

Objector

P683/20

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PLANNING APPLICATION CONTROL FORM

Application Reference No.: 20/215

Decision due by 10/08/2020

Previous Ref. Nos.:

Date of Receipt of Application: 16/06/2020

Applicant : Andrew Keating

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

Development: Drumanan Newbliss Co. Monaghan

Description : permission for development consisting of to construct 3 No. poultry houses and 1 No. ancillary general purpose shed/store together with all ancillary structures (to include meal storage bin(s) and soiled water tank(s)) and site works (to include new/relocated site entrance) 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 (EIAR) and Natura Impact Statement (NIS) will be submitted with this planning application.

VALIDATION

Validated by: _____

Date of Validation: _____

SITE NOTICE

Was Notice published on site

Yes

No

Inspected by: KN

Date of Inspection: 26/06/2020

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

AA required

MONAGHAN COUNTY COUNCIL
PLANNING AND DEVELOPMENT

File Ref: 20/215

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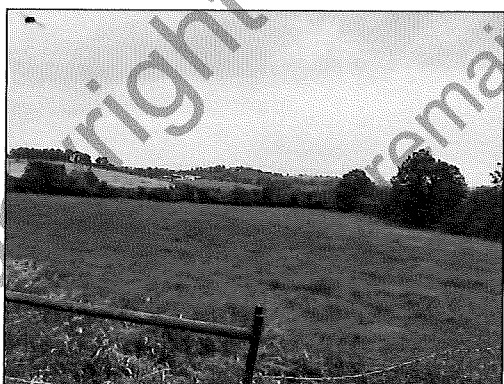
Location: Drumanan, Newbliss, Co Monaghan

Characteristics of Site

The application site measures 2.84 hectares and is located between the L62013 tertiary road and the L6201 local primary road. The site includes four separate fields which will be combined as one site in order to accommodate the proposed development. All off the field boundaries have mature hedgerows and an existing agricultural entrance and two sheds are located at the point of the proposed entrance from the public road. The topography of the site rises to the south east which rises with the local tertiary road.



Application site outlined in red



Characteristics of Area

The site is located within the townland of Drumanan 3km north of Drum village. The landscape is typical of the local drumlin topography of the wider area. There is a traditional farmhouse dwelling and outbuildings located to the rear of the site which is vacant and in poor repair.

Relevant Site History

None

Consultee Responses

Environment Section: no objection subject to conditions

Objections/Representations Received

One submission has been received to the application raising the following issues:

One submission received raising the following issues;

- Reference is made to CJEU Case C254/19
- State that Monaghan County Council is a quasi-judicial body acting in a judicial manner in performing its duties under EIA Directive and the Habitats Directive
- Decisions must be in compliance with EU Directives
- Consideration should be given to cases C-293/17 and C294/17
- Reference is made to the most up to date guidance of habitats directive

Planning Assessment

Description of Development

Permission is sought to erect 3 no broiler rearing houses to accommodate a maximum of 130,000 bird. The proposed development also includes a general purpose store, meal storage bins, soiled water tanks, upgraded and relocate the existing agricultural entrance and all ancillary site works. The area of each poultry house is 1,884sqm with a ridge height of 5.9m. Three vertical feed silos are proposed which extend to 9.1m

The proposed poultry house has a proposed floor area of 1884 sqm with a ridge height of 5.9m. Two feed silos are proposed which extend to 9.1m. The area of the general purpose store is 210sqm with a ridge height of 5.8m.

Environmental Impact Assessment Report

The proposed development will provide additional accommodation for a maximum of 130,000 birds. In accordance with Part 1 paragraphs 1-12 of Part 2 of the Schedule as defined in the Planning and Development Regulations (2001) an Environmental Impact Assessment Report has been submitted.

This development has been assessed in accordance with Directive 2014/52/EU. This Directive requires the submission of an Environmental Impact Assessment Report 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).

The Directive requires that the environmental impact assessment report 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:

- 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.

Summary of EIAR

Introduction & Context

- Site is a greenfield site current in use for bovine farming.
- Proposed development is for 3 no broiler houses together with all ancillary structures and site works to facilitate a maximum of 130,000 birds.
- An EPA licence for the operation of the farm will be obtained prior to the commencement of licensable activities on site.
- Purpose of the proposed development is for the rearing of birds from day 09ld to market weight (5-6 weeks)
- The proposed units will have an internal floor area of 1884sqm, 90m long x 20m wide x 6m high per house.
- A soiled water collection tank will be located on site of 115cubic metres capacity.
- Proposed buildings will be sympathetic to the surrounding landscape in terms of design and appearance.
- General topography is typically drumlin and falls gradually in northeast to southwest direction. The proposed units will integrate with the existing landscape as per proposed landscaping to ensure there is no adverse visual impact.
- The floor level has been set so that the development integrates in so far as is possible with the existing land topography.
- Design of units will comply with BAT requirements.
- Birds will be housed on the floor and the houses will be open plan with no internal divisions.
- Proposed units roof cladding will be box profile juniper green cladding.
- All manure is to moved off site by a registered contractor.
- Operating hours 06.00am – 20.00pm every day including weekends in line with normal farming practices.
- Production processes will be as per requirements the poultry processors, Manor Farms Ltd/Western Brand and customers of the processors.
- Feeding of birds will be via automated feeding system with total feeds consumption per annum estimated to be 2500-2750 tonnes/annum.
- Proposed house will operate all in-all out basis to maintain a single age profile and to maintain the health status of the birds.
- Poultry manure will be removed off site by an authorised contractor and estimated manure production will be 1,000 – 1,150 per annum.
- Estimated soiled water production will be 225cubic metres /annum and will collected in dedicated soiled water collection tanks and then applied to the farmland in line with SI 605 of 2017. A map is included in appendix 8.
- Site forms part of 37hectare area of land owned by the applicant which are currently operated as part of a bovine enterprise. There is no stock as the lands are currently rented out.
- Biosecurity measures will be operated on site to minimise risk of infection.

