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AMCK

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**PLANNING APPLICATION CONTROL FORM**

2/5/21

Application Reference No.: 21/14

Decision due by (10/03/2021)

Previous Ref. Nos.:

Date of Receipt of Application: 14/01/2021 8/3/21

Applicant : John McBennett

Address: CLW Environmental Planners Ltd The Mews 23 Farnham St Cavan

Location of

Development: Corvoy & Lisquigny Ballybay Co. Monaghan

Description : 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

1x Poultry

**VALIDATION**

Validated by: \_\_\_\_\_

Date of Validation: \_\_\_\_\_

**SITE NOTICE**

Was Notice published on site

Yes

No

Inspected by: AMCK

Date of Inspection: 8/3/21

**Refer file for reports to:**

- Municipal District
- E.H.O.
- S.E.E. Water Services
- Irish Water
- NRA/TII
- DoECLG
- An Taisce
- Roisin Moore
- Build Heritage

- Heritage Officer
- S.E.E. Roads
- S.E.E. Environment
- S.E. Planner
- Housing
- Fire Officer
- I.F.I.
- Flooding Section
- OPW

AA not required

8/3/21 weeks

COUNTY COUNCIL  
PLANNING AND DEVELOPMENT REPORT

**Reference:** 21/14 (Grant Permission)  
**Applicant:** John McBennett  
**Development:** 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.  
**Location:** Corvoy & Lisquigny, Ballybay, Co. Monaghan

Initial Assessment

1. Date of Site Inspection

4-2-2021

2 Site Notice & Photos

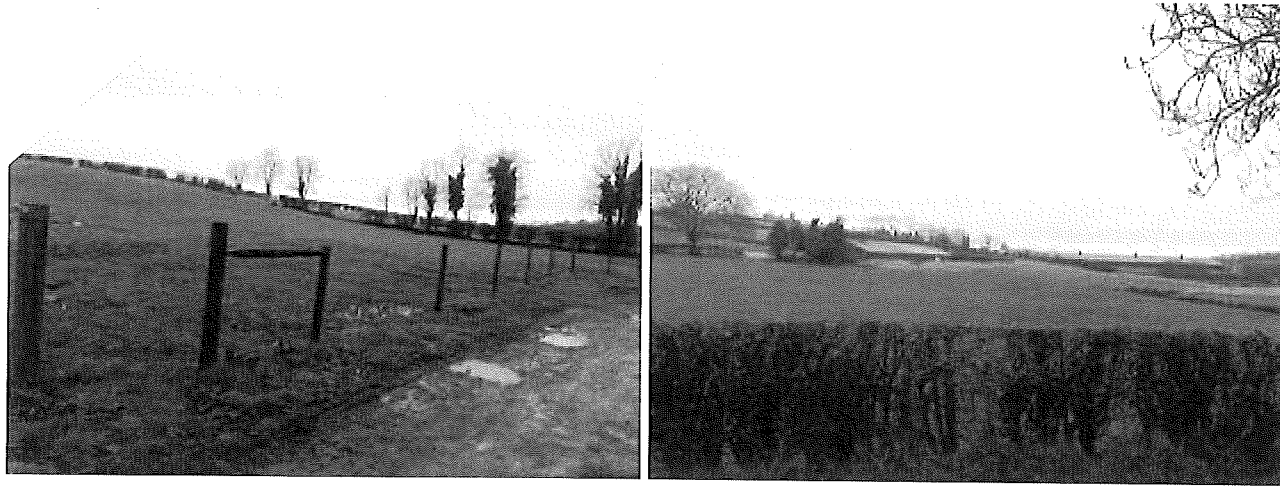
SN In order





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**3. Pre-Planning Meeting(s)**  
 No as per Application Form

**4. Zoning**  
 The subject site is located in a 'Category 2- Remaining Rural Area' as per MCDP 2019-2025.

**5. Characteristics of the Site/Area**

- Subject site, denoted in red on the map below, has a stated site area of 1.849Ha.
- Site encompasses an established poultry farm with 2no. houses
- Access via a private lane from a local primary road
- ground levels rise very gently from east to west
- nearest dwelling house located to the south-east of the subject site is the applicant's
- Not within 15km of Natura 2000 sites
- No OPW flooding concerns



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**6. Proposed Development**

This is an application for Permission for:

- 1No. 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.

## 7. Site Planning History

### As per Application Form

Previous Valid Planning Applications: 16/147  
Subject of Appeal: No  
Site Flooded: No  
Previous Uses: No  
Statutory Notices: No

### Planning Authority's iPlan Record

**16/147:** permission to construct 1 no. poultry house together with all ancillary structures (to include meal storage bin(s) and soiled water tank(s)) and site works associated with the above development. Constructed.

## 8. Observations

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

## 9. Referrals Reports

### MCC Internal

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

### Consultees

No Consultee Referrals on Planning Application Control Form

## 10. Development Plan Policy/Ministerial Guidelines

### Monaghan County Development Plan 2019-2025

Section 15.15 Agricultural Development- Policies AGP1 and AGP2

Section 15.24 Building Lines

Section 6.7 Natura 2000 Sites and Appropriate Assessment

Revised Guidelines for Planning Authorities and An Bord Pleanala on carrying out Environmental Impact Assessment, August 2018

## 11. Planning Assessment

### Application Information

Site Area: 1.849Ha.  
Existing Floor Area: c2817sqm  
Proposed Floor Area: c2923sqm

### Assessment of current application

#### Applicants Submission

- EIAR, dated January 2021, as prepared by CLW Environmental Planners
- Compliance Statement on Policy AGP1 and AGP2 of MCDP 2019-2025, as per Section 3(1) of EIAR
- Screening for Appropriate Assessment, Appendix 18 of EIAR
- Supplementary Planning Application Form for Agricultural Development

#### Poultry Thresholds & Legislation

The capacity of the existing poultry farm is 36,000 broilers and the proposed capacity is 75,000 broilers upon completion of development (+39,000 broilers). The capacity of bird numbers falls exceeds the Threshold and that for which a Licence from the EPA is required (in excess of 40,000 places).

Therefore, an Environmental Impact Assessment Report is required to be submitted with the application in accordance with Directive 2014/52/EU (application was received after the 15<sup>th</sup> May 2017).

as with Schedule 5, Part 1, 17 and Schedule 5 Part 2, 1(e)(i) of the Planning and Development Acts, the proposed development requires an EIS.

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

This Directive requires the EIAR to assess the development in accordance with certain factors which diverge from those previously set out in the Planning and Development Act 2000 (as amended).

The Directive requires that the EIAR shall identify, describe and assess in an appropriate manner, in the light of each individual case, the direct and indirect significant effects of a project on the following factors:

- a) Population and human health
- b) Biodiversity with particular attention to species and habitats protected under Directive 92/42/EEC and Directive 2009/147/EC
- c) Land, soil, water and climate
- d) Material assets, cultural heritage and the landscape
- e) The interaction between the factors referred to in points (a) to (d)

The Directive also requires the assessment of the expected impacts from the vulnerability of the project/proposals to risk of major accidents or disasters which are relevant to the project concerned.

The Directive also requires the assessment of the expected impacts from the vulnerability of the project/proposals to risk of major accidents or disasters which are relevant to the project concerned.

