Report (AASR) will be submitted with this application.

7. Site Planning History

As per Application Form

| | |
|---------------------------------------|--------|
| Previous Valid Planning Applications: | 18/187 |
| Subject of Appeal: | No |
| Site Flooded: | No |
| Previous Uses: | No |
| Statutory Notices: | No |

Authority's iPlan Record

1: Permission to construct a poultry house, together with all ancillary structures including vertical al bins, underground washings tank & new site entrance onto public road, together with associated site works. Constructed.

8. Observations

The last date for observations was 17-2-2021. No submissions were received.

9. Referrals Reports

MCC Internal

Environment: Report dated 25-2-2021. No objection subject to Conditions
No other Referrals for internal reports on Planning Application Control Form

Consultees

No Consultee Referrals on Planning Application Control Form

10. Development Plan Policy/Ministerial Guidelines

Monaghan County Development Plan 2019-2025

Section 15.15 Agricultural Development- Policies AGP1 and AGP2

Section 15.24 Building Lines

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

Site Area: 1.271Ha.
Existing Floor Area: c1959sqm
Proposed Floor Area: c2590sqm (c2487sqm poultry house and c103sqm storage shed)

Assessment of current application

Applicants Submission

- EIAR, dated 12 January 2021, as prepared by HYDREC Environmental Consulting
- Compliance Statement on Policy AGP1 and AGP2 of MCDP 2019-2025, as per Section 3 of EIAR
- Screening for Appropriate Assessment, Appendix 4 of EIAR
- Supplementary Planning Application Form for Agricultural Development

Poultry Thresholds & Legislation

The capacity of the existing poultry farm is 39,890 broilers and the proposed capacity is 90,520 broilers upon completion of development (+50630 broilers). The capacity of bird numbers falls exceeds the Threshold and that for which a Licence from the EPA is required (in excess of 40,000 places).

Therefore, 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).

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.

The Planning Authority will consider the requirements of the Directive and the content of the submitted Environmental Impact Assessment Report (EIAR), dated January 2021, 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).

Directive requires that the EIAR shall identify, describe and assess in an appropriate manner, in the light of an 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.

EIAR Summary

The EIAR, dated 12 January 2021, as prepared by HYDREC Environmental Consulting is summarised as follows:

Non-Technical Summary

Section 1 Introduction

Section 2 Scoping of Environmental Impact Assessment

Section 3 Examination of Alternatives

Section 4 Soils Geology and Hydrogeology

Section 5 Hydrogeology

Section 6 Ecology

Section 7 Archaeological and Cultural Heritage

Section 8 Air climate and noise

Section 9 Landscape and Visual Assessment

Section 10 Material Assets

Section 11 Population and Human Health

Section 12 Inter-relationships and Cumulative effects

Section 13 Summary of Environmental Impacts

Appendices 1-6

Non-Technical Summary

- Provides a summary of the proposed development and its operations

Section 1 Introduction & Development Context

- Provides project background and content, description of the site, proposed development and proposed operations

Section 2 Scoping of Environmental Impact Assessment

- Scoping has regard to the Screening for EIAR, identification of likely significant impacts, methodology as per EU Directives, EPA Guidelines, NRA Guidelines, MCDP 2019-2025 and 14no. databases/organisations listed on Page 7 of the EIAR

Section 3 Examination of Alternatives

- Current site deemed most suitable primarily due to its proximity to the applicants/applicants' family existing poultry house
- Sets out a compliance statement with Policy AGP 1 and AGP 2 of MCDP 2019-2025

✦ Soils Geology and Hydrogeology

Teagasc and EPA subsoil maps identify that the entirety of the site is underlain with bedrock at or near the surface

- Two bedrock formations within the site as per GSI bedrock formation mapping
- No geological heritage sites have been identified within the confines of the site or the immediate vicinity of the site, closest found is 4.3km to the south-west
- One Rock Unit Group is found within the site
- Poor aquifer underlying the site
- No groundwater public supply or group water scheme impinge upon the site
- Proposed development will not impact on the Terrygeely well within the neighbouring townland