Scoping for EIAR

- The scope of the EIAR was conducted in respect of EU Directives, EIAR Guidelines, EPA Guidelines, Monaghan County Development Plan, concerns of third parties, nature and scale of the project, existing environment, likely and significant impacts and available methods or reducing or eliminating negative impacts.
- Consideration has been given to the EPA Draft Guidelines on the information to be contained in an EIAR and Draft Advice Note for preparing an EIS and this is included in Appendix 4.

Alternative Site

The EIAR explains the rationale for the chosen site (summarised).

- Not feasible to expand at applicants existing poultry farm at Aghareagh, Newbliss due to physical constraints.
- The current site was deemed to be most suitable, due to topography, distance from other poultry enterprises, distance from neighbours, site access, good road infrastructure.
- An outline of how the development complies with the specific policies of the Monaghan County Development Plan 2019-2025 is provided.

Alternative Layout & Design

The EIAR states the following (summarised):

- The proposed development was designed to ensure that the proposed house would integrate into the existing site with minimal visual impact on the surrounding landscape
- The layout of the proposed poultry house, set low with regard to the adjoining land topography, with significant backdrop to the rear of the site, and significant landscaping to the fore, will minimise any potential adverse visual impact
- The proposed layout was also designed to ensure adequate access on site for all traffic associated with the proposed development and to ensure that the site is contained, safe and efficient in operation.
- Existing landscaping will be maintained where possible and strengthened where necessary along the boundaries to further screen the existing farm and proposed developments from view.
- The E.I.A.R states that no other alternative sites, layouts and/or designs were deemed satisfactory and/or appropriate as the proposed development:
 - Complies with the requirements of the Nitrates Directive
 - Satisfies the applicants need for efficiencies of scale while not requiring significant additional lands
 - Is in line with BAT requirements
 - Will be well integrated into the landscape and existing farmyard with the use of similar construction techniques, natural/dark coloured finishes as proposed and additional landscaping where required.
 - Complies with the provisions of the Monaghan County Development Plan 2019-2025.
 - Is not located in an area with any significant environmental and/or other constraints

Alternative Size

- Proposed development has been designed and scaled to take into account the physical restraints/parameters of the site, economics of scale, requirements of Western Brand in terms of supply requirements, economic and sustainable food production.

Alternative Processes Considered

As the site is a predominantly greenfield site, the applicant looked at a number of alternative processes including but not limited to:

1. Layer Housing: As a result of recent changes announced by supermarkets and the fact that it is a goal that all eggs will be sourced from free range systems by 2025, the completion of enriched cage housing was not an option.

2. Free Range layer/broiler: This is the main alternative to the conventional production systems, however this system does not suit the applicant as it conflicts with the existing enterprise which is located on another site. There is no demand from Western Brand for a free range enterprise to be developed.

3. Any remaining alternatives open to the applicant relate to alternative enterprises but the applicant is not experienced and are of questionable economic return. The proposed development is required to make the farm economically viable.

The EIAR states that the proposed development offers the best fit between the proposed and existing enterprise on the farm, both from a labour and efficiency viewpoint and to ensure that all activities are carried out in an environmentally and economically sustainable manner.

All chickens from the proposed farm are to be sent to Western Brand.

Alternative Management of By Products

- Applicant has received confirmation from his existing registered contractor that they will manage and remove the poultry manure from the proposed development as well as the existing farm.
- Applicant will continue to examine the possibility of alternative uses for this fertiliser.

Environmental Assessment

- Physical characteristics include new/relocated entrance, maintaining existing hedgerow, removal of manure off site by registered contractors, building similar to other units in the area, underground storage tank collected and stored in accordance with SI 605 of 2017.
- Main characteristics of production process include management, feeding and care of the birds, dispatch of carcasses and other solid waste materials, collection of all wash waters in accordance with SI 605 of 2017.
- Proposed residues/emissions are outlined and will be proportionate to the scale of the proposed development
- Proposed development will have limited if any impact on sensitive/protected area or Natura 2000 site and the cessation of bovine farming activities will reduce the overall intensity of farming.
- Envisaged that no aspects of environment will be significantly affected by this proposed development.