#### EIAR Summary

The EIAR, dated January 2021, as prepared by CLW Environmental Planners is summarised as follows:

##### Non-Technical Summary

- Section 1 Introduction & Development Context
- Section 2 Scoping of Environmental Impact Assessment
- Section 3 Description of Reasonable Alternatives
- Section 4 Environmental Assessment
- Section 5 Description of measures to avoid, reduce, prevent or offset adverse effects on the environment
- Section 6 Environmental Management Programme
- Section 7 Summary
- Appendices 1-19

##### Non-Technical Summary

- Provides a summary of the proposed development and its operations

##### Section 1 Introduction & Development Context

- Provides a site description and details on the scale of proposed development, planning/licencing history, site location, topography, description and operation of the proposed development

##### Section 2 Scoping of Environmental Impact Assessment

- Scoping has regard to the EU Directives, EPA Guidelines, MCDP 2019-2025, list areas of the environment that must be addressed in any EIAR, likely concerns of residents, methods of reducing/eliminating undesirable impacts

##### Section 3 Description of Reasonable Alternatives

###### Alternative Site

- Current site deemed most suitable due to topography, the status of the site, distance from neighbours, site access and integration of the proposed development with the existing structures, and existing operational activities on the farm

put a compliance statement with Policy AGP 1 and AGP 2 of MCDP 2019-2025

at the proposed site:

- i. Is the most suitable site in terms of minimising the level of excavation/groundwork's required and is adjacent to the existing poultry house
- ii. Is not an elevated site in terms of the wider landscape and will not be visually detrimental
- iii. Proposed development will be integrated and maintain existing bio-security measures on the farm
- iv. Is in excess of c300m from any third party dwellings
- v. The site has no significant and/or specific environmental constraints which mitigate against the proposed site and/or would support the selection of any alternative site available to the applicant in preference to the currently proposed site

### Alternative Layout & Design

The EIAR states the following (summarised):

- The proposed development was designed to ensure that the proposed houses would integrate into the existing site with minimal visual impact on the surrounding landscape
- 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
- The location and layout of the proposed poultry house, replacing an old poultry house, located to the rear of the applicants dwelling, integrated in the landscape and utilising the existing access route will minimise any potential adverse visual impact
- Existing hedgerows are substantial and will be maintained where possible and strengthened where necessary along the boundaries to further screen the proposed development 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:
  1. Complies with the requirements of the Nitrates Directive
  2. Satisfies the applicants need for efficiencies of scale while not requiring significant additional lands
  3. Is in line with BAT requirements
  4. Will be well integrated into the landscape with the use of similar construction techniques, natural/dark coloured finishes as proposed and additional landscaping where required
  5. Is not located in an area with any significant environmental and/or other constraints
  6. Complies with the County Development Plan

### Alternative Size

The proposed development has been designed and scaled to take into account the:

- Physical restraints/parameters of the site
- Economies of scale
- Requirements of Manor Farm

The scale of the proposed development is in keeping with the scale of other existing farms supplying Manor Farm, licensed by the EPA and are of a scale that can be appropriately managed by the Applicant.

### Alternative Processes Considered

As this an existing poultry farm site, the applicant looked at a number of alternative processes including but not limited to:

1. Layer Housing
2. Traditional broiler

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 expansion are to be sent to Manor Farm.

## Section 4 Environmental Assessment

### 4.1 Description of proposed development

- Existing entrance onto public road
- Maintain existing hedgerow, if possible, additional landscaping/hedgerows
- Registered contractor to remove manure off site
- Proposed house: c128m x c22.8m x c6.5m high
- Underground water storage tank

### 4.2 Description of the production processes

- Bird, dead bird, soiled wash water management

### 4.3 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
- No third-party dwellings within c300 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
- not located close to and/or likely to adversely impact on any areas of Primary or Secondary Value as per 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)

- Existing poultry farm site, proposed development will have no adverse impact outside the boundary of the site
- the site is part of applicants bovine farming enterprise
- flora and fauna around the site have developed in the context of applicant’s bovine farm
- surrounding area is agricultural grassland
- 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
- site is not likely to adversely impact on Natura 2000 sites (closest Magheraveely Marl Loughs is c18.8km away)
- results of the SCAIL outputs for ammonia and nitrogen levels are set out
- ireland has not produced any guidance documents for assessing impacts of ammonia or nitrogen deposition on sensitive habitats
- proposed development is located in the Erne Hydrometric Area and Catchment, the Dromore Sub-Catchment and the Major Lough Stream and Dromore Sub-Basins. Drains close to the subject site and storm water from the application site will be directed to these drains which join the Lisquigney Stream which joins the Major Lough Stream (tributary of the Dromore River)
- 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
- 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

### Land and Soil

- proposed structures will be constructed predominantly on a greenfield area, 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 family 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

- proposed development will be constructed on an existing poultry farm site
- proposed site is brownfield/existing poultry farm site, adjacent to the existing poultry house
- no significant potential for any effect outside the development area
- proposed development will be integrated into the existing site due to the land topography and the existing/proposed landscaping, the proposed development will not have any adverse impact on the landscape and/or the geomorphological heritage of the area

#### Water

- effects on groundwater from the proposed development should be nil as there will be no process discharge to ground and there is minimal risk of accidental leakage or spillage of polluting liquid on the site
- 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 at the end of each batch, 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/concrete apron
- volume of water needed for the proposed development once the proposed development has been completed will be supplied from the Stranooden group water scheme, which will serve the proposed development

#### Surface Water

- no process discharge to surface water and minimal risk of accidental leakage or spillage of polluting liquid on the site
- the only discharge from the site to surface waters will be the discharge of rainwater from roofs and clean yards to field drainage, which flows towards the adjacent watercourse, a tributary of the Dromore River
- Policies WPP1-17 of MCDP 2019-2025 for the protection of water quality have been considered in the design of the proposed development and includes a number of mitigation measures both during the construction and operational phases

#### 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 5 times a year
- management practices which will be implemented so as to minimise potential odour emissions from the proposed development

#### Climate/Climate Change

- climate information such as wind direction and rainfall is an important factor in determining likely impacts that the farm operation and the application of manure will have on the local residents
- no significant adverse effect on climate

#### Effect on Visual Aspects and Landscape

- subject site is located in an area referred to as the Monahan Drumlin Uplands (LCA5) and Upland Drumlin Farmland (LCT10) in the Monaghan Landscape Character Assessment
- Areas of Secondary Amenity Value include SA5, SA6 and SV9
- 5no. Proposed NHA's
- no effects on the local environment/surrounding landscape
- not likely to adversely impact any Areas of Primary/Secondary Amenity Value, Views from Scenic Routes or Proposed NHAs, SAC or SPA as listed in MCDP 2019-2025

#### Archaeological and Cultural Heritage

- no visual evidence of any archaeological features on the subject/adjoining sites
- no recorded sites within 0.7km of the subject site as per the Archaeological Survey Database
- closest Record Protected Structure is a Ringfort/Rath located c712m north-east of the subject 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/adjacent to an existing poultry farm site that is currently farmed by the applicant
- 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 c300m of the site
- The development will have no impact on adjoining property values if for no other reason than there this is an agricultural development in an agricultural area and as such agricultural development is not alone expected in, but also appropriate to this 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 Poultry House*

- 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 and location adjacent to the existing poultry house and ancillary structure

- 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:
  - a) Increase in feed delivery from 1 load per week to 1-2 loads per week
  - b) Increase in manure transport from 2 loads per batch to 4 loads per batch
  - c) Increase in bird deliveries/collections, gas and shavings deliveries from 7-9 loads per week to 12-14 loads per week (max)
  - d) Increase in fortnightly waste collection and collection of mortalities
  - e) Increase in weekly movements from 2-2.5 loads to 3-4 loads
- Traffic to and from the site will be minimised by optimising load sizes
- There will be an increase in traffic, compared to greenfield status, but this will not adversely impact on the public road network

#### *Natural Resources*

- No impact on land, soil and/or biodiversity outside of the site area
- Main resource to be consumed would be poultry feed which is classifiable as a natural resource that is a renewable resource

#### *Emission of Pollutants*

- Site management is to 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 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
- All soiled water shall be allocated to the farmland in accordance with SI605 of 2017 as amended

