



# 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

17/01/2020

To: Padraig McKernan  
C.L.W Environment Planners Ltd  
The Mews  
23 Farnham St  
Cavan

File Number - 19/423

Planning and Development Act 2000 (as amended)

## NOTIFICATION OF FINAL GRANT

Monaghan County Council has by order dated 06/12/2019 granted the above named, for the development of land namely for:- permission to construct 2 no. poultry houses and 1 no. ancillary store together with all ancillary structures (to include meal bin(s), and soiled water tanks(s)) and ancillary site works (to include a new/upgraded 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) will be submitted with this planning application. , at Drumturk (DED Figullar), Emyvale, Co. Monaghan, subject to the 7 condition(s) set out in the Schedule attached.

Signed on behalf of MONAGHAN COUNTY COUNCIL.

  
ADMINISTRATIVE OFFICER

17/1/20  
DATE

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

Fáilteann an tÚdarás Áitiúil roimh chomhfhreagras | nGaeilge.

Comhairle Contae Mhuineacháin, Oifigí an Chontae, An Gleann, Muineachán, Éire.

Monaghan County Council, Council Offices, The Glen, Monaghan, Ireland.

☎ 00353 47 30500 ☎ 00353 47 82739 🌐 [www.monaghan.ie](http://www.monaghan.ie)

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**P19/423 Padraig McKernan**

1.
  - a. The developer shall pay to Monaghan County Council a sum of **€7,994.00** 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.
  
2.
  - a. Only that applicable portion of the roadside hedgerow, which must be lowered or uprooted to provide adequate sight distances, shall be removed. Any remaining mature trees and hedgerow defining the roadside boundary shall be permanently retained in this development.
  - b. The undefined site boundaries (north eastern and south eastern) shall be planted with native hedgerow species to form naturalised hedgerows similar to existing hedgerows in the vicinity. Hedgerow planting shall be in a double staggered row with 8 plants per metre; 250mm apart, with 300mm between rows. 2-3 year old hedgerow specimens with bushy healthy roots and thick lower stems shall be used.
  - c. Tree planting on-site shall be as per drawing number 01/002 submitted to the Planning Authority on the 12<sup>th</sup> November 2019. Species shall be as detailed and shall be, at a minimum, 4.5m tall at time of planting. Trees shall be allowed to mature and shall not be topped when trimming hedgerows.
  - d. Planting as required shall be carried out in the first planting season following commencement of building operations and shall be permanently retained thereafter. Any plant which fails in the first planting season shall be replaced.
  
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 finish of the structure.
  
4.
  - a. Prior to commencement of development the developer shall obtain an Integrated Pollution Prevention Control License from the Environmental Protection Agency.
  - b. The developer shall ensure that adequate measures are in place for the construction phase to ensure there is no discharge of polluting matter to any watercourse. These measures shall take account of the Guidance produced by Inland Fisheries Ireland

titled "Requirements for the Protection of Fisheries Habitat during Construction and Development Works at River Sites". This document is available to download at <http://www.fisheriesireland.ie/fisheries-management-1/90-requirements-for-the-protection-of-fisheries-habitat-during-construction-and-development-works-at-river-sites-1/file>

- c. There shall be no change in poultry type or change in system which results in change in dry matter content of the manure or increase in the number of poultry proposed without prior written approval from the planning authority.
- d. There shall be no increase in the livestock/poultry numbers stated on the application form except in accordance with an approved Farm Waste and Nutrient Management Plan and with the prior written approval from the planning authority.
- e. All proposed surface water drainage systems shall be designed to ensure that no polluting matter enters the surface water collection system.
- f. All roof waters shall discharge to soakpit.
- g. All surface waters which drain toward the front of the development shall discharge to appropriately sized interceptor, silt trap and appropriately sized soil polishing filter.
- h. The developer shall ensure run-off from soiled yard areas is kept to a minimum, collected in suitably constructed tanks and landspread in accordance with the European Union (Good Agricultural Practice for Protection of Waters) Regulations 2017.
- i. All structures and buildings shall be designed and constructed to the relevant Department of Agriculture specifications and in accordance with requirements of the European Union (Good Agricultural Practice for Protection of Waters) Regulations 2017.
- j. All soiled waters generated from cleaning or other operations shall be collected and stored in a suitable watertight tank and disposed of in accordance with the European Union (Good Agricultural Practice for Protection of Waters) Regulations 2017.
- k. All manure/organic fertilisers arising from the development shall be collected in leak proof/suitably constructed tanks, and stored in accordance with the European Union (Good Agricultural Practice for Protection of Waters) Regulations 2017.
- l. Manure/ Organic fertilisers taken off site shall conform with the Department of Agriculture Food and the Marine requirements and guidance under Animal By Products legislation and local authority guidance on the protection of sensitive waters including water supply sources. Any change or alteration in arrangements for manure/organic fertiliser arising from the development shall be pre-notified to Monaghan County Council.

- m. Manure shall be taken offsite by the contractor/haulier detailed as part of the planning application. This contractor must be registered with the Department of Agriculture Food and Marine and manure 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.
- n. Records of manure movements offsite shall be recorded on Record 3 forms (as prescribed by the Department of Agriculture Food and Marine). These forms shall be maintained on site at all times and submitted to the Environment Section of Monaghan County Council on request. Records maintained shall comply with requirements of Article 23 of the European Union (Good Agricultural Practice for Protection of Waters) Regulations 2018 and as a minimum shall include:
- Name and address of Contractor/Haulier
  - Date of each disposal operation
  - Quantity (weight and volume) disposed of
  - The name of receiving premises.
  - Any other information as may be required
- o. 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 Local Government (Waste Management) Act 1996 as amended.
- p. 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 for agreement in writing. The ammonia management programme shall be reviewed annually and a copy of the reviewed ammonia management programme shall be submitted to the Planning Authority by December 31<sup>st</sup> or as otherwise agreed in writing with the Planning Authority. The reduction in ammonia emissions from the site using Best Available Techniques (BAT) shall be detailed in the annual ammonia management programme.
5. 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 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 €2,250 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.



6.
  - a. Prior to commencement of development the developer shall submit plans and proposals to the planning authority for agreement in writing, indicating storm water run off attenuation for the proposed development to ensure that storm water run off discharge from the development is limited to current green field discharge rates.
  - b. The development shall be carried out in accordance with these agreed plans and proposals.
  
7. The development shall be carried out in accordance with plans and documentation submitted on 5<sup>th</sup> September 2019 as amended by plans and documentation submitted on the 12<sup>th</sup> November 2019 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 visual amenity and appropriate design.
3. In the interest of visual amenity.
4. In the interest of environmental protection.
5. In the interest of road safety.
6. To ensure that the development would not contribute to the creation or exacerbation of flooding outside the site.
7. In the interest of orderly development and to prevent unauthorised development.