Section 5 Hydrogeology

- Proposed site is located within the Lough Neagh and Lower Bann Hydrometric Area and WFD Catchment and within the Clontibret Stream Sub-Catchment
- No fluvial or pluvial flooding is demarcated to occur within the confines of the site
- No impact on the surrounding hydrology
- No discharge during the operation of the facility will pose a significant risk to the local hydrology
- 8no. Mitigation measures set out to ensure no impact on the surrounding hydrology

Section 6 Ecology

- No protected flora or fauna within the curtilage of the development site as per NPWS and NBDC data
- No active badger setts, no wetland habitat or floral species found within the site
- AA Screening Report was completed to determine whether the proposed development would negatively impact upon any designated site- no significant effect on the Natura 2000 network
- No impact of the construction phase or operational phase on the surrounding ecology
- 12no. mitigation measure set out to ensure no impact on the surrounding ecology

Section 7 Archaeological and Cultural Heritage

- 6no. architectural heritage and cultural heritage sites within 1km of the subject site
- Glebe House is the closes site, located 430m to the east
- No impact on the 6no. sites

Section 8 Air climate and noise

- South-westerly prevailing wind and 1060mm total annual precipitation (2019) in the area
- Proposed development site is located in Zone D air quality zone
- N2 noise would not impact on the site
- 3-4 month construction phase generating noise but would not exceed legal limits
- SCAIL calculations of emissions of ammonia and nitrogen from the poultry are deemed negligible
- Odour emissions will occur during times of manure disposal (7 times per annum)
- Closest third party human receptor (community hall) is located 110m to the east
- Vehicular movements and operation of power equipment will not exceed legal limits
- 5no. mitigation measures are stated

Section 9 Landscape and Visual Assessment

- Subject site is located within Monaghan Drumlin Uplands (LCA 5)
- SA5, SA6, SV9, and 5no. proposed NHAs in the area
- No impact on the surrounding landscape due to its inter drumlin setting and positioning on the subject site
- 3no. mitigation measure are stated

Section 10 Material Assets

- Considers and assesses the potential impacts on the following materials assets:
 - Built services and utilities
 - Natural resources
 - Roads and traffic
 - Waste management
 - Surrounding properties
 - Surrounding agricultural holdings
 - Potential impact relating to land take detailed in Section 4
- Construction and operation phase impacts are set out
- 7no. mitigation measures are stated

Section 11 Population and Human Health

- Effects on amenity is set out in Section 9
- Positive impacts include employment for the applicant, the community, suppliers and contractors
- Potential negative impacts include impact on drinking water and noise
- 3no. mitigation measure are stated

Section 12 Inter-relationships and Cumulative effects

- Table 6 Matrix shows interactions between the construction and operational effects on different factors including
 - Soils and geology
 - Hydrogeology
 - Hydrology
 - Ecology
 - Archaeological and cultural heritage
 - Air, climate and noise
 - Landscape and visual impact
 - Material assets
 - Population and human health
- No anticipated cumulative impact on air quality, SAC/SPA, or water quality (informed by SCAIL modelling, compliance with SI No605 of 2017)
- The do-nothing scenario will not result in any likely change in the surrounding hydrogeology, hydrology, air quality, noise quality, climate conditions, landscape and cultural heritage
- Main impact on the human environment is the loss of direct and indirect employment opportunities
- Positive impact on soils would be loss if poultry manure and application was lost
- 30m hedgerow will have positive impact on the local ecology

Section 13 Summary of Environmental Impacts

- No significant adverse residual effects are likely to occur through in-combination and/or cumulative impacts
- Any effects can be mitigated through management and adherence to the mitigation measures set out in the EIAR together with compliance with Planning Conditions

Appendices 1-6

Appendix 1: EIA Portal Confirmation Notice

Appendix 2: OSI Site Location Map

Appendix 3: extent and location of lands for soiled water application

Appendix 4: AA Screening Report

Appendix 5: Met Eireann Rainfall Data

Appendix 6: Air Monitoring Results from Kilkitt Water Works (10-1-2021)

Authority's Assessment and Reasoned Conclusion of Environmental Impact Assessment Report
 Planning Authority has thoroughly assessed the content of the submitted Environmental Impact Assessment Report (EIAR), dated 12 January 2021, as prepared by HYDREC Environmental Consultants.