#### *Creation of Nuisance*

- proposed development will be carried out in accordance with the management and operational routine proposed, and in accordance with the EPA, DAFM, Bord Bia and Monaghan Co Co requirements, and is not expected to create any significant nuisance

#### *Waste/By-Products*

- net increase in the volumes of waste/by-product which will be generated will not cause a significant adverse environmental impact
- volumes of organic fertiliser/manure produced will be minimised by efficient cleaning out and the use of high pressure low volume power washers
- 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 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 risk outside the site boundary as a result of any accident/disaster

#### *Class A Disease*

- Disposal strategy to be employed, in event of a Class A disease, will be decided by Dept of Agriculture, Food and Marine in consultation with the National Expert Epidemiological Group

- The preferred option for 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 (c8km from NI border)
- All wastes/by-products will be utilised/disposed of/recovered within the country
- No adverse impact on the local environment either within Monaghan area and/or further afield

#### **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:

- Population and human health
- Biodiversity with particular attention to species and habitats protected under Directive 92/42/EEC and Directive 2009/147/EC
- Land, soil, water and climate
- Material assets, cultural heritage and the landscape

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

Positive impacts:

- Impacts of land/soil on human health/population
- 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:

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

#### **Section 5 Description of measures to avoid, reduce, prevent or offset adverse effects on the environment**

- 11 no. best practice mitigation measures are outlined to reduce any potential adverse impact
- Implementation of the measures will ensure significant effects on the environment will be avoided and the risks of incidents of environmental significance will be near zero

#### **Section 6 Environmental Management Programme**

- Applicant will implement a comprehensive management plan involving maintaining an organic fertiliser register and visual inspection of storm water outlets, and any requirements as governed by the EPA

#### **Section 7 Summary**

The EIAR Summary states the following (summarised):

- The proposed development has been subject to EIA in accordance with the requirements under the Planning and Development Regulations 2001 (as amended)

- 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 county 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 EPA Licence for this farm

Planning Authority's Assessment and Reasoned Conclusion of Environmental Impact Assessment Report

The Planning Authority has thoroughly assessed the content of the submitted Environmental Impact Assessment Report (EIAR), dated January 2021, 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)

The Planning Authority accepts the Applicants the content of the EIAR that significant impacts on the above factors are not anticipated.

Policies for Agricultural Development

The importance of agriculture in County Monaghan is recognised.

- All planning applications shall be required to include an 'Agricultural Development' Form
- All planning applications shall be required to be accompanied by a completed supplementary planning application form for agricultural developments.

Proposed Development

- The submitted forms are summarised as follows:
  - farm Area: 44.98Ha
  - proposed floor area: c2923sqm
  - in excess of 300m from nearest third-party dwelling house
  - 36000 broilers existing, 75,000 broilers following development (+39000 broilers)
  - Storage tank capacity: 58.76m<sup>3</sup>
  - within 100m of an existing poultry production

Proposed Plans

- Proposed Poultry House dimensions (including store) c128m long x c22.8m wide x c6.5m high (total internal floor area c2923sqm) with FFL 136.00 (denoted on Drawing No. 01/002) and 134.50 (denoted on Drawing No. 01/001) – clarify by Additional Information as FFL not stated in submitted EIAR
- 2no. silo: floor area 32sqm, 9.1m high
- Design: the proposed type of poultry housing is designed for broiler rearing and comprises a simple (closed building of concrete/steel/pre-fabricated panel construction on a concrete base, all external cladding and roofing pre-painted dark green, corrugated/box profile metal

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

Policy for Agricultural Development	
<b>AGP 1</b>	To permit development on new and <u>established</u> agricultural or forestry holdings where it is demonstrated that:

a) It is necessary for the efficient use of the agricultural holding or enterprise,

Applicants Submission:

No Submission

PA Response:

No submission noted- Additional Information

b) The appearance, character and scale are appropriate to its location,

Applicants Submission:

Proposed development is in keeping with the scale, nature and finish of the existing poultry house and other poultry houses in the county and will not be visually detrimental.

FFL of the proposed poultry unit will be integrated with existing structures and ground levels; it will be integrated into the existing farm and wider landscape- no adverse visual impact

PA Response:

Planning Authority is satisfied and notes the following:

Appropriate appearance

Minimal cut and fill as per Section A-A

FFL 136.00 (denoted on Drawing No. 01/002) and 134.50 (denoted on Drawing No. 01/001) - clarify by Additional Information as FFL not stated in submitted EIAR

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

Applicants Submission:

Proposed development will be integrated into the existing poultry farmyard surrounded by existing mature hedgerows and will not be visually detrimental

Elevation of proposed development is in keeping with the land topography and height of the existing poultry house

PA Response:

Planning Authority is satisfied and notes the following:

- Minimal cut or fill to facilitate development

- No landscaping submitted- Additional Information

- FFL 136.00 (denoted on Drawing No. 01/002) and 134.50 (denoted on Drawing No. 01/001) - clarify by Additional Information as FFL not stated in submitted EIAR

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

Applicants Submission:

Proposed development is on an existing poultry site

Not likely to adversely impact the natural or built heritage

PA Response:

Ringfort/Rath located c712m north-east of the subject site

No notable features on subject site

e) The proposal will not result in a detrimental impact on the amenity of residential dwellings outside of the holding including potential for issues arising from noise, smell and pollution. Where a development is proposed within 100m of any residential property not located on the holding within the rural area (i.e. outside of a designated settlement) written consent, witnessed by a solicitor or a peace commissioner, from

the adjoining property owner stating there is no objection to the proposal must be provided,

Applicants Submission:

No third party dwellings within 300m of the proposed development

PA Response:

Appropriate separation distance from third party houses

Applicants dwelling house is located to the south-east the subject site

PA satisfied

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

Applicants Submission:

Compliance with DAFM and designated contractors' requirements

PA Response:

Environmental and ecological issues are addressed in submitted EIAR

Environment Report states no objection subject to Conditions

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

Applicants Submission:

Registered contractors/sites identified

PA Response

addressed in submitted EIAR

Environment Report states no objection subject to Conditions

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

Applicants Submission:

Existing poultry farm with existing access and on-site traffic arrangements

PA Response:

File not referred to V&D for comment as existing private laneway

150m sightlines onto local primary road denoted on Drawing No. 01/003

90m sightlines required as per MCDP 2019-2025

Planners Report on 16/147: "The site is accessed via an existing laneway adjoins a local primary road. The required sight visibility splays of 100m can be achieved in both directions. The applicant has full control of the lands in the sight splays".

PA Satisfied

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

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

Applicants Submission:

No suitable houses elsewhere on the applicant's landholding and/or available to the applicant

Proposed development allows the applicant to expand his farming activities

PA Response:

Satisfied

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

Applicants Submission:

Agricultural in form, design, finish and operation

	<p>Finishes will integrate with the landscape</p> <p>PA Response: Standard design for poultry unit</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</p> <p>Applicants Submission: Proposal is on an existing poultry farm site Proposed development has been sited and designed to integrate with the existing structures and land topography while still complying with DAFM and Bord Bia requirements</p> <p>PA Response: Satisfied</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</p> <p>Applicants Submission: Agricultural in form, design, finish and operation Materials and colours of finishes will integrate with the landscape</p> <p>PA Response: No Landscape Plan submitted- Additional Information</p> <p>m) Where possible, the development is grouped with existing buildings in order to reduce their overall impact in the interests of amenity.</p> <p>Applicants Submission: Proposal is on an existing poultry farm site</p> <p>PA Response: satisfied</p>
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**Policy for Intensive Agriculture /Poultry and Pig Farming**