Effects on Population and Human Health

- The proposed development is of average scale by current industry standards
- It will add to the economic activity on the farm with consequent positive “trickle down” effects on the regional and local community particularly with regard to construction works, supply of construction materials, and the installation of the required housing, water, feed and ventilation systems thus helping to stabilise the population of the local area.

- Significant effects on population/human health and/or human beings are not anticipated.
- No third-party dwellings are located within 500 metres of the poultry houses therefore no impairment of amenity due to the proposed development.
- Unlikely to generate or release sounds or odours that will significantly impair amenity beyond the site boundary.
- There are no processes proposed which will constantly or regularly release odorous emissions from the site at nuisance levels. Fugitive odour emissions at the site will not be significant and will be limited to times at which birds/manure are being removed from the site. In so far as is possible odour emission shall be managed to occur at times when the effect within the site or outside it will be minimal.
- Not located close to and/or likely to adversely impact on any areas of Primary or Secondary Amenity Value as per the MCDP 2019-2025).
- Where nuisance effects occur, people object and under statutory requirements their objections will have to be investigated and have to be corrected if found to be real and justified.

Effects on biodiversity (flora and fauna)

- Predominantly greenfield site, proposed development will have no adverse impact outside the boundary of the site
- Site is intensively managed grassland, flora and fauna around the site has developed in the context of applicants bovine farming
- Much of the surrounding area is improved agricultural grassland. The area to be developed is relatively small and represents a sustainable addition to the applicant's existing farming activities. Ground works and land profiling will be kept to a minimum outside the footprint of the proposed site.
- Proposed development is not near to or likely to impact on any primary or secondary amenity area or views from scenic routes.
- Structures and new paved surfaces will cover a significant fraction of the site. The changes will affect such a small area that any impact will be close to zero or neutral with the local area.
- Site is not likely to adversely impact on any Natura 2000 sites – there are five designated sites within 15km of the application site and an NIS has been included in Appendix 19 of the EIAR.
- No discharge of soiled water or effluent from the proposed development to surface water and therefore the no impact on surface water.
- A rodent/pest/weed control programme will be developed in line with Bord Bia and Department of Agriculture, Food and The Marine requirements with detailed records maintained on site.
- Weed control will be carried out around the site as required to reduce any cover for pests. It is considered that the development, managed as is proposed, which will have to operate under License regulations, will have no measurable impact on either flora or fauna outside the site boundary.
- Given that the area of the proposed site is an intensively managed agricultural area with poor biological diversity, retaining as much as possible of the existing landscaping/hedgerow around the site boundary, together with any proposed additional landscaping should maintain biological diversity on the site.
- A SCAIL model has been used to determine the potential impacts of the farm on designated sites and the results of the SCAIL outputs for ammonia included which show the farm will not lead to any significant impacts on the designated sites identified.

Land and Soil

- Proposed structures will be constructed on greenfield site and as such there will be disturbance of same within the site boundary.
- No significant potential for any effect on soil outside of the development area, and any land take required to facilitate the proposed development will be minor in terms of the applicant's landholding and the wider agricultural 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.

Geological and Geomorphological heritage of the area

- Given the nature and extent of the proposed development it will not have an adverse impact on the geology of the area, outside of the site.
- Proposed development will be integrated into the existing site due to the land topography and existing/proposed landscaping, it will not have any adverse impact on the landscape and/or the geomorphological heritage of the area.

Water

- Adverse 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.
- Proposed development will be carried out on an impermeable concrete base with proper storm and soiled water separation and collection facilities.
- Proposed development will operate on a dry manure basis and all manure will be removed from the houses to the manure store after each crop, thereby eliminating the risk of any leak to groundwater.
- The only soiled water from the proposed development will arise due to washing down of the poultry houses.
- Volume of water needed for the proposed development once the proposed development has been completed will be proportionate to the proposed stock levels.
- The water supply on the farm is from an on-site well.
- 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.
- Adverse effect on surface water from the proposed development should be nil, as there will be no process discharge to surface water and minimal risk of accidental leakage or spillage of polluting liquid on the site.
- The Monaghan County Development Plan sets out a number of policies for the protection of water which have been considered in the design of the proposed development.
- In order to avoid any reductions in water quality in the area surrounding the proposed development and in order to protect any designated sites, designated species and sensitive surface/ground waters, in the general area of the development and/or further afield, a number of mitigation/best practice measures have been planned for which will help to protect the local biodiversity of the surrounding area and to ensure the protection of local wildlife.

Air

- Potential effects of the proposed development on air relate to the odour emissions that may be associated with poultry and poultry manure on site.