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 the content of the EIAR that significant impacts on the above factors are not anticipated.

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.

Proposed Development

- The submitted forms are summarised as follows:
 - farm Area: 3.53Ha.
 - proposed floor area: c2590sqm
 - c51m from nearest family dwelling house (proposed unit is further away than the existing unit from the applicant's father's house)
 - 39890 broilers existing, 90520 broilers following development (+50630 broilers)
 - Storage tank capacity: 36.51m³
 - within 100m of an existing poultry production (applicant's existing poultry unit granted under 18/187)

Proposed Plans

- Proposed Poultry House dimensions (including store) c117.2m long x c22.5m wide x c5.9m high (total internal floor area c2487sqm) with FFL 137.46 (to match existing unit on site)
- 1no. silo: floor area c13sqm, 12m high
- Design: the proposed type of poultry housing is designed for broiler rearing and comprises a simple (closed building of concrete/steel/pre-fabricated panel construction on a concrete base, all external cladding and roofing pre-painted dark green, corrugated/box profile metal)

The Applicant has submitted a compliance Statement with Policies AGP1 and AGP 2 as follows (summarised):

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> <ul style="list-style-type: none"> a) It is necessary for the efficient use of the agricultural holding or enterprise, Applicants Submission: No Submission PA Response: No submission noted b) The appearance, character and scale are appropriate to its location, |
|--------------|---|

Applicants Submission:
Proposed unit designed to integrate into the local landscape without being visually detrimental
Proposed FFL matches the existing poultry unit
Additional landscaping to offer further screening of the site from the east
Dark green box profile corrugated cladding ensures development is sympathetic to the surroundings

PA Response:
Appropriate appearance
Minimal cut and fill as per Sections C-C and D-D
FFL 1137.46 to match existing
Satisfied

- c) The proposal visually integrates into the local landscape and additional landscaping is provided where necessary,

Applicants Submission:
Proposed unit designed to integrate into the local landscape without being visually detrimental
Proposed FFL matches the existing poultry unit
Additional landscaping to offer further screening of the site from the east
Dark green box profile corrugated cladding ensures development is sympathetic to the surroundings

PA Response:
Satisfied

- d) The proposal will not have an adverse impact on the natural or built heritage,

Applicants Submission:
Closest feature (Glebe House) is located c430m to the north-west of the subject site
Not likely to adversely impact the natural or built heritage

PA Response:
No notable features on subject site
Satisfied

- e) 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,

Applicants Submission:
No third party dwellings within 100m of the proposed development
Community hall is located c110m to the east

PA Response:
Appropriate separation distance from third party houses
Applicants fathers dwelling house is located to the west the subject site, within 100m
Satisfied

- f) The proposal will not result in a pollution threat to sources of potable water, water courses, aquifers or ground water,

Applicants Submission:

Risk assessment to aquifers and watercourses as per Chapter 4 and 5 of EIAR
All organic fertilisers produced on site will be managed in adherence with EU Regs 2017 SI No605
Organic manure produced will be removed off-site by George Coulson

PA Response:

Environment Report states no objection subject to Conditions

- g) Proper provision for disposal of liquid and solid waste is provided.

Applicants Submission:

Registered contractors/sites identified

PA Response

Compliance with SI No605

Environment Report states no objection subject to Conditions

- h) The proposal will not result in a traffic hazard

Applicants Submission:

Site visibility splays are in place are per 18/187

+7 vehicular movements per week

No adverse impact on the local road infrastructure

PA Response:

Sightlines in place and cash bond refunded

No traffic hazard anticipated

Satisfied

Where a new building is proposed applicants must also provide the following information:

- i) Outline why there is no suitable existing building on the holding that cannot be used.

Applicants Submission:

No buildings within the applicants ownership that can be retrofitted to facilitate the development

Located adjacent to the existing poultry unit which is in compliance with MCC Policy AGP1 (j) and (k)

PA Response:

Satisfied

- j) Design, scale and materials which are sympathetic to the locality and adjacent buildings.