<p><b>AGP 2</b></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>Applicants Submission: addressed in submitted EIAR</p> <p>PA Response: 36000 broilers existing, 75000 broilers on completion (+39000 broilers) EIAR Submitted AA Screening report submitted in EIAR (Appendix 18) Satisfied</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>Applicants Submission: Existing poultry units on site and others in this area</p>
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No reason to believe that proposed development will cause a significant adverse cumulative impact  
addressed in submitted EIAR

PA Response:  
satisfied

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

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

PA Response:  
Satisfied

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

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

PA Response:  
Satisfied

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

Applicants Submission:  
addressed in submitted EIAR  
DAFM specifications, SI695-016 2017 compliance  
Registered contractors identified

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

- f) **The potential impact of the proposal on the residential amenity of adjoining occupiers must be considered. A unit shall not be developed at a distance of less than 100 metres from a dwelling within the rural area (i.e. outside of a designated settlement) unless the third party has given written consent, witnessed by a solicitor or a peace commissioner.**

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

PA Response:  
No adverse impact on residential amenity  
satisfied

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

Applicants Submission:  
addressed in submitted EIAR

PA Response:

	<p>satisfied</p> <p>h) A comprehensive landscaping plan  Applicants Submission:  Will be integrated into the site and surrounding landscape and land topography  Existing hedgerows and additional planting will screen the proposed development</p> <p>PA Response:  No Landscaping Plan submitted- Additional Information  FFL to be clarified- Additional Information</p> <p>i) A statement outlining why a location on the landholding was deemed more appropriate to alternative options. If the Planning Authority, consider a more appropriate location is available on the landholding the application may not receive favourable consideration.  Applicants Submission:  Existing poultry farm site  Existing access and services</p> <p>PA Response:  satisfied</p> <p>j) Traffic management plans and traffic assessment associated with the proposed development may be required for large proposals.</p> <p>Applicants Submission:  Not required</p> <p>PA Response:  Not required in this instance</p>
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Building Lines

- Complies with required set back of 18m from a County Road as per Section 15.24 of MCDP 2019-2025
- Proposed poultry house is located c200m from the local primary road

Additional Information Assessment

AI was requested on 2-3-2021 and a response was received on 8-3-2021.

The Agent liaised with the Planning Authority prior to the AI submission.

The last date for observation on the Significant Further Information was 12-4-2021.

No observations were received.

The AI request was as follows:

1. The Planning Authority notes the content of the submitted Compliance Statement on Policy AGP1 and AGP 2 of Monaghan County Development Plan 2019-2025 and requests clarity or submission of some additional details.

In this regard, the Applicant shall:

- a) Submit justification that the proposed development is necessary for the efficient use of the agricultural holding or enterprise

Applicants Submission

- Specifically designed poultry house necessary to achieve the levels of performance, bio-security, internal environmental conditions, appropriate for free range layers and profitable operations of the enterprise

- Farm diversification required to sustain a sufficient income of the limited farm area, for 2 generations of the applicant's family

b) **Submit a comprehensive Landscaping Plan**

Applicants Submission

- The poultry house is located behind the applicants existing houses and relatively low set in the landscape against the backdrop of rising land topography
- Existing hedgerows will mostly remain and will screen the proposed development
- Free range birds need unrestricted access to and from the poultry house therefore additional landscaping options are limited/severely restricted
- Proposed development will be appropriately integrated into the landscape without additional landscaping

c) **Clarify the proposed Finished Floor Level (FFL 136.00 is denoted on Drawing No. 01/002 and 134.50 is denoted on Drawing No. 01/001)**

Applicants Submission

- FFL 134.50 as per the revised Site Plan denoted on Drawing No01/002 submitted on 8-3-2021

Planning Authority Assessment

The Planning Authority is satisfied that the Applicant has adequately addressed the AI request as per AI submission on 8-3-2021.

Development Contribution

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

Proposed Floor Area: c2923sqm  
 2no. silo: 32sqm  
**Total Floor Area: 2955sqm**

Appropriate Assessment

Under Article 6(3) of the EU Habitats Directive and Regulation 30 of SI no. 94/1997 "European Communities (Natural Habitats) Regulations" (1997) any plan or project which has the potential to significantly impact on the integrity of a Natura 2000 site (i.e. SAC or SPA) must be subject to an Appropriate Assessment". This requirement is also detailed under Section 177(U) of the Planning and Development Acts (2000-2010).

Policy AAP1 of MCDP 2019-2025 states "Ensure that all plans and projects in the County, not directly connected with or necessary to the management of a Natura 2000 site, but likely to have a significant effect, either directly or indirectly, on a Natura 2000 site, either alone or in combination with other plans or projects, are subject to Appropriate Assessment Screening in accordance with Article 6 of the Habitats Directive".

Policy HLP13 of MCDP 2019-2025 states

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

The submitted AA Screening Report (Appendix 18 of EIAR), dated January 2021, as prepared by Noreen McLoughlin, Ecologist, is summarised as follows:

- No Natura 2000 sites identified within 15km of the application site (closest site is Magheraveely Marl Loughs SAC UK 18.8km to the north-west)

- Potential effects of the proposed development on the Natura 2000 sites identified either alone or in combination with other plans or projects is set out in Section 3.4
- Finding of No Significant Effects set out in Section 3.5
- Appendix 1 sets out details on ammonia and nitrogen levels, as per SCAIL model
- The contribution of ammonia or nitrogen from the proposed development is deemed to be negligible
- It examined the proposed development in context of a number of factors and concludes that the proposed development will not have a significant effect on the Natura 2000 network and a Stage 2 Appropriate Assessment is not required.

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

Having regard to the findings of the submitted cumulative effects of both the proposed development and any other plan or project, it is the opinion of the Planning Authority that the development is not of a nature or scale to have any significant effects on the integrity the above mentioned or any other Natura 2000 sites and therefore a Stage 2 Appropriate Assessment is not required in respect of this project.

### Conclusion

The Planning Authority is satisfied that the Applicant has adequately addressed the AI request as per AI submission on 8-3-2021.

The proposed development complies with Section 15.15 Agricultural Development- Policies AGP1 and AGP2 of Monaghan County Development Plan 2019-2025 and the proper planning and sustainable development of the area.

A Grant of Permission is recommended subject to Conditions.

### **Recommendation**

#### Main Reasons and Considerations

Having regard to

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

it is considered that the proposed development,

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

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

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

1. (a) The developer shall pay to Monaghan County Council a sum of **€5840.00** in accordance with the General Development Contribution Scheme 2013-2019 (as revised), made by the Council under Section 48 of the Planning and Development Act 2000 (as amended), towards expenditure incurred or proposed to be incurred by the Council in the provision of community, recreation and amenity public infrastructure and facilities in the area.  
 (b) The sum attached to this condition shall be revised from the date of the grant of planning permission to the value pertaining at the time of payment in accordance with the Wholesale Price Index for Building and Construction (Materials and Wages).  
 (c) No works shall commence until payment of the development contribution is made in full, or until Monaghan County Council has agreed in writing to a schedule of phased payments of the sum.

**Reason:** It is considered appropriate that the developer should contribute towards the expenditure incurred or proposed to be incurred by the Council in the provision of community, recreation and amenity infrastructure and facilities in the area.

2.

**ENV 1 GAPPW Regulations**

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

**ENV 2 Disposal of contaminated and soiled water.**

- (i) all soiled waters shall be directed to a storage tank
- (ii) no effluent or slurry shall discharge or be allowed to discharge to any stream, river, watercourse, groundwater body or to the public road.
- (iii) all surface water arising on the concrete aprons shall discharge to a silt trap followed by an appropriately size soil polishing filter.
- (iv) The silt trap shall be inspected regularly and adequately maintained.

