

PLANNING APPLICATION CONTROL FORM

Application Reference No.: 20/566

Decision due by (20/02/2021)

19/4/21
1889/21
P389/21

Previous Ref. Nos.: 18363

Date of Receipt of Application: (18/12/2020) 23/2/21

Applicant : Dernaesco Poultry Ltd.

Address: C.L.W Environment Planners Ltd The Mews 23 Farnham St Cavan

Location of

Development: Derrynaesco Knockatallon Co. Monaghan

Description : permission to construct 1 no. poultry house together with all ancillary structures (to include meal storage bin(s) and soiled water tank(s)) and site works associated with the above development. This application relates to a development, which is for the purposes of an activity requiring a Licence under part IV of the Environmental Protection Agency (Licensing) Regulations 1994 to 2013. An Environmental Impact Assessment Report (E.I.A.R.) and Natura Impact Statement (N.I.S.) will be submitted with this planning application.

VALIDATION

Validated by: _____

Date of Validation: _____

SITE NOTICE

Was Notice published on site

Yes

No

Inspected by: [Signature]

Date of Inspection: 13/2

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

MONAGHAN COUNTY COUNCIL

PLANNING AND DEVELOPMENT

File Ref: 20/566

Applicant: Dernahesco Poultry Ltd

Advertised Development Description: Permission to construct 1 no. poultry house together with all ancillary structures (to include meal storage bin(s) and soiled water tank(s)) and site works associated with the above development. This application relates to a development, which is for the purposes of an activity requiring a Licence under part IV of the Environmental Protection Agency (Licensing) Regulations 1994 to 2013. An Environmental Impact Assessment Report (E.I.A.R.) and Natura Impact Statement (N.I.S.) will be submitted with this planning application.

Location: Derrynahesco, Knockatallon.

Site Details

- Recently established roadside poultry farm.
- Adjoins the Slieve Beagh Special Protection Area (SPA).
- Low-lying in the landscape; no long-range views-in.
- No third-party <100m houses (adjacent house is the applicant's).



Roadside view-in

Relevant Planning History

The existing farm was established under planning file number 18/363.

Consultation

Environment Section: Comments received and noted.

An Taisce (re the SPA): No response.

DAHG (re the SPA): No response.

Heritage Officer (re the SPA): To be dealt with by assigned Planner.

Objections/Submissions/Observations

None.

Appropriate Assessment

Section 15.30 and Policy AAP 1 of the County Development Plan 2019-2025 apply.

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 (AA). This requirement is also detailed under Section 177(U) of the Planning and Development Acts (2000-2010).

Policy AAP 1 states that all projects and plans will be screened for the need to undertake AA under Article 6 of the Habitats Directive.

The site adjoins the Slieve Beagh SPA and the following AA screening issues pertain:

- Distance from any Natura 2000 site.
- Scale and nature of the proposed development.
- The conservation objectives of Slieve Beagh SPA.
- Development Plan policies in respect of the protection of Natura 2000 sites.
- In-combination effects of the proposed development and plans or projects.

An AA Screening Report, prepared by an environmental consultant as part of the submitted Environmental Impact Assessment Report (EIAR), concludes that the potential impacts which may occur from atmosphere emissions requires a Stage 2 AA and the preparation of a Natura Impact Statement (NIS).

The submitted NIS states that the possible air emissions and impacts can be mitigated against using low emission housing; the construction spec will allow for an overall reduction in atmospheric emissions from the site compared to the current baseline level (existing unit shall be retrofitted). Further mitigation measures around the protection of water quality from the construction and operation of the farm have also been outlined.

Accordingly, the NIS concludes that the proposed development will not lead to any significant impacts upon the designated site(s).

Planning Assessment

The following sections, objectives, policies, etc, contained in the County Development Plan 2019-2025 pertain:

- Typical designs tie-in with the established site (Policies AGP 1a, 1b, 1i-1l and AGP 2h).
- No heritage impact (Policy AGP 1c).
- No third-party <100m houses (Policies AGP 1d and AGP 2f).
- Re environmental protection (Policy AGP 1e and 1f), Environment Section are conditionally satisfied.
- The proposal will not result in a traffic hazard; existing site entrance recently established under 18/363 (Policy AGP 1g and Section 15.27).
- Proposal ties-in with the existing farm and there is no suitable existing building(s) on-site that can be used (Policy AGP 1h and AGP 2i).
- A Stage 2 AA has been carried out (Policies AAP 1 and AGP 2; see **Appropriate Assessment**).
- An Environmental Impact Assessment Report (EIAR) has been submitted in support (Policy AGP 2; see **EIAR Assessment**).
- Details re existing operations in the vicinity are discussed in the EIAR (Policy AGP 2b).
- A traffic management plan(s) and/or a traffic assessment is not required (Policy AGP 2j).