Applicants Submission:

Agricultural design similar to other poultry houses in the area

Dark green box profile sheet cladding- Finishes will integrate with the landscape

PA Response:

Standard design for poultry unit

Satisfied

- k) 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

Applicants Submission:

No buildings within the applicants ownership that can be retrofitted to facilitate the

development

Located adjacent to the existing poultry unit which is in compliance with MCC Policy AGP1 (j) and (l)

PA Response:

Existing poultry farm
Satisfied

- l) 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

Applicants Submission:

Proposed unit designed to integrate into the local landscape without being visually detrimental

Proposed FFL matches the existing poultry unit

Additional landscaping to offer further screening of the site from the east

Dark green box profile corrugated cladding ensures development is sympathetic to the surroundings

PA Response:

Satisfied

- m) Where possible, the development is grouped with existing buildings in order to reduce their overall impact in the interests of amenity.

Applicants Submission:

No buildings within the applicants ownership that can be retrofitted to facilitate the development

Located adjacent to the existing poultry unit which is in compliance with MCC Policy AGP1 (j) and (l)

PA Response:

Satisfied

Policy for Intensive Agriculture /Poultry and Pig Farming

AGP 2

In addition to the information required under AGP 1 the following additional information will be required for assessing applications for intensive poultry units or similar specialised agri-developments the Council:

- 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.

Applicants Submission:

addressed in submitted EIAR

PA Response:

36000 broilers existing, 75000 broilers on completion (+39000 broilers)

EIAR Submitted

AA Screening report submitted in EIAR (Appendix 4)

Satisfied

- 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.

Applicants Submission:

Cumulative impact assessment as per Section 12 of EIAR

PA Response:
Satisfied

- c) **Methods for waste management including frequency and location of disposal relative to the proposed unit.**

Applicants Submission:
addressed in submitted EIAR
dead birds and general waste to be disposed of as appropriate

PA Response:
Satisfied

- d) **Details of air pollution arising from the units and effluent storage, transportation and spreading.**

Applicants Submission:
addressed in submitted EIAR
atmospheric emissions of ammonia and nitrogen predictions as per SCAIL model
No significant effects upon the designated sites arising from emissions from the proposed development

PA Response:
Satisfied

- e) **Proximity of development to aquifers and water courses and its impact on them.**

Applicants Submission:
addressed in submitted EIAR
DAFM specifications, SI605 of 2017 compliance
Registered contractors identified

PA Response:
Environment Report states no objection subject to Conditions
Satisfied

- 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.**

Applicants Submission:
in excess of 100m from nearest third party dwelling house

PA Response:
No adverse impact on residential amenity
Satisfied

- g) **Details of associated activities such as cleaning, ventilation and heating**

Applicants Submission:
Emptying and cleaning 7 times per annum
Automatic computer controlled ventilation, heating, feeding and drinking systems in line with BAT requirements

PA Response:
Satisfied

| | |
|--|--|
| | <p>h) A comprehensive landscaping plan Applicants Submission: As per submitted Drawing No.446-20-01</p> <p>PA Response: Satisfied</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 favourable consideration. Applicants Submission: Preferred location given its location adjacent to the applicants existing poultry unit Satisfies MCC Policy AGP1 (j) and (l) which recommends such an approach Other sites in the applicant's control were perceived to have a greater potential environmental impact (lands located within the Corlongford Fen)</p> <p>PA Response: Existing poultry farm site Existing access and services Satisfied</p> <p>j) Traffic management plans and traffic assessment associated with the proposed development may be required for large proposals.</p> <p>Applicants Submission: Not required</p> <p>PA Response: Not required in this instance Satisfied</p> |
|--|--|

Building Lines

- Complies with required set back of 18m from a County Road as per Section 15.24 of MCDP 2019-2025
- Proposed poultry house is located c32m from the local secondary road

Development Contribution

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

Proposed Floor Area: c2590sqm (c2487sqm poultry house and c103sqm storage shed)

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. 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).

Policy AAP1 of MCDP 2019-2025 states "Ensure that all plans and projects in the County, not directly connected with or necessary to the management of a Natura 2000 site, but likely to have a significant effect, either directly or indirectly, on a Natura 2000 site, either alone or in combination with other plans or

projects, are subject to Appropriate Assessment Screening in accordance with Article 6 of the Habitats Directive”.