**ENV 3 Disposal of uncontaminated water**

(a) All uncontaminated roof water from buildings and yard water shall be separately collected and discharged in a sealed system to existing drains, streams or adequate soakpits and shall not discharge or be allowed to discharge to the foul effluent drains, foul effluent and slurry storage tanks or to the public road.

a. All uncontaminated yard water from all concrete yard areas shall discharge to an appropriately sized silt trap followed by soil polishing filter.

b. All uncontaminated roof water to discharge to a soakpit.

(b) An inspection manhole shall be installed for sampling and inspection purposes and shall be located on the surface/storm water line after the silt trap and prior to the swale. All drainage works shall be carried out in accordance with these agreed details.

**ENV 4 Storage of Organic Fertiliser**

All organic fertiliser generated by the development hereby approved shall be conveyed through properly constructed channels to the proposed storage facilities and shall not discharge or be allowed to discharge to any stream, river, watercourse, groundwater body or public road.

**ENV 5 Disposal of Organic Fertiliser**

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

**ENV 6** There shall be no change in poultry type or increase in the numbers of poultry being accommodated at this site unless otherwise agreed in writing with the Planning Authority.

**ENV 8 Waste Management**

a) Any construction and demolition waste or excess soil generated during the construction phase which cannot be reused on site shall be disposed/recovered at an appropriately permitted facility in accordance with the requirements of the Waste Management Act 1996 as amended.

b) All waste oils and any other hazardous waste materials shall be stored appropriately and collected, recovered or disposed of in accordance with the Waste Management Act 1996 as amended, and records of such shall be kept on site.

c) (i) All hazardous liquid waste or oil/fuel storage containers, temporary or otherwise, shall be banded.

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

- d) Facilities shall be provided for the collection and segregation of recyclable waste. Wastes shall be collected for recycling/reuse whenever feasible or otherwise disposed of in accordance with the Waste Management Act 1996 as amended.

#### **ENV 9 Pollution Control**

The applicant shall immediately inform the Planning Authority & Inland Fisheries Board of an accidental spillage of wastewater, organic fertiliser, fuel, machine oil or any other substance which may threaten the quality of any watercourse or groundwater body.

#### **ENV 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 contractors removing dead birds and manure.

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

- 3. The following requirements shall be fully complied with:
  - a) Prior to any other works commencing, visibility splays of 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.

**Reason: To ensure an adequate standard of development.**

- 4. (a) The planting details and associated site works as indicated on plans as submitted to the Planning Authority on 14-1-2021, 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.

**Reason: In the interest of visual amenity.**

- 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.

**Reason: In the interest of visual amenity**

- 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.

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

*A King*

Aisling King Mc Kenna

Assistant Planner

Date 15/4/21

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Monaghan County Council's Development Contributions Calculations, effective 1<sup>st</sup> January 2021

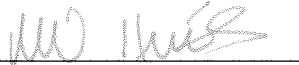
Ref No. 21-14

Category	Dev Type	Rate	Floor Area / Number	Calculation	Contributions Due (€)
3 Provision of Community, Recreation, Amenity Infrastructure	(g) The provision of buildings or other structures for the purposes of agriculture (including canopies/overhanging roofs but excluding any open yards or concrete areas/aprons)	<u>Up to 300 m<sup>2</sup></u> (3229 sq ft) Exempt  <u>Over 300 m<sup>2</sup></u> €530 plus €2 per m <sup>2</sup> over 300 m <sup>2</sup>  <u>Extensions</u> €2 per m <sup>2</sup>	Proposed Floor Area: c2923sqm  2no. silo: 32sqm  Total Floor Area: 2955sqm	€530 + €5310 (2655sqm x €2) = €5840.00	€5840.00
<b>Contributions Due (€)</b>					<b>€5840.00</b>
Category (a) – (m)	Dev Type	% Reduction	Calculations		
				N/A	
<b>Total Amount Due</b>					
Contributions Due – Discount					Total Due (€)
					€5840.00
<b>Checked / Date</b>					
AP / EP		AO		SEP	
Al McKenna 15/4/21		PP Mitchell 15/4/21			

**Assessment of Environmental Impact Assessment Report as submitted and the Environmental Impact Assessment as carried out by the Assigned Officer**

Having reviewed the details as contained within the submitted application and the related Environmental Impact Assessment Report and the assessment report as carried out by the assigned planning officer, I consider the Planning Authority to have fully considered the proposed development and I accept the conclusions as reached in respect of this proposed development.

In this regard I therefore consider it appropriate to grant permission for the proposed development, subject to conditions as recommended in the attached report.



Adrian Hughes  
Senior Planner

19.04.2021

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**MONAGHAN COUNTY COUNCIL  
PLANNING AND DEVELOPMENT REPORT**

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**File Ref:** 21/14 (Additional Information)

**Applicant:** John McBennett

**Development:** 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.

**Location:** Corvoy & Lisquigny, Ballybay, Co. Monaghan

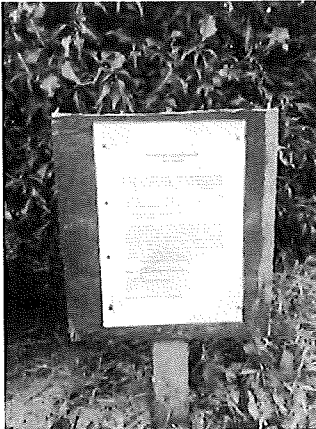
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**1. Date of Site Inspection**

4-2-2021

**2 Site Notice & Photos**

SN In order





### 3. Pre-Planning Meeting(s)

No as per Application Form

### 4. Zoning

The subject site is located in a 'Category 2- Remaining Rural Area' as per MCDP 2019-2025.

### 5. Characteristics of the Site/Area

- Subject site, denoted in red on the map below, has a stated site area of 1.849Ha.
- Site encompasses an established poultry farm with 2no. houses
- Access via a private lane from a local primary road
- ground levels rise very gently from east to west

- nearest dwelling house located to the south-east of the subject site is the applicant's
- Not within 15km of Natura 2000 sites
- No OPW flooding concerns



## 6. Proposed Development

This is an application for Permission for:

- 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 (EIA) will be submitted with this application.

## 7. Site Planning History

As per Application Form

Previous Valid Planning Applications: 16/147

Subject of Appeal: No

Site Flooded: No

Previous Uses: No

Statutory Notices: No

Planning Authority's Plan Record

**16/147:** permission to construct 1 no. poultry house together with all ancillary structures (to include meal storage bin(s) and soiled water tank(s)) and site works associated with the above development. Constructed.

## 8. Observations

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

## 9. Referrals Reports

MCC Internal

Environment: Report dated 2-2-2021. No objection subject to Conditions

No other Referrals for internal reports on Planning Application Control Form

Consultees

No Consultee Referrals on Planning Application Control Form

## 10. Development Plan Policy/Ministerial Guidelines

Monaghan County Development Plan 2019-2025

Section 15.15 Agricultural Development- Policies AGP1 and AGP2

Section 15.24 Building Lines

Section 6.7 Natura 2000 Sites and Appropriate Assessment

Revised Guidelines for Planning Authorities and An Bord Pleanála on carrying out Environmental Impact Assessment, August 2018

## 11. Planning Assessment

### Application Information

Site Area: 1.849Ha.  
Existing Floor Area: c2817sqm  
Proposed Floor Area: c2923sqm

### Assessment of current application

#### Applicants Submission

- EIAR, dated January 2021, as prepared by CLW Environmental Planners
- Compliance Statement on Policy AGP1 and AGP2 of MCDP 2019-2025, as per Section 3(1) of EIAR
- Screening for Appropriate Assessment, Appendix 18 of EIAR
- Supplementary Planning Application Form for Agricultural Development

#### Poultry Thresholds & Legislation

The capacity of the existing poultry farm is 36,000 broilers and the proposed capacity is 75,000 broilers upon completion of development (+39,000 broilers). The capacity of bird numbers falls exceeds the Threshold and that for which a Licence from the EPA is required (in excess of 40,000 places).