- Odorous emissions from the developed site are not likely to cause nuisance or impair amenity beyond the site boundary with the possible exception of times when birds and/or manure is being removed from the site which will all occur at the end of each batch, approximately 7/8 times a year.
- Management practices which will be implemented on site to minimise potential odour emissions from the existing and proposed development and include:
 - Proper storage of all wastes on site and regular removal of same. Twice daily flock inspections to remove any fatalities from the houses and stored in proper sealed and covered storage bins.
 - Thorough cleaning out of poultry houses, to minimise odour and maintain high health status.
 - Regular cleaning of outside areas.
 - Immediate removal of manure off site wherever possible. Transport of manure off site to take place in properly designated and covered trailers.
 - Proper stocking rate within the houses.
 - Proper management of temperature and humidity controls.
- Management of operations on the site to prevent significant pulse releases of odour at times when the effect might be perceptible beyond the site boundary should ensure minimal impact on air in the vicinity of the site.
- Site is located a significant distance away from any Natura 2000 sites and emissions including gaseous emissions from the existing/proposed development are unlikely to adversely impact on same and or on any other sensitive areas.

Climate/Climate Change

- Climate information is useful for predicting the likely impacts that the farm operation and the application of manure will have on the local residents.
- Wind direction at the site is critical to odour movements and rainfall is critical in the application of manure. The prevailing wind in the Clones area is from the south west whilst rainfall in the customer farmland ranges annually from 800mm-1000mm.
- Organic fertiliser from the farm will be used in compost production or by customer farmers, which will be allocated in accordance with the provisions of S.I. 605 of 2017 (as amended), particularly with regard to amounts applied, weather and ground conditions at the time of spreading etc, which should ensure that emissions generated are kept to an absolute minimum. Dry manures will spread more evenly, and modern rear emptying muck spreaders are likely to be more precise than side discharging machines.
- All practicable steps, such as landscaping, management routines etc, will be planned for and will be taken so as to minimise odour from the site.
- The rural setting and location distant from local residences will ensure no effect on human beings.
- No significant adverse effect on climate.

Effect on Visual Aspects and Landscape

- Subject site is located in an area referred to as the Ballybay Castleblayney Lakelands (LCA7) and the Farmed Foothills (LCT4) in the Monaghan Landscape Character Assessment.
- The proposed development is typical of the type of agricultural farm buildings already established on site and within this area of county Monaghan and will have limited impact on the character of the surrounding landscape.
- The proposed site is well integrated with the existing development and screened by the existing/proposed landscaping will ensure that the development is integrated into

the landscape and integrated into the existing poultry farmyard and will not be visually obtrusive.

- It is not considered that the proposed development will have significant impacts on the landscape character of the area.
- The existing vegetation will help to soften any visual impacts and additional landscaping maybe added where considered appropriate.
- Poultry farming is an established farming activity on the site and a traditional farm enterprise in the county.
- The nature of the proposed development and its location adjacent to the existing poultry house will ensure that there will be no significant adverse impact on the local environment/landscape from the proposed development.
- Not located near to or likely to impact any Natura 2000 sites, Areas of Primary/Secondary Amenity Value or Views from Scenic Routes.

Archaeological and Cultural Heritage

- No known archaeological sites within the site boundary and closest recorded monument (enclosure) is c 159m north west of the site.

Effect on Material Assets

Resources that are valued and 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.

Material assets that could potentially be affected by the proposed development include:

Material Assets: Agricultural properties including all agricultural enterprises

- The proposed development will be completed on a greenfield site and surrounded by agricultural farmland.
- The proposed development will not interact with any lands outside the confines of the site, except for the production of a valuable organic fertiliser which may be utilised by farmers as a replacement to chemical fertiliser.

Material Assets: Non-agricultural properties including residential, commercial, recreational and non agricultural land

- The proposed development is a traditional farming practice in this area and is surrounded by agricultural lands and is located well away from any built-up areas and/or development clusters.
- There are no third party residential dwellings located within 500m of the site.
- The development will have no impact on adjoining property values if for no other reason than this is an agricultural development in an agricultural area.

Material Assets: Natural or other resources including mineral resources, land and energy

- The proposed development will require a portion of land upon which the proposed poultry house will be developed; however there will be no adverse impact outside of the development area.
- The development will involve the use of a limited amount of construction material (including quarry products and other construction materials), however the extent of the development is limited in nature and the amount of resources required in the construction of the house and potential adverse impact of same is negligible when sourced from authorised sources.

- The operation of the farm will require additional feed (classified as renewable resource), gas and water. The applicant will operate modern feeding, ventilation and heating systems to minimise same.
- The farm does not require any major modifications to the existing electricity network, water or road infrastructure in the area.

Description of Likely significant effects of the proposed development

The likely effects detailed in the EIAR are summarised as follows:

Construction and Existence of proposed development

- Proposed development is of average scale by current industry standards but will add to the economic activity on the farm with positive trickle down effects to the regional and local economy.
- Minimal impact on the landscape following the implementation of proposals in relation to location, landscaping, proposed external finish and its integration into the existing site.
- long term impact on traffic on the local road as a result of the proposed development will not have a significant adverse impact.
- Any short-term increase in traffic would be associated with the construction of the proposed development and would cease upon completion of the proposed development.
- Once the proposed development would be completed, there would be additional traffic due to:
 - I. Feed delivery c 2.5loads/week
 - II. Manure transport c 5-6 loads
 - III. Bird deliveries/collections c. 30loads/batch
 - IV. Fortnightly waste collection and collection of mortalities
- This will result in an average of 7-9movements/week based on a 7 week catch cycle
- Traffic to and from the site will be minimised by optimising load sizes.
- There will be an increase in traffic but this will not adversely impact on the public road network.
- Site is well serviced by the existing road infrastructure and therefore any proposed alteration in traffic will not have an adverse impact on the local area.