Policy HLP13 of MCDP 2019-2025 states

“To resist development in or adjacent to any Natura 2000 site (SPA or SAC) where it would result in the deterioration of that habitat or any species reliant on it. The onus will be on the developer to demonstrate that any such development will not adversely impact on the qualifying interest of such sites subject to the preparation of an appropriate assessment exercise under the provisions of the EU Habitats Directive”

The submitted AA Screening Report (Appendix 4 of EIAR), dated 12 January 2021, as prepared by HYDREC Environmental Consulting is summarised as follows:

- No Natura 2000 sites identified within 15km of the application site (closest site is Magheraveely Marl Loughs SAC UK 17.6 km to the north-west)
- Ammonia and Nitrogen Impact Assessment as per SCAIL model
- Cumulative effects
- Likely Changes to Natura 2000 Sites and No Significant Impacts
- The likely impacts that will arise from the proposed development have been examined in the context of a number of factors that could potentially affect the integrity of the Natura 2000 Network
- On the basis of the findings in the AA screening exercise, it is concluded that the proposed development on its own or in combination with other developments will not have a significant effect on the Natura 2000 network and a Stage 2 Appropriate Assessment is not required

The Planning Authority has noted the content of the submitted AA Screening Report and accepts its findings.

Having regard to the findings of the submitted cumulative effects of both the proposed development and any other plan or project, 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 of 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 complies with Section 15.15 Agricultural Development- Policies AGP1 and AGP2 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

Main Reasons and Considerations

Having regard to

- the nature and scale of the proposed development
- the established pattern of development in the area
- the provisions of the current Monaghan County Development Plan

it is considered that the proposed development,

- would not seriously injure the amenities of the area
- would not injure public safety by reason of traffic hazard
- would not injure the amenity of property in the vicinity
- would not endanger public health

and subject to compliance with the conditions set out below it is considered that the proposed development accords with both the Monaghan County Development Plan 2019-2025 and the proper planning and sustainable development of the area.

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

1. (a) The developer shall pay to Monaghan County Council a sum of **€5110.00** 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.

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.

ENV 1 GAPPW Regulations

The development/facility hereby approved shall be operated in accordance with the European Union (Good Agricultural Practice for Protection of Waters) Regulations 2017.

ENV 2 Disposal of contaminated and soiled water.

- (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 soil polishing filter.
- (iv) The silt trap shall be inspected regularly and adequately maintained.

ENV 3 Disposal of uncontaminated water

(a) 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.

- (i) All uncontaminated yard water from all concrete yard areas shall discharge to an appropriately sized silt trap followed by soil polishing filter.
- (ii) All uncontaminated roof water to discharge to a soakpit.

(b) 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 swale. All drainage works shall be carried out in accordance with these agreed details.

ENV 4 Storage of Organic Fertiliser

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.

ENV 5 Disposal of Organic Fertiliser

All organic fertiliser generated by the proposed development shall be disposed of in accordance with the details submitted to the Planning Authority on 16/06/2020 and in accordance with the European Union (Good Agricultural Practice for Protection of Waters) Regulations 2017.

ENV 6 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.

ENV 8 Waste Management

- a) 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.
- b) 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.
- c) (i) All hazardous liquid waste or oil/fuel storage containers, temporary or otherwise, shall be banded.
(ii) All bunds will be designed to contain 110 % of the capacity of the largest storage container located within the bund.
(iii) 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.
- d) 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.

ENV 9 Pollution Control

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.

ENV 10 IPPC licence

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.

ENV 12 Pollution Control (construction phase only)

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.

ENV 14 Contractor/Haulier

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.

Revised letters of intention to be submitted from contactors removing dead birds and manure.

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.

Reason: In the interest of environmental protection and public health and to ensure an adequate standard of development.