Therefore, an Environmental Impact Assessment Report is required to be submitted with the application in accordance with Directive 2014/52/EU (application was received after the 15<sup>th</sup> May 2017).

In accordance with Schedule 5, Part 1, 17 and Schedule 5 Part 2, 1(e)(i) of the Planning and Development Regulations, the proposed development requires an EIS.

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

This Directive requires the EIAR to assess the development in accordance with certain factors which diverge from those previously set out in the Planning and Development Act 2000 (as amended).

The Directive requires that the EIAR shall identify, describe and assess in an appropriate manner, in the light of each individual case, the direct and indirect significant effects of a project on the following factors:

- a) Population and human health
- b) Biodiversity with particular attention to species and habitats protected under Directive 92/42/EEC and Directive 2009/147/EC
- c) Land, soil, water and climate
- d) Material assets, cultural heritage and the landscape
- e) The interaction between the factors referred to in points (a) to (d)

The Directive also requires the assessment of the expected impacts from the vulnerability of the project/proposals to risk of major accidents or disasters which are relevant to the project concerned.

The Directive also requires the assessment of the expected impacts from the vulnerability of the project/proposals to risk of major accidents or disasters which are relevant to the project concerned.

## EIAR Summary

The EIAR, dated January 2021, as prepared by CLW Environmental Planners is summarised as follows:

### Non-Technical Summary

Section 1 Introduction & Development Context

Section 2 Scoping of Environmental Impact Assessment

Section 3 Description of Reasonable Alternatives

Section 4 Environmental Assessment

Section 5 Description of measures to avoid, reduce, prevent or offset adverse effects on the environment

Section 6 Environmental Management Programme

Section 7 Summary

Appendices 1-19

### Non-Technical Summary

- Provides a summary of the proposed development and its operations

### Section 1 Introduction & Development Context

- Provides a site description and details on the scale of proposed development, planning/licencing history, site location, topography, description and operation of the proposed development

### Section 2 Scoping of Environmental Impact Assessment

- Scoping has regard to the EU Directives, EPA Guidelines, MCDP 2019-2025, list areas of the environment that must be addressed in any EIAR, likely concerns of residents, methods of reducing/eliminating undesirable impacts

### Section 3 Description of Reasonable Alternatives

#### Alternative Site

- Current site deemed most suitable due to topography, the status of the site, distance from neighbours, site access and integration of the proposed development with the existing structures, and existing operational activities on the farm
- Sets out a compliance statement with Policy AGP 1 and AGP 2 of MCDP 2019-2025
- the proposed site:
  - i. Is the most suitable site in terms of minimising the level of excavation/groundwork's required and is adjacent to the existing poultry house
  - ii. Is not an elevated site in terms of the wider landscape and will not be visually detrimental
  - iii. Proposed development will be integrated and maintain existing bio-security measures on the farm
  - iv. Is in excess of c300m from any third party dwellings
  - v. The site has no significant and/or specific environmental constraints which mitigate against the proposed site and/or would support the selection of any alternative site available to the applicant in preference to the currently proposed site

#### Alternative Layout & Design

The EIAR states the following (summarised):

- The proposed development was designed to ensure that the proposed houses would integrate into the existing site with minimal visual impact on the surrounding landscape
- 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
- The location and layout of the proposed poultry house, replacing an old poultry house, located to the rear of the applicants dwelling, integrated in the landscape and utilising the existing access route will minimise any potential adverse visual impact
- Existing hedgerows are substantial and will be maintained where possible and strengthened where necessary along the boundaries to further screen the proposed development 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:
  1. Complies with the requirements of the Nitrates Directive
  2. Satisfies the applicants need for efficiencies of scale while not requiring significant additional lands
  3. Is in line with BAT requirements
  4. Will be well integrated into the landscape with the use of similar construction techniques, natural/dark coloured finishes as proposed and additional landscaping where required
  5. Is not located in an area with any significant environmental and/or other constraints
  6. Complies with the County Development Plan

#### Alternative Size

The proposed development has been designed and scaled to take into account the:

- Physical restraints/parameters of the site
- Economies of scale
- Requirements of Manor Farm

The scale of the proposed development is in keeping with the scale of other existing farms supplying Manor Farm, licensed by the EPA and are of a scale that can be appropriately managed by the Applicant.

#### Alternative Processes Considered

As this an existing poultry farm site, the applicant looked at a number of alternative processes including but not limited to:

- 1.Layer Housing
- 2.Traditional broiler

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 expansion are to be sent to Manor Farm.

### Section 4 Environmental Assessment

#### 4.1 Description of proposed development

- Existing entrance onto public road
- Maintain existing hedgerow, if possible, additional landscaping/hedgerows
- Registered contractor to remove manure off site
- Proposed house: c128m x c22.8m x c6.5m high
- Underground water storage tank

#### 4.2 Description of the production processes

- Bird, dead bird, soiled wash water management

#### 4.3 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
- No third-party dwellings within c300 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
- not located close to and/or likely to adversely impact on any areas of Primary or Secondary Value as per 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)

- Existing poultry farm site, proposed development will have no adverse impact outside the boundary of the site
- the site is part of applicants bovine farming enterprise
- flora and fauna around the site have developed in the context of applicant's bovine farm
- surrounding area is agricultural grassland
- 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
- site is not likely to adversely impact on Natura 2000 sites (closest Magheraveely Marl Loughs is c18.8km away)
- results of the SCAIL outputs for ammonia and nitrogen levels are set out
- Ireland has not produced any guidance documents for assessing impacts of ammonia or nitrogen deposition on sensitive habitats
- proposed development is located in the Erne Hydrometric Area and Catchment, the Dromore Sub-Catchment and the Major Lough Stream and Dromore Sub-Basins. Drains close to the subject site and storm water from the application site will be directed to these drains which join the Lisquigney Stream which joins the Major Lough Stream (tributary of the Dromore River)
- 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
- 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

#### Land and Soil

- proposed structures will be constructed predominantly on a greenfield area, 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 family 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

- proposed development will be constructed on an existing poultry farm site
- proposed site is brownfield/existing poultry farm site, adjacent to the existing poultry house
- no significant potential for any effect outside the development area
- proposed development will be integrated into the existing site due to the land topography and the existing/proposed landscaping, the proposed development will not have any adverse impact on the landscape and/or the geomorphological heritage of the area

#### Water

- effects on groundwater from the proposed development should be nil as there will be no process discharge to ground and there is minimal risk of accidental leakage or spillage of polluting liquid on the site
- 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 at the end of each batch, 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/concrete apron
- volume of water needed for the proposed development once the proposed development has been completed will be supplied from the Stranooden group water scheme, which will serve the proposed development

#### Surface Water

- no process discharge to surface water and minimal risk of accidental leakage or spillage of polluting liquid on the site
- the only discharge from the site to surface waters will be the discharge of rainwater from roofs and clean yards to field drainage, which flows towards the adjacent watercourse, a tributary of the Dromore River
- Policies WPP1-17 of MCDP 2019-2025 for the protection of water quality have been considered in the design of the proposed development and includes a number of mitigation measures both during the construction and operational phases

#### 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 5 times a year
- management practices which will be implemented so as to minimise potential odour emissions from the proposed development

#### Climate/Climate Change

- climate information such as wind direction and rainfall is an important factor in determining likely impacts that the farm operation and the application of manure will have on the local residents
- no significant adverse effect on climate

#### Effect on Visual Aspects and Landscape

- subject site is located in an area referred to as the Monaghan Drumlin Uplands (LCA5) and Upland Drumlin Farmland (LCT10) in the Monaghan Landscape Character Assessment
- Areas of Secondary Amenity Value include SA5, SA6 and SV9
- 5no. Proposed NHA's
- no effects on the local environment/surrounding landscape
- not likely to adversely impact any Areas of Primary/Secondary Amenity Value, Views from Scenic Routes or Proposed NHAs, SAC or SPA as listed in MCDP 2019-2025