EIAR Assessment

- Development proposes >40000/85000 total bird numbers on-site.
- Application received after the 15/05/17; assessed in accordance with Directive 2014/52/EU. Directive 2014/52/EU requires the submission of an EIAR which assesses the development in accordance with certain factors which diverge from those previously set out in the Planning and Development Act 2000 (as amended).
- Directive 2014/52/EU requires that the EIAR shall identify, describe and assess in an appropriate manner, in the light of each individual case, the direct and indirect significant effects of a project on the following factors:
 - Population and human health
 - Biodiversity, with particular attention to protected species and habitats.
 - Land, soil, water and climate.
 - Material assets, cultural heritage and the landscape.
 - Interaction between the mentioned factors.
- The Planning Authority has thoroughly assessed and summarised the content of the submitted EIAR as prepared by the assigned agent, Paraic Fay of CLW Environmental Planners.

Effects on population and human health

- Development is of average/typical scale by current industry standards.
- Development will add to the economic activity on the farm and the surrounding community (re its construction, maintenance, etc).
- No third-party houses within 100m.
- Unlikely to generate/release sounds/odours that will significantly impair amenity beyond the site boundary.
- Addition to an established site; i.e. not likely to adversely impact the adjoining amenity area.
- If nuisance effects occur, public can object/complain under statutory facilities; will have to be investigated and corrected if found to be real and justified.

Effects on biodiversity

- Established poultry farm; development represents a sustainable addition to/continuation of the applicant's existing farming activities.
- Possible air emissions and impacts can be mitigated against using low emission housing; the construction spec will allow for an overall reduction in atmospheric emissions from the site compared to the current baseline level (existing unit is to be retrofitted).
- Flora and fauna around the site have settled in the context of the established farm.
- Submitted Stage 2 AA concludes that the proposed development will not lead to any significant impacts upon any designated sites (see **Appropriate Assessment**).
- A rodent control program will be developed to cover the proposed development. Pest control generally can be managed by proper storage and disposal of waste, by proper storage of all feed stuffs and by maintaining clean and tidy houses and external areas.
- Weed control will be carried out around the site as required.
- Retaining as much as possible of the existing landscaping/hedgerow around the site boundary, together with any proposed landscaping, should maintain biological diversity on-site.

Effects on land and soil

- Development will tie-in with the existing farm; the required land take will be minor vis-à-vis the holding and the wider agricultural context.
- No significant potential for any effect on soil outside of the development area.
- Potential for some positive benefits on soil on potential customer farmer lands as a result of the production of organic fertiliser by the proposed development.

Effects on water

- Effects on groundwater from the proposed development should be nil as there will be no process discharge to ground and there is minimal risk of accidental leakage or spillage of polluting liquid on the site.
- As the proposed development will operate on a dry manure basis, whereby the manure will be removed from the houses after each batch and transported off site, there is minimal risk to ground water supplies in the area of the site.

Effects on air

- Potential effects on air relate to the odour emissions that are/may be associated with poultry and poultry manure.
- Several management practices can/will be implemented to minimise potential odour emissions, including, proper storage and removal of waste, thorough cleaning of houses, regular cleaning of outside areas, swift removal of manure off-site, proper stocking rates and proper management of temperature and humidity controls.
- Odours are not likely to cause nuisance or impair amenity beyond the site boundary, bar possibly when birds and/or manure are being removed from the site (typically at the end of a production cycle).
- Again, the low emission housing spec will allow for an overall reduction in atmospheric emissions from the site.

Effects on climate/climate change

- Appropriate construction and maintenance should mean that the development will have little effect on climate/climate change (relatively small footprint).

Effects on landscape

- Development adjoining an established site where any views-in are now established.

Effects on archaeological and cultural heritage

- No evidence of any archaeological features, structures of built heritage significance or sites of cultural interest on or adjacent to the site.

Effects on material assets

- Valued resources that are intrinsic to specific places are called *material assets*. They may be of either human or natural origin and the value may arise for either economic or cultural reasons.
- As per the information submitted, the development will not detrimentally affect any surrounding agricultural properties/businesses, any non-agricultural properties or any natural or other resources.

Description of likely significant effects of the proposed development

- Again, by being appropriately constructed and maintained, the development, which is essentially an extension/augmentation of an established site, will minimally affect the setting/surroundings vis-a-vis landscape, traffic, natural resources, emissions, nuisance, waste production, climate (change), public health, etc.
- No negative impacts have been identified regarding the interaction between population and human health, biodiversity, Land, soil, water, climate, *material assets*, cultural heritage and the landscape.

Alternative Site

- This site was logically chosen over any possible alternative because:
 - Site adjoins an/the established poultry farm, where any views-in are established.
 - Site lends itself to the development/expansion.
 - Setting is not overdeveloped (agriculturally nor domestically).
 - An existing access onto the public road can be utilised.
 - Resources/services available on-site.

Conclusions

- Further Information (FI) is needed re compliance and environmental protection.
- A pre-application consultation did not take place.

Recommendation

To request **FURTHER INFORMATION:**

Note: A pre-application consultation did not take place; it is recommended that you and/or your assigned agent liaise with Planning Section prior to the preparation and submission of this Further Information.

1. In the interests of clarity and securing a satisfactory standard of development, please submit a concise report illustrating how the development of the site to date complies with the pertaining conditions attached under the associated permission; planning file number 18/363.

