

Planning Report
Limerick County Council

File No: 12306
Applicant: Ballyfaskin Enterprises Ltd
Location: Ballyfaskin, Ballylanders
Development Description: the expansion of an existing integrated sow unit to 600 sows. The development proposes to construct a new loose welfare friendly dry sow house, 3 no. fattening houses, a new farrowing house, a feed mill, new site entrance including access road and associated site works. The development proposes to replace two existing farrowing houses, an existing fattening house and a gilt house (this application relates to development which comprises or is for the purposes of an activity requiring an Integrated Pollution Control Licence and an Environmental Impact Statement has been submitted as part of the planning application)

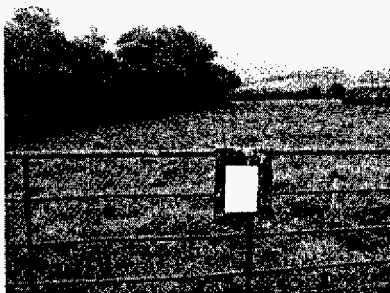
1) Site Visit:

Adrian Ormsby 11/05/12

2) Description of existing and proposed development and site analysis:

This is an application for the expansion of an existing integrated sow unit to 600 sows. The development proposes to construct a new loose welfare friendly dry sow house, 3 no. fattening houses, a new farrowing house, a feed mill, new site entrance including access road and associated site works. The development proposes to replace two existing farrowing houses, an existing fattening house and a gilt house (this application relates to development which comprises or is for the purposes of an activity requiring an Integrated Pollution Control Licence and an Environmental Impact Statement has been submitted as part of the planning application)

3) Photographs:



Others uploaded to file.

4) Planning History:

This Site:

- 11373- Conditional grant of permission for the extension of a milking parlour dairy
- 08998- Conditional grant of permission for slatted extension to existing cow housing
- 10234- Declared withdrawn
- 09588- Conditional grant of permission for the extension of farrowing house D and replace existing farrowing house E and associated site works
- 08581- Incomplete Application
- 072101- Conditional grant of permission for the construction of a new store, cover existing open pig manure storage tank with a house for hospital pens, replace 4 no. existing pig houses with new modern design buildings. and construct a covered geomembrane lined pig manure storage basin adjacent to the pig farm
- 063801- Conditional grant of permission for construction of a new loose dry sow house to comply with new welfare regulations, adjacent to existing pig farm. An EIS has been submitted as part of this application

Pre-planning-

None indicated, meeting held on 06/12/11 with Patrick Ryan reference number 6377. Notes added to file

5) Habitats Directive Project Screening Assessment

Both construction and operating phases of the proposed development to be considered.

<p>Construction Phase: Extension to Piggery Are effects significant: Yes Are substantial works required: Yes Operating phase effects: N/A Are effects significant: No</p>	<p>Ex-situ effects: None Are effects significant? no Run-off: N/A Are effects significant: no Abstraction: None Displacement: None - site located outside SAC.</p>
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Identification of Natura 2000 sites which may be impacted by the proposed development

1	<p>Impacts on designated rivers, streams, lakes and fresh water dependant habitats and species e.g. bogs or otters -see abstraction/run off etc above.</p>	<p><i>Is the development in the relevant catchment of or immediately up/downstream of a watercourse that has been designated as a Natura 2000 site?</i></p>	No
2	<p>Impacts on terrestrial habitats and species.-see area and disturbance/displacement effects above.</p>	<p><i>Is the development within 1km of a SAC site with terrestrial based habitats or species?</i></p>	No

3	Impacts on designated marine habitats and species.	<i>Is the development located within marine or intertidal areas or within 5 km of a SAC site whose qualifying habitats or species include the following habitats: Salmonid, Lamprey Mudflats, sandflats, saltmarsh, shingle, reefs, sea cliffs</i>	Yes, approx 4km west of Galtee Mountains SAC (000646).
4	Impacts on birds in SPAs-	<i>Is the development within 1km of a Special Protection Area</i>	No
5	Cumulative effects	<i>Would consideration of a number of significant projects nearby such as forested areas, quarries, wind energy together with the proposed development significantly increase the impacts listed above:</i>	None

Conclusion:

Report received from Heritage Officer. No issues raised. Overall it is considered that the development will not exercise a significant effect on any SAC or SPA. I do not consider an Appropriate Assessment is necessary.

6) Summary of relevant planning matters

County Development Plan 2010-2016.

