



Comhairle Contae Mhuineacháin Monaghan County Council

Acmhainní Daonna
Human Resources
047 30586

Airgeadas
Finance
047 30589

Na Bóithre
Roads
047 30597

Clár na dTogthóirí
Register of Electors
047 30551

Comhshaol
Environment
042 9661240

Na hEalaíona
Arts
047 38162

Íasachtaí /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

24/05/2021

To: John McBennett
CLW Environmental Planners Ltd
The Mews
23 Farnham St
Cavan

File Number - 21/14

Planning and Development Act 2000 (as amended)

NOTIFICATION OF FINAL GRANT

Monaghan County Council has by order dated 19/04/2021 granted the above named, for the development of land namely for:- Construct 1 No. poultry house together with all ancillary structures (to include meal storage bin(s) and soiled water tank(s) and site works. 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 (EIAR) will be submitted with this application. , at Corvoy & Lisquigny, Ballybay, Co. Monaghan, subject to the 6 condition(s) set out in the Schedule attached.

Signed on behalf of MONAGHAN COUNTY COUNCIL.


A/ADMINISTRATIVE OFFICER

24/5/21
DATE

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.

Fálltíonn 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

✉ eolas@monaghancoco.ie info@monaghancoco.ie EPA Export 29-05-2021:02:34:33

P21/14 John McBennett

1. a. The developer shall pay to Monaghan County Council a sum of **€5,840** in accordance with the General Development Contribution Scheme 2013-2019 (as revised), made by the Council under Section 48 of the Planning and Development Act 2000 (as amended), towards expenditure incurred or proposed to be incurred by the Council in the provision of community, recreation and amenity public infrastructure and facilities in the area.
- b. The sum attached to this condition shall be revised from the date of the grant of planning permission to the value pertaining at the time of payment in accordance with the Wholesale Price Index for Building and Construction (Materials and Wages).
- c. No works shall commence until payment of the development contribution is made in full, or until Monaghan County Council has agreed in writing to a schedule of phased payments of the sum.

2. 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.

- all soiled waters shall be directed to a storage tank
- no effluent or slurry shall discharge or be allowed to discharge to any stream, river, watercourse, groundwater body or to the public road.
- all surface water arising on the concrete aprons shall discharge to a silt trap followed by an appropriately size soil polishing filter.
- 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.
 - All uncontaminated yard water from all concrete yard areas shall discharge to an appropriately sized silt trap followed by soil polishing filter.
 - 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. All hazardous liquid waste or oil/fuel storage containers, temporary or otherwise, shall be bunded.
All bunds will be designed to contain 110 % of the capacity of the largest storage container located within the bund.
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 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.

3. a. Prior to any other works commencing, visibility splays of 90 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.
4. a. The planting details and associated site works as indicated on plans as submitted to the Planning Authority on 14-1-2021, as amended by Additional Information on 8-3-2021, 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, as amended by Additional Information on 8-3-2021, 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.
5. 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.

6. The development shall be carried out in accordance with plans and documentation submitted on 14-1-2021, as amended by Additional Information on 8-3-2021, except as may otherwise be required in order to comply with the above conditions.

The reasons for the imposition of the above conditions are:

1. It is considered appropriate that the developer should contribute towards the expenditure incurred or proposed to be incurred by the Council in the provision of community, recreation and amenity infrastructure and facilities in the area.
2. In the interest of environmental protection and public health and to ensure an adequate standard of development.
3. To ensure an adequate standard of development.
4. In the interest of visual amenity.
5. In the interest of visual amenity.
6. In the interest of orderly development and to prevent unauthorised development.

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BUILDING CONTROL ADVICE NOTE

Before Any Building Works Commence - Things you should check!

1. Building Control Legal Requirements - Commencement Notice & Fire Safety Certificates (FSC);

In accordance with the Building Regulations you are obliged to submit a Commencement Notice prior to commencement of a development and it must be submitted not less than 14 days and not more than 28 days before you wish to commence. The Commencement Notice must be submitted to the Local Authority via the online national portal BCMS. Applicants are advised to register on this website in advance of submitting a commencement notice via the attached link: www.localgov.ie/en/bcms

As the type of Commencement Notice required will vary depending on your proposed development, you are advised to seek advice from your agent or architect on what type of commencement notice is relevant to your proposed works. **Alternatively please feel free to contact Monaghan Fire & Building Control Authority for advice at 047-30521 or email: bcms@monaghancoco.ie**

Please be advised that works **can not** begin until the applicant has received a valid commencement notice from the Building Control Authority, and that it is an offence under the Building Control Act 1990 to proceed with the works without a valid commencement notice and/or a valid FSC (if required for works/development).

2. Pre-Development Conditions;

If there are any Pre-Development conditions on the schedule of conditions attached to your permission you should give your immediate attention to them prior to the commencement of your development.

N.B. All conditions must be complied with in full as failure to do so will render your permission invalid and may result in the initiation of enforcement proceedings for compliance with same.

3. Construction Products Regulations (SI No 225 of 2013);

You need to ensure that you, your builder, your designer/assigned certifier and your suppliers are familiar with the requirements of the Construction Products Regulations.

For more information, please see link provided below.

<https://monaghan.ie/firebuildingcontrol/building-control-construction-products-regulation/>

4. Responsibilities under the Safety, Health and Welfare at Work (Construction) Regulations 2013;

The regulations are to ensure that there is a safe working environment for all involved in the construction works, including dwellings.

For more information;

http://www.hsa.ie/eng/Publications_and_Forms/Publications/Construction/Guide_for_Homeowners.html