Natural Resources

- No significant negative effects expected as a result of the proposed development in relation to the use of natural resources.
- Development will require a limited land area to facilitate the proposed development however this will have no adverse impact on land, soil and/or bio-diversity outside of the site area.
- The development will have a definite requirement for a water supply available from the proposed well.
- The main resource to be consumed will be poultry feed which is classified as a natural resource that is a renewable resource. The consumption of feed and water will be proportionate to the stock numbers on the farm.

Emission of Pollutants

- Clean water is not an emission.
- Site management shall be focused on ensuring that all storm water collection surfaces and facilities are maintained in clean and fully functional condition at all times so that the possibility of storm water carrying significant pollution to the stream is effectively eliminated.
- Emission of pollutants is to be effectively controlled and prevented by the regular removal of all solid waste materials from the site to authorised disposal/recovery sites

elsewhere and by the removal of poultry manure off site by an experienced contractor.

- No increase in the amount of wastes/potential pollutants produced or used on the farm and/or no significant increase in noise, vibration, light, heat and/or radiation that would lead to a significant adverse environmental impact.
- The additional organic fertiliser/poultry manure to be produced will be utilised as a resource ingredient in the mushroom compost industry and/or as an organic fertiliser, and will be removed by a contractor.

Creation of Nuisance

- The proposed development as per the existing unit will be carried out in accordance with the management and operational routine proposed and in line with E.P.A, Department of Agriculture, Food and the Marine, Bord Bia and Monaghan County Council requirements and will not create any significant nuisance.

Waste/By-Products

- The net increase in the volumes of waste/by-product which will be generated will not cause a significant adverse environmental impact as all waste streams will be minimised by implementing good practice measures on site and any wastes that cannot be eliminated will be disposed/recovered in line with existing requirements and practices including and to approved disposal/recovery sites and/or approved carriers.
- The volumes of organic fertiliser/manure produced will be minimised by efficient cleaning out and the use of high pressure low volume power washers.
- The opportunity to reduce the volume of waste materials below that which are generated under Good Farming Practice is very small and is near zero.
- With regard to the hazardous waste in the form of spent fluorescent tube, the volumes are small and already minimised.

Risks to human health, cultural heritage or the environment

- The potential risk to human/health, cultural heritage and/or the environment due to accidents and/or disasters is limited due to the innate nature of the production system and activities on site.
- No significant high risk/hazardous products used/produced and/or released by the proposed development which will pose a risk to human health, cultural heritage and/or the environment outside of the site boundary as a result of any accident/disaster.

Class A Disease

- In event of Class A disease many animals will be slaughtered possibly both on infected farms and contiguous premises.
- With respect to environmental damage, the methods of disposal in order of preference are, render, bury and burn. The disposal strategy will be decided by the Department of Agriculture, Food and the Marine in consultation with the National Expert Epidemiological Group. The preferred option for the disposal of carcasses from this farm site is rendering.

Impact of Project on Climate

- As the birds will be maintained in a controlled environment within the proposed houses, the operation of the farm is not directly significantly susceptible to climate change.
- Climate change may impact on energy use associated with heating/ventilation systems to maintain a controlled environment in the house relative to outside climatic conditions and may have implications for feed supply to feed the birds.

Forecasting the effects on the environment

- The proposed development will comply with the Nitrates Directive.
- No significant adverse impact on the local environment.

Cumulative and Transboundary Effects

- No transboundary effect due to this distance from any international boundary.
- Increase in bird numbers are not anticipated to have a significant adverse cumulative impact due to its location integrated with the existing poultry farm and wider landscape in an agricultural area, the fact that all manure shall be moved off site by an approved and registered contractor and appropriate measures are in place to address wastes arising on the farm.
- All manure shall be moved off site and appropriate measures are in place to address wastes arising on the farm and therefore it is anticipated that this development will not adversely impact on the local environment within Monaghan area when assessed individually and/or cumulatively with other such developments in the area.

Inter-Relationship between factors referred to in points (a), (b), (c) and (d)

The Planning Authority has summarised (above) the content of the EIAR and the stated direct and indirect significant effects of the proposal 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.

The inter-relationships between the various factors outlined above are summarised as follows:

Positive impacts:

- (i) Impacts of land/soil on human health/population.
- (ii) Impacts of human health/population on other factors including land/soil, water, air, climate and climate change, landscape and visual, bio-diversity, cultural heritage, material assets.

Neutral impacts:

- (i) Impacts of land/soil on water, landscape and visual and biodiversity (Flora and Fauna).
- (ii) Impacts of water on bio-diversity (Flora and Fauna).
- (iii) Impacts of air and climate/climate change on biodiversity (Flora and Fauna) and human health/population.