#### Archaeological and Cultural Heritage

- no visual evidence of any archaeological features on the subject/adjoining sites
- no recorded sites within 0.7km of the subject site as per the Archaeological Survey Database
- closest Record Protected Structure is a Ringfort/Rath located c712m north-east of the subject 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/adjacent to an existing poultry farm site that is currently farmed by the applicant
- 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 c300m of the site
- The development will have no impact on adjoining property values if for no other reason than there this is an agricultural development in an agricultural area and as such agricultural development is not alone expected in, but also appropriate to this 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 Poultry House*

- 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 and location adjacent to the existing poultry house and ancillary structure
- 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:
  - a) Increase in feed delivery from 1 load per week to 1-2 loads per week
  - b) Increase in manure transport from 2 loads per batch to 4 loads per batch
  - c) Increase in bird deliveries/collections, gas and shavings deliveries from 7-9 loads per week to 12-14 loads per week (max)
  - d) Increase in fortnightly waste collection and collection of mortalities
  - e) Increase in weekly movements from 2-2.5 loads to 3-4 loads
- Traffic to and from the site will be minimised by optimising load sizes
- There will be an increase in traffic, compared to greenfield status, but this will not adversely impact on the public road network

##### *Natural Resources*

- No impact on land, soil and/or biodiversity outside of the site area
- Main resource to be consumed would be poultry feed which is classifiable as a natural resource that is a renewable resource

### *Emission of Pollutants*

- Site management is to 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 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
- All soiled water shall be allocated to the farmland in accordance with SI605 of 2017 as amended

### *Creation of Nuisance*

- proposed development will be carried out in accordance with the management and operational routine proposed, and in accordance with the EPA, DAFM, Bord Bia and Monaghan Co Co requirements, and is not expected to create any significant nuisance

### *Waste/By-Products*

- net increase in the volumes of waste/by-product which will be generated will not cause a significant adverse environmental impact
- volumes of organic fertiliser/manure produced will be minimised by efficient cleaning out and the use of high pressure low volume power washers
- 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 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 risk outside the site boundary as a result of any accident/disaster

### *Class A Disease*

- Disposal strategy to be employed, in event of a Class A disease, will be decided by Dept of Agriculture, Food and Marine in consultation with the National Expert Epidemiological Group
- The preferred option for 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 (c8km from NI border)
- All wastes/by-products will be utilised/disposed of/recovered within the country
- No adverse impact on the local environment either within Monaghan area and/or further afield

### 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

### Section 5 Description of measures to avoid, reduce, prevent or offset adverse effects on the environment

- 11no. best practice mitigation measures are outlined to reduce any potential adverse impact
- Implementation of the measures will ensure significant effects on the environment will be avoided and the risks of incidents of environmental significance will be near zero

### Section 6 Environmental Management Programme

- Applicant will implement a comprehensive management plan involving maintaining an organic fertiliser register and visual inspection of storm water outlets, and any requirements as governed by the EPA

### Section 7 Summary

The EIAR Summary states the following (summarised):

- The proposed development has been subject to EIA in accordance with the requirements under the Planning and Development Regulations 2001 (as amended)
- 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 county 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 EPA Licence for this farm

### Planning Authority's Assessment and Reasoned Conclusion of Environmental Impact Assessment Report

The Planning Authority has thoroughly assessed the content of the submitted Environmental Impact Assessment Report (EIAR), dated January 2021, 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)

The Planning Authority accepts the Applicants the content of the EIAR that significant impacts on the above factors are not anticipated.

Policies for Agricultural Development

The importance of agriculture in County Monaghan is recognised.

- All planning applications shall be required to include an ‘Agricultural Development’ Form
- All planning applications shall be required to be accompanied by a completed supplementary planning application form for agricultural developments.

Proposed Development

- The submitted forms are summarised as follows:
  - farm Area: 44.98Ha.
  - proposed floor area: c2923sqm
  - in excess of 300m from nearest third-party dwelling house
  - 36000 broilers existing, 75,000 broilers following development (+39000 broilers)
  - Storage tank capacity: 58.76m3
  - within 100m of an existing poultry production

Proposed Plans

- Proposed Poultry House dimensions (including store) c128m long x c22.8m wide x c6.5m high (total internal floor area c2923sqm) with FFL 136.00 (denoted on Drawing No. 01/002) and 134.50 (denoted on Drawing No. 01/001) - clarify by Additional Information as FFL not stated in submitted EIAR
- 2no. silo: floor area 32sqm, 9.1m high
- Design: the proposed type of poultry housing is designed for broiler rearing and comprises a simple (closed building of concrete/steel/pre-fabricated panel construction on a concrete base, all external cladding and roofing pre-painted dark green, corrugated/box profile metal

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

Policy for Agricultural Development	
<b>AGP 1</b>	<p>To permit development on new and <u>established</u> agricultural or forestry holdings where it is demonstrated that:</p> <p>a) It is necessary for the efficient use of the agricultural holding or enterprise,            Applicants Submission:            No Submission            PA Response:            No submission noted- Additional Information</p> <p>b) The appearance, character and scale are appropriate to its location,            Applicants Submission:            Proposed development is in keeping with the scale, nature and finish of the existing poultry house and other poultry houses in the county and will not be visually detrimental.            FFL of the proposed poultry unit will be integrated with existing structures and ground levels; it will be integrated into the existing farm and wider landscape- no adverse visual impact</p>

PA Response:

Planning Authority is satisfied and notes the following:

Appropriate appearance

Minimal cut and fill as per Section A-A

FFL 136.00 (denoted on Drawing No. 01/002) and 134.50 (denoted on Drawing No. 01/001) - clarify by Additional Information as FFL not stated in submitted EIAR

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

Applicants Submission:

Proposed development will be integrated into the existing poultry farmyard surrounded by existing mature hedgerows and will not be visually detrimental

Elevation of proposed development is in keeping with the land topography and height of the existing poultry house

PA Response:

Planning Authority is satisfied and notes the following:

- Minimal cut or fill to facilitate development
- No landscaping submitted- Additional Information
- FFL 136.00 (denoted on Drawing No. 01/002) and 134.50 (denoted on Drawing No. 01/001) - clarify by Additional Information as FFL not stated in submitted EIAR

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

Applicants Submission:

Proposed development is on an existing poultry site

Not likely to adversely impact the natural or built heritage

PA Response:

Ringfort/Rath located c712m to the east of the subject site

No notable features on subject site

- e) The proposal will not result in a detrimental impact on the amenity of residential dwellings outside of the holding including potential for issues arising from noise, smell and pollution. Where a development is proposed within 100m of any residential property not located on the holding within the rural area (i.e. outside of a designated settlement) written consent, witnessed by a solicitor or a peace commissioner, from the adjoining property owner stating there is no objection to the proposal must be provided,

Applicants Submission:

No third party dwellings within 300m of the proposed development

PA Response:

Appropriate separation distance from third party houses

Applicants dwelling house is located to the south-east the subject site

PA satisfied

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

Applicants Submission:

Compliance with DAFM and designated contractors' requirements

PA Response:

Environmental and ecological issues are addressed in submitted EIAR

Environment Report states no objection subject to Conditions

- g) Proper provision for disposal of liquid and solid waste is provided.  
Applicants Submission:  
Registered contractors/sites identified

PA Response  
addressed in submitted EIAR  
Environment Report states no objection subject to Conditions

- h) The proposal will not result in a traffic hazard  
Applicants Submission:  
Existing poultry farm with existing access and on-site traffic arrangements