3. The following requirements shall be fully complied with:

- a) Prior to any other works commencing, visibility splays of 70 metres, measured to the nearside road edge in each direction, shall be provided from a point in the centre of the entrance 3.0 metres from the road edge at a height of between 1.05 metre and 2.0 metres above ground level to an object height of between 0.26 metre and 2.0 metres above ground level in both directions. The area within the visibility splays shall be cleared to provide a level surface no higher than 250 mm above the level of the adjoining carriageway and shall be retained and kept clear 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 entrance shall form a bellmouth of 4.0 metres 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 5 metres and the surface shall be graded back so that its level at 3.0 metres from the edge of the carriageway is a minimum of 100 mm below road level. Gradient of access road shall be not greater than 1:20 (5.0%) for the first 5 metres from boundary and 1:10 (10.0%) thereafter.
- f) French drain consisting of 300mm diameter concrete pipes backfilled to ground level with suitable granular filter material shall be placed along full site frontage. 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 40 metres intervals. (Separate application shall be made to Monaghan County Council if this requires a road opening licence).
- g) Cattlegrid/ACO Drain/Gullies shall be installed at proposed entrance and constructed in such a manner as 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 shall be piped to an appropriate drainage pipeline or watercourse.
- h) Provision shall be made within the site 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: To ensure an adequate standard of development.

4. (a) The planting details and associated site works as indicated on plans as submitted to the Planning Authority on 14-1-2021, shall be fully implemented prior to any operation of the poultry house

hereby approved or in the first available planting season following commencement of building operations, whichever is the sooner.

(b) Landscaping works within the site area as detailed on plans as submitted to the Planning Authority on 14-1-2021, shall be permanently retained thereafter being planted. Any plant which fails in the first planting season shall be replaced.

(c) Only that portion of the roadside hedgerow, which must be lowered or uprooted to provide adequate sight distances shall be removed. All other trees and hedgerows bounding this site shall be permanently retained in this development, shall be reinforced with additional planting and shall be protected from damage at all times, particularly during building operations

(d) The line of the recessed entrance shall be planted with a double staggered row of trees (at maximum 3 metre centres) and a hedgerow of species native to the area to form a naturalised hedgerow similar to existing hedgerows in the vicinity. Species shall include thorn, beech, ash, oak, hazel, sycamore and holly.

Reason: In the interest of visual amenity.

5. Terms and Conditions of the original permission 18/187 shall be fully complied with except where modified by this Permission

Reason: In the interest of orderly development and to prevent unauthorised development.

6. (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 finish of the structure.

Reason: In the interest of visual amenity

7. The development shall be carried out in accordance with plans and documentation submitted on 14-1-2021, except as may otherwise be required in order to comply with the above conditions.

Reason: In the interest of orderly development and to prevent unauthorised development.



Aisling King Mc Kenna

Assistant Planner

Date

26/2/21

Monaghan County Council's Development Contributions Calculations, effective 1st January 2021

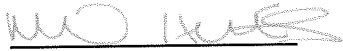
Ref No. 21/13

| Category | Dev Type | Rate | Floor Area / Number | Calculation | Contributions Due (€) |
|---|---|--|---|---|-----------------------|
| 3 Provision of Community, Recreation, Amenity Infrastructure | (g) The provision of buildings or other structures for the purposes of agriculture (including canopies/overhanging roofs but excluding any open yards or concrete areas/aprons) | Up to 300 m ² (3229 sq ft) Exempt Over 300 m ² €530 plus €2 per m ² over 300 m ² Extensions €2 per m ² | Floor Area:c2590sqm (c2487sqm poultry house and c103sqm storage shed) | €530 + €4580 (2290sqm x €2) = €5110.00 | €5110.00 |
| Contributions Due (€) | | | | | €5110.00 |
| Category (a) – (m) | Dev Type | % Reduction | Calculations | | |
| | | | | | N/A |
| Total Amount Due | | | | | |
| Contributions Due – Discount | | | | | Total Due (€) |
| | | | | | €5110.00 |
| Checked / Date | | | | | |
| AP / EP | | AO | | SEP | |
| Addice 26/2/21 | | ppk 26/2/2021 | | | |

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

02.03.2021

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PLANNING APPLICATION DECISION FORM

Planning Application
Reference No. 2113

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:

W.D. Mills
Senior Planner

Date: 02-03-2021

DECISION OF MONAGHAN COUNTY COUNCIL:

Approved with conditions
recommended in

Refused

Planning Officer's Report

Other

W.D. Mills
Senior Planner

02-03-2021
Date