Potential Impacts and Mitigation Measures

- Poultry farm and its production processes will minimally impact upon the landscape, archaeology, terrestrial, water quality and climate described under natural environment
- With the planned integration in existing farming activities and the associated fertiliser substitution programme the proposed farm will have no significant impact on the rural community.

Difficulties encountered in compiling the required information

- No difficulties were encountered and no reason to consider that there is any serious risk of error attaching to plans and projections for the treatment of wastes to be generated in the proposed development.

Description of measures envisaged to avoid, reduce, prevent or if possible offset any identified significant adverse effects on the environment

The following best practice/mitigation measures have been proposed to reduce any potential adverse impact, significant or otherwise:

- i. Provision of sufficient and safe access to the site and measures to avoid excessive soiling of the public road during construction on the site.
- ii. Preservation of existing trees and hedgerows surrounding the site where possible, together with sympathetic design and layout so as to screen the installation from obtrusive view and to allow it to be absorbed into the rural landscape.
- iii. Provision of a storm water drainage system to properly collect and discharge to field drainage all clean rainwater from roofs and clean surfaces.
- iv. Provision of soiled water drains to properly collect any effluent or soiled water and divert it to the nearest soiled water tank.
- v. The collection and the removal from the site of all manure. All soiled waters shall be collected and used on farmland in accordance with S.I 605 of 2017 as amended.
- vi. All construction waste shall be managed in an appropriate manner.
- vii. Appropriate collection and removal from the site of waste materials generated on the site. Record and maintain records of all consignments of waste dispatched from the site.
- viii. The collection and removal from the site of all dead animals and all animal tissues.
- ix. Comprehensive cleaning and hygiene routine to minimise potential odour from the site.
- x. Specially formulated diets to maximise performance and reduce nutrient excretion.
- xi. Proper maintenance and inspection procedures to ensure that all feeding, water supply, manure removal, and ventilation systems are working to maximum efficiency, ensuring manure is maintained as dry as possible and minimising energy (electricity and gas) consumption.

The implementation of the above will ensure that significant effects on the environment will be avoided and risk of incidents of environmental significance will be near zero.

Environmental Management Programme

- A comprehensive monitoring programme will be implemented and maintained to provide maximum protection for the environment.
- Any recommendations of the planning authority will be complied with in relation to this environmental management programme.

EIAR Summary

The proposed development has been subject to EIA in accordance with the requirements

- The proposal will make a significant positive contribution to the rural economy of County Monaghan and will serve to increase employment and secure the viability and competitiveness of the applicant's farm enterprise as well as the wider poultry farming industry.
- The development will not give rise to any significant environmental effects.
- The granting of permission for the proposed development will strongly accord with the provisions of the development plan and will provide a significant boost to the economy of the county.
- The development will operate under the conditions imposed as part of any grant of planning permission and the EPA licence when applicable.

EIAR Assessment

The Planning Authority has thoroughly assessed the content of the submitted Environmental Impact Assessment Report (EIAR), dated June 2020, as prepared by CLW Environmental Planners.

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)

- **Planning Policy**

Section 15.15 and Policy AGP1 of the Monaghan County Development Plan 2019-2025

The Development Plan notes the importance of agriculture in County Monaghan but also notes that due to modern farming practices the traditional form of agricultural buildings is disappearing from the landscape and modern farm buildings which have the appearance of industrial buildings can have significant visual impacts as a result of their scale and mass.

Policy for Agricultural Development	
AGP 1	<p>To permit development on new and established 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 The site of the proposed development is on a greenfield site. It has been outlined why the proposed development is required in order to maintain the viability of the agricultural enterprise. b) The appearance, character and scale are appropriate to its location, The design and scale of the proposed structures are standard with regard to agricultural buildings. The site is set back from the public road and is and given the drumlin nature of the surrounding landscape the proposed development is considered acceptable. c) The proposal visually integrates into the local landscape and additional landscaping is provided where necessary, Whilst some hedgerow removal is necessary in order to improve access and sightlines for the site, the development given its location within a drumlin landscape, the low profile nature of the units and the existing mature hedging which surrounds the immediate farm it is considered the development can successfully integrate into the landscape. d) The proposal will not have an adverse impact on the natural or built heritage, It is considered the development will not have any adverse impact on the natural or built heritage of the area. An NIS has been submitted in order to fully assess and determine that the development will not cause any adverse impact on the integrity of the Natura 2000 network. 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