PA Response:  
File not referred to MD for comment as existing private laneway  
150m sightlines onto local primary road denoted on Drawing No. 01/003  
90m sightlines required as per MCDP 2019-2025  
Planners Report on 16/147: "The site is accessed via an existing laneway adjoins a local primary road. The required sight visibility splays of 100m can be achieved in both directions. The applicant has full control of the lands in the sight splays".  
PA Satisfied

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

- i) Outline why there is no suitable existing building on the holding that cannot be used.  
Applicants Submission:  
No suitable houses elsewhere on the applicant's landholding and/or available to the applicant  
Proposed development allows the applicant to expand his farming activities

PA Response:  
Satisfied

- j) Design, scale and materials which are sympathetic to the locality and adjacent buildings.  
Applicants Submission:  
Agricultural in form, design, finish and operation  
Finishes will integrate with the landscape

PA Response:  
Standard design for poultry unit

- k) The proposal is located within or adjacent to existing farm buildings, unless it has been clearly demonstrated that the building must be located elsewhere for essential operational or other reasons

Applicants Submission:  
Proposal is on an existing poultry farm site  
Proposed development has been sited and designed to integrate with the existing structures and land topography while still complying with DAFM and Bord Bia requirements

PA Response:  
Satisfied



	<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  Applicants Submission:  Agricultural in form, design, finish and operation  Materials and colours of finishes will integrate with the landscape  PA Response:  No Landscape Plan submitted- Additional Information</p> <p>m) Where possible, the development is grouped with existing buildings in order to reduce their overall impact in the interests of amenity.  Applicants Submission:  Proposal is on an existing poultry farm site</p> <p>PA Response:  satisfied</p>
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**Policy for Intensive Agriculture /Poultry and Pig Farming**

<p><b>AGP 2</b></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.  Applicants Submission:  addressed in submitted EIAR</p> <p>PA Response:  36000 broilers existing, 75000 broilers on completion (+39000 broilers)  EIAR Submitted  AA Screening report submitted in EIAR (Appendix 18)  Satisfied</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.  Applicants Submission:  Existing poultry units on site and others in this area  No reason to believe that proposed development will cause a significant adverse cumulative impact  addressed in submitted EIAR</p> <p>PA Response:  satisfied</p> <p>c) Methods for waste management including frequency and location of disposal relative to the proposed unit.  Applicants Submission:  addressed in submitted EIAR  dead birds and general waste to be disposed of as appropriate</p> <p>PA Response:  Satisfied</p> <p>d) Details of air pollution arising from the units and effluent storage, transportation and spreading.</p>
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Applicants Submission:  
addressed in submitted EIAR  
atmospheric emissions of ammonia and nitrogen predictions as per SCAIL model  
No significant effects upon the designated sites arising from emissions from the proposed development

PA Response:  
Satisfied

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

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

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

f) The potential impact of the proposal on the residential amenity of adjoining occupiers must be considered. A unit shall not be developed at a distance of less than 100 metres from a dwelling within the rural area (i.e. outside of a designated settlement) unless the third party has given written consent, witnessed by a solicitor or a peace commissioner.

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

PA Response:  
No adverse impact on residential amenity  
satisfied

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

Applicants Submission:  
addressed in submitted EIAR

PA Response:  
satisfied

h) A comprehensive landscaping plan

Applicants Submission:  
Will be integrated into the site and surrounding landscape and land topography  
Existing hedgerows and additional planting will screen the proposed development

PA Response:  
No Landscaping Plan submitted- Additional Information  
FFL to be clarified- Additional Information

i) A statement outlining why a location on the landholding was deemed more appropriate to alternative options. If the Planning Authority, consider a more appropriate location is available on the landholding the application may not receive favourable consideration.

Applicants Submission:  
Existing poultry farm site  
Existing access and services

	<p>PA Response: satisfied</p> <p>j) Traffic management plans and traffic assessment associated with the proposed development may be required for large proposals.</p> <p>Applicants Submission: Not required</p> <p>PA Response: Not required in this instance</p>
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#### Building Lines

- Complies with required set back of 18m from a County Road as per Section 15.24 of MCDP 2019-2025
- Proposed poultry house is located c200m from the local primary road

#### Development Contribution

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

Proposed Floor Area: c2923sqm  
 2no. silo: 32sqm  
**Total Floor Area: 2955sqm**

#### Appropriate Assessment

Under Article 6(3) of the EU Habitats Directive and Regulation 30 of SI no. 94/1997 "European Communities (Natural Habitats) Regulations" (1997) any plan or project which has the potential to significantly impact on the integrity of a Natura 2000 site (i.e. SAC or SPA) must be subject to an Appropriate Assessment". This requirement is also detailed under Section 177(U) of the Planning and Development Acts (2000-2010).

Policy AAP1 of MCDP 2019-2025 states "Ensure that all plans and projects in the County, not directly connected with or necessary to the management of a Natura 2000 site, but likely to have a significant effect, either directly or indirectly, on a Natura 2000 site, either alone or in combination with other plans or projects, are subject to Appropriate Assessment Screening in accordance with Article 6 of the Habitats Directive".

Policy HLP13 of MCDP 2019-2025 states

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

The submitted AA Screening Report (Appendix 18 of EIAR), dated January 2021, as prepared by Noreen McLoughlin, Ecologist, is summarised as follows:

- No Natura 2000 sites identified within 15km of the application site (closest site is Magheraveely Marl Loughs SAC UK 18.8km to the north-west)
- Potential effects of the proposed development on the Natura 2000 sites identified either alone or in combination with other plans or projects is set out in Section 3.4
- Finding of No Significant Effects set out in Section 3.5
- Appendix 1 sets out details on ammonia and nitrogen levels, as per SCAIL model
- The contribution of ammonia or nitrogen from the proposed development is deemed to be negligible

- It examined the proposed development in context of a number of factors and concludes that the proposed development will not have a significant effect on the Natura 2000 network and a Stage 2 Appropriate Assessment is not required.

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

Having regard to the findings of the submitted cumulative effects of both the proposed development and any other plan or project, it is the opinion of the Planning Authority that the development is not of a nature or scale to have any significant effects on the integrity the above mentioned or any other Natura 2000 sites and therefore a Stage 2 Appropriate Assessment is not required in respect of this project.

#### Conclusion

Additional Information relating to:

- Some details on Compliance Statement on AGP 1 and 2 including:
  - Justification that the proposed development is necessary for the efficient use of the agricultural holding or enterprise
  - No Landscaping Plan submitted
  - FFL to be clarified: FFL 136.00 (denoted on Drawing No. 01/002) and 134.50 (denoted on Drawing No. 01/001) - clarify by Additional Information as FFL not stated in submitted EIAR

#### **Recommendation**

It is recommended that **ADDITIONAL INFORMATION** be requested as follows:

1. The Planning Authority notes the content of the submitted Compliance Statement on Policy AGP1 and AGP 2 of Monaghan County Development Plan 2019-2025 and requests clarity or submission of some additional details.

In this regard, the Applicant shall:

- a) Submit justification that the proposed development is necessary for the efficient use of the agricultural holding or enterprise
- b) Submit a comprehensive Landscaping Plan
- c) Clarify the proposed Finished Floor Level (FFL 136.00 is denoted on Drawing No. 01/002 and 134.50 is denoted on Drawing No. 01/001)



Aisling King Mc Kenna

Assistant Planner

Date

26/12

PLANNING APPLICATION DECISION FORM

Planning Application  
Reference No. 2114

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:

MJ Mills  
Senior Planner

Date: 19.04.2021

DECISION OF MONAGHAN COUNTY COUNCIL:

Approved with conditions  
recommended in

Refused

Planning Officer's Report

Other

MJ Mills  
Senior Planner

19.04.2021  
Date