2. The information submitted is insufficient with regards environmental protection. Accordingly, please submit drainage arrangements for the site (1:500 plan), including the disposal of surface water. In this regard, all uncontaminated roof water from buildings shall be separately collected and discharged in a sealed system to an adequate soakpit 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.



Ben Clerkin
Planner
15/02/2021

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Further Information (FI)

- A formal response was received on the 23/02/2021.
- A pre-submission consultation took place.

Planning Assessment

Re the 2 FI request points:

1. A concise report has been submitted illustrating how the development of the site to date acceptably complies at this time with the pertaining conditions attached under planning file number 18/363. Notably, the required development contribution has been paid.
2. Drainage arrangements for the site have been submitted, as requested.

Conclusions

- A grant of permission is recommended.
- As per the submitted EIAR, it is taken that the development, if constructed and maintained as proposed, will not adversely impact the environment.
- A *community, recreation and amenity* development contribution is due as per the separately attached calculation sheet.

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Recommendation

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

1. (a) The developer shall pay to Monaghan County Council a sum of €3814 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) The development/facility hereby approved shall be operated in accordance with the European Union (Good Agricultural Practice for Protection of Waters) Regulations 2017.

(b) Contaminated surface water runoff shall be disposed of directly in a sealed system.

(c) All soiled waters shall be directed to a storage tank.

(d) No effluent or slurry shall discharge or be allowed to discharge to any stream, river, watercourse, groundwater body or to the public road.

(e) All surface water arising on the concrete aprons shall discharge to a silt trap followed by an appropriately sized sub soil polishing filter.

(f) Silt trap shall be inspected regularly and adequately maintained.

(g) An inspection manhole shall be installed for sampling and inspection purposes and shall be located on the surface/storm water line after the silt trap and prior to the sub soil polishing filter.

(h) All uncontaminated roof water from buildings and yard water shall be separately collected and discharged in a sealed system to an adequate soakpit 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 organic fertiliser generated by the development hereby approved (and existing development within the farmyard) shall be conveyed through properly constructed channels to the proposed (and existing) storage facilities and shall not discharge or be allowed to discharge to any stream, river, watercourse, groundwater body or public road.

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

(k) 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.

(l) 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).

(m) 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); records of such shall be kept on-site.

- (n) All hazardous liquid waste or oil/fuel storage containers, temporary or otherwise, shall be banded.
- (o) All bunds shall be designed to contain 110% of the capacity of the largest storage container located within the bund.
- (p) 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.
- (q) 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).
- (r) Developer shall immediately inform the Planning Authority and 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.
- (s) Prior to the commencement of development the developer shall apply for a review of the existing Industrial Emissions (IE) License 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.
- (t) During the construction phase of development, the applicant shall immediately inform the Planning Authority and Inland Fisheries Board of an accidental spillage of polluting matter or any other substance which may threaten the quality of any watercourse or groundwater body.
- (u) Organic fertiliser shall be taken offsite by the contractor/hauler as stated in the planning application. This contractor must be registered with the Department of Agriculture Food and Marine and the organic fertiliser shall be utilized in accordance with the requirements of the European Union (Good Agricultural Practice for Protection of Waters) Regulations 2018. Any changes in contractor shall be agreed in writing with the Planning Authority.
- (v) Developer shall ensure that adequate measures are in place for the construction phase to ensure there is no discharge of polluting matter/sediment laden waters to any watercourse. These measures shall take account of the relative guidance produced by Inland Fisheries Ireland (IFI).
- Reason: In the interest of environmental protection.

3. (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.

4. Ground and floor levels shall be as per the plans submitted. Any facilitating cut and/or fill shall be graded to a natural contour to reflect the existing topography of the area.
- Reason: In the interests of visual amenity and securing a satisfactory standard of development.

5. The development shall be carried out strictly in accordance with the plans and documents submitted on the 18/12/2020 as amended on the 23/02/2021, 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
08/04/2021

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Development Contributions Calculations					
Category	Dev Type	Rate	Floor Area / Number	Calculation	Contributions Due (€)
3.(g) Comm, Rec, Amenity...	Agricultural buildings and structures...	Up to 300sqm Exempt		1942sqm =	
		Over 300sqm €530 plus €2 per sqm over 300sqm		€530 + (€2 x 1642) €3284 =	
		Extensions €2 per sqm		€3814	
Contributions Due (€)					€3814
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 (€)
					€3814
Checked / Date					
AP / EP		AO		SEP	
 08/04/2021		 12/4/21			

PLANNING AND DEVELOPMENT

File Ref: 20/566

RE: Assessment of the submitted Environmental Impact Assessment Report (EIAR).

Having reviewed the details as contained within the submitted application and the related Environmental Impact Assessment Report (EIAR), and the assessment of same as carried out by the assigned Planner, 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

Date: 19.04.2022

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PLANNING APPLICATION DECISION FORM

Planning Application
Reference No. 20566

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:

MW Mills
Senior Planner

Date: 19.03.2021

DECISION OF MONAGHAN COUNTY COUNCIL:

Approved with conditions
recommended in

Refused

Planning Officer's Report

Other

MW Mills
Senior Planner

19.03.2021
Date

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