	<p>the adjoining property owner stating there is no objection to the proposal must be provided.</p> <p>There are no third-party dwelling is located within 500 metres of the site. The existing farmhouse dwelling adjoining the site is vacant and is part of the applicants landholding.</p> <p>f) The proposal will not result in a pollution threat to sources of potable water, water courses, aquifers or ground water, The information submitted is acceptable. A report has been received from Environment stating no objections subject to conditions.</p> <p>g) Proper provision for disposal of liquid and solid waste is provided. The information submitted is acceptable. A report has been received from Environment stating no objections subject to conditions.</p> <p>h) The proposal will not result in a traffic hazard. The site is accessed off a local tertiary road where sight distances of 50x 2.4 x 1.05 are required. The applicant has demonstrated that the required sight distances can be achieved from the existing entrance which will be upgraded as part of this application. Works are also proposed to set back the existing hedge within the applicants control at the point where the tertiary road meets the local primary road.</p> <p>Where a new building is proposed applicants must also provide the following information:</p> <p>i) Outline why there is no suitable existing building on the holding that cannot be used. It is stated due to physical constraints at the applicants existing poultry farm that this alternative site is required.</p> <p>j) Design, scale and materials which are sympathetic to the locality and adjacent buildings. The design and scale of the proposed structures are standard with regard to agricultural buildings.</p> <p>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. This is a greenfield site and it is stated that bio-security problems dictate that the proposed development should be located away from other existing livestock enterprises.</p> <p>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. The proposed development not be visually obtrusive in the landscape having regard to existing and proposed planting and the topography of the general area. Where possible, the development is grouped with existing buildings in order to reduce their overall impact in the interests of amenity. Assessment under k above.</p>
	<p>Policy for Intensive Agriculture /Poultry and Pig Farming</p>
<p>AGP 2</p>	<p>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:</p> <p>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.</p>

	<p>As a result of the total bird numbers an E.I.A.R and a NIS has been submitted.</p> <p>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.</p> <p>A section of the submitted E.I.A.R pertains to cumulative and transboundary effects. The submitted documentation notes that there is no reason to believe that the proposed development assessed individually and/or cumulatively with other existing poultry houses in the area will cause a significant adverse cumulative impact. The documentation notes that whilst there may be additional poultry houses in the area, these will also have to operate in accordance with S.I. 605 of 2017.</p> <p>c) Methods for waste management including frequency and location of disposal relative to the proposed unit.</p> <p>The submitted documentation states that authorized contractors will collect dead birds and general waste will be disposed of to landfill/recycling as required.</p> <p>d) Details of air pollution arising from the units and effluent storage, transportation and spreading.</p> <p>There will be no adverse odour or nuisance as a result of the proposed development.</p> <p>e) Proximity of development to aquifers and water courses and its impact on them.</p> <p>The information submitted is acceptable. A report has been received from Environment stating no objections subject to conditions.</p> <p>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.</p> <p>There are no dwellings within 100m of the proposed site</p> <p>g) Details of associated activities such as cleaning, ventilation and heating.</p> <p>Details have been submitted which are acceptable.</p> <p>h) A comprehensive landscaping plan has been submitted.</p> <p>Submitted</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.</p> <p>The site was selected as it was not imposing on the landscape and the most suitable in order to comply with the requirements of Monaghan County Development Plan and the DFM Bord Bia requirements.</p> <p>j) Traffic management plans and traffic assessment associated with the proposed development may be required for large proposals.</p> <p>The works proposed to the existing entrance to the site is acceptable.</p>
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Submissions

One submission has been received with respect of the proposed development which outlines the local authority's obligations with respect to compliance with EU Directives and quoting European case law. Consideration of the points raised in this submission have been had in the assessment of this application.

Appropriate Assessment

Section 15.30 and policy APP1 of the Monaghan 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 upon 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). In respect of the Monaghan County Development Plan 2019-2025, policy AAP1 states that "all projects and plans will be screened for the need to undertake Appropriate Assessment under Article 6 of the Habitats Directive".

There are five Natura 2000 sites located within 15km of the application site;

- Upper Lough Erne SPA 7.1km west
- Kilroosky Lough Cluster SAC 8.1km north west
- Magheraveely Mark Loughs SAC 8.8km north west
- Lough Oughter and Associated Loughs SAC 11.2 west & 23km downstream
- Upper Lough Erne SAC 12.3km west

A stage 1 screening determined that the potential impacts that may occur from atmosphere emissions that the project must proceed to the next stage of AA. A natura impact statement has been carried out and has used a series of SCAIL models for the purposes of making an assessment of the potential atmospheric emissions from the proposed development.

The results of the SCAIL outputs for ammonia and deposition of nitrogen at the relevant Natura 2000 sites have been submitted and concludes that the actual impact is predicted to be at the lower end of the range. In addition, it is submitted that the prevailing winds will largely carry most of the emissions from the site away from these designated sites and their sensitive ecological receptors. It is determined that the cumulative impacts arising from the proposed operations will be negligible. A number of mitigation measures will be implemented and followed in order to protect the local biodiversity and to ensure the protection of local wildlife. The NIS concludes that with the mitigation measures outlined with the operation of the facility in line with the figures used in the SCAIL model, the proposed development will not lead to any significant impacts upon the designated sites identified.

Conclusion

The proposed development accords with the Monaghan County Development Plan 2019-2025 and the proper planning and sustainable development of the area.

That planning permission is **GRANTED** subject to the following conditions:

- 1.a. The developer shall pay to Monaghan County Council a sum of **€11,868.00** 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.a. The existing trees and hedgerows bounding the 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 operation.
- b. The planting details and associated site works shall be fully implemented prior to the use of the development hereby approved or in the first available planting season following commencement of building operations, whichever is the sooner.
- c. Landscaping works within the site area shall be permanently retained thereafter being planted. Any plant which fails in the first planting season shall be replaced.

Reason: In the interest of visual amenity and orderly development.

- 3a. 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

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

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

5. Disposal of contaminated and soiled water shall be as follows;
- (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 an appropriately sized silt trap, followed by an appropriately sized sub-soil polishing filter.
 - (iv) The silt trap shall be inspected regularly and adequately maintained.

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

6. Prior to the commencement of development drainage arrangements for the site including the disposal of surface water, shall be submitted to and agreed in writing with the Planning Authority. In this regard;

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

- (d) all surface water arising on the concrete aprons shall discharge to a silt trap followed by an appropriately size soil polishing filter.
- (e) All drainage works shall be carried out in accordance with these agreed details.

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

7. 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.

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

8. 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.

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

9. 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.

Reason: In the interest of orderly development.

- 10. 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 bands will be designed to contain 110 % of the capacity of the largest storage container located within the band.
(iii) There shall be no overflow drain facility from any bands on site and all filling and off-take points shall be located within a band.
- 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.

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

11. 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.

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

12. 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.

13. During the construction phase of development, the applicant shall immediately inform the Planning Authority & 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.

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

14. 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 utilised 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.

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

15. Within six months from date of grant of planning permission, an ammonia management programme outlining ammonia reduction measures, including timeframes for implementation, appropriate for the site, shall be submitted to the planning authority. The ammonia management programme shall be reviewed annually and a copy of the reviewed ammonia management programme shall be submitted annually to Monaghan County Council by December 31st. The reduction in ammonia emissions from the site using Best Available Techniques (BAT) shall be detailed in the annual ammonia management programme.

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

- 16.
- a) Sight distance of 50 metres in each direction to be provided from a point in the entrance 2.4 metres 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. Sight distances to be measured to the nearside road edge in both directions. Where it is necessary to remove hedges in order to achieve this sight distance, the new boundary should be located clear of sightlines.
 - b) Any pole or column materially affecting visibility must also be removed. No work shall commence on site until the visibility splays have been provided. Any Eircom/public utility poles which may be exposed by the removal of the front boundary fence shall be re-sited in a position alongside the new front fence line concurrently with overall site development works.
 - c) 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.
 - d) 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.
 - e) 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.
 - f) Entrance/Access road to be surfaced with concrete or bitmac from edge of public road for a minimum of 5 metres.
 - g) The existing open drain adjacent to the road edge to be piped with 900mm 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 40m intervals. A separate

application shall be made to Monaghan County Council if this requires a road opening licence.

h) Applicant to install Cattlegrid/ACO Drain/Gullies at proposed entrance constructed in such a manner as to prevent water from the entrance flowing onto the public road. Similarly measures must be taken to prevent road surface water from flowing onto the entrance. The discharge from the above to be piped to drainage pipeline.

i) The discharge of surface water from the public road onto the site through road surface drainage and road subsoil drainage to remain unimpeded.

j) Facilitating cut and/or fill shall be graded to a natural contour to reflect the existing topography of the area and the floor level of the dwelling house shall be a maximum of 250mm above ground level at the front building line.

k) Before any work is commenced on this development a security, by way of a cash deposit, in the sum of **€2,250** index linked, to 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 satisfactory.

l) All site works required in relation to sight distance and drainage works to be carried out prior to the commencement of any building operations. Failure to do this will result in forfeiture of part or all of cash security.

Reason: In the interest of road safety.

17. The development shall be carried out in accordance with plans and documentation submitted on the 16/06/2020 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.

Laura Nulty

Laura Nulty
Executive Planner

Date: 7/8/2020

T. Collins
7/8/2020

Development Contributions Calculations - Non Residential Development					
Category	Dev Type	Rate	Floor Area / Number	Calculation	Contributions Due (€)
3 Comm, Rec, Amenity	(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) footprint Exempt Over 300 m ² footprint €540 plus €2 per m ² over 300 m ² Extensions €2 per m ² of footprint	Poultry units 1884sqm x 3 = 5652 Meal Bins 7.5sqm x 4 = 30 Storage shed = 210sqm Wash tank = 72 sqm Total Area = 5964sqm	5964- 300=5664sqm €540 + (5664x 2) = €11868	€11,868.00
Contributions Due (€)					€11,868.00
Exemptions / Reductions under Part 18 of Development Contribution Scheme (if applicable)					
Category (a) – (m)	Dev Type	% Reduction	Calculations	Exemption / Reduction (€)	
				n/a	
Total Amount Due					
Contributions Due – Discount					Total Due (€)
					€11,868.00
Checked / Date					
AP / EP		AO		SEP	
				T. Courley	

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.


Senior Planner

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PLANNING APPLICATION DECISION FORM

Planning Application
Reference No. 20215

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:

T. Crowley
Senior Planner

Date: 10-8-2020

DECISION OF MONAGHAN COUNTY COUNCIL:

Approved with conditions
recommended in

Refused

Planning Officer's Report

Other

T. Crowley
Senior Planner

10-8-2020
Date