7) Services

Existing

8) Submissions/Objections:

Internal Submissions

County Roads-

Further Information required

Environment-

Further Information required

County Archaeologist-

No objection subject to condition

Heritage Officer-

No objection subject to condition F.I requested

External Submissions

HSE-

Further Information required

An Taisce-

Compliance of existing facility

Dev App Unit-

No report to date Submission received. F.I requested.

EPA-

Activity will require IPCC license

Bord Gáis-

No report to date

Objections None

Submissions from Elected Representatives None

9) Summary of key planning issues and assessment:

The applicant is applying for new buildings to existing piggery. The new build will be 7513.4 sq.m. 2600 sq.m will be retained. The site area is 2.6 hectares. An Environmental Impact Assessment has been submitted with this application as advised at preplanning stage and in accordance with Schedule 5 Part 2-1 (e) (ii). The applicant is proposing to access the site through the use of an existing entrance onto the R662 Regional Road.

The applicant has detailed that the site currently operates with a maximum capacity of 300 Sow Units. The proposed development will accommodate 600 sow pig production.

The development includes the following-

3 Fattening houses-	1531.8 sq.m	(1 replacement of 1070.4 sq.m)
1 Feed Mill-	400 sq.m	
1 Farrowing house-	653.3 sq.m	(1 replacement of 413.8 sq.m)
1 Dry Sow House-	1192.4 sq.m	
1 Gilt House (replacement) -	258.5 sq.m	

Environmental Impact Assessment

The existing development and the proposed application will exceed the threshold set out in the 2001 Planning Regs and as such an EIA has been submitted with the application.

The EIA dealt with the following-

- Alternatives- the application is an extension to existing facility and as such is suitably located in rural setting and is acceptable in principle.
- Air Quality and Climate- See reports from Environment and HSE
- Noise- See reports from Environment and HSE, it is noted that LCC's environment section have stated noise levels do not exceed prescribed limits. This can be addressed with a condition..
- Landscape and Visual- See assessment below on Landscape Character and Scenic Views and Prospects
- Terrestrial Environment- See report from Heritage Officer (no issues raised)
- Aquatic Environment- See report from Heritage Officer (no issues raised)
- Soils Geology and Hydrogeology See reports from Environment and HSE
- Climate- the proposed development will not negatively impact on climate
- Material Assets
 - Agriculture
 - Natural and other resourcesSee reports from Environment and HSE
- Architectural, Archaeological and Cultural Heritage. It is noted there are no protected structures, Architectural Conservation Areas or buildings on the NIAH

in the vicinity of the site. There are a number of Archaeological monuments in the general area. See report from County Archaeologist.

Overall it is considered that the EIA is deficient in a number of points as outlined by reports from LCC Environment Section and the HSE i.e. Effluent and Nutrient Management Plan, impacts on groundwater and source protection areas from land spreading and surface water disposal.

Further Information required

Objective ED O19: Agricultural developments

The Council will normally permit development proposals for agricultural development where:

- a) they are appropriate in nature and scale to the area in which they are located;*
- b) the proposal is necessary for the efficient use of the agricultural holding or enterprise;*
- c) where the proposal involves the erection of buildings, there are no suitable redundant buildings on the farm holding which would accommodate the development;*
- d) the development is not visually intrusive in the local landscape and, where the proposal is for a new building(s) and there are no suitable redundant buildings, the proposal is sited adjacent to existing buildings and suitably visually integrated in the holding; and*
- e) the proposal demonstrates that it has taken into account traffic, environmental and amenity considerations and is in accordance with the policies, requirements and guidance contained in this Plan.*

The application is for an extension to existing pig facility and as such is acceptable in principle at this location.

Section 10.8.1 - Intensive Pig and Poultry Units

In assessing an application for intensive pig or poultry units, the Planning Authority will consider and require information on the following:

- Depending on the size of the unit, an E.I.S. may be required. In addition an Integrated Pollution Control licence may be required from the Environmental Protection Agency.*
- Scale and intensity of operations including the cumulative impact of similar type developments.*
- Waste management including frequency and location of disposal relative to pig and poultry units. In addition, the applicant will be required to demonstrate that there is a stable, secure, sustainable outlet for all slurries and manures from the proposed development. All slurry and effluent shall be stored in concrete tanks constructed in accordance with S123 'Minimum Specification: Slatted livestock units; Reinforced Concrete tanks' (DAFF 1994) or other types of structures approved by the Planning Authority.*
- Air pollution arising from housing units and effluent storage, transportation and spreading. The control of odour is another important consideration.*
- Proximity of development to aquifers and watercourses.*

- *Units should be located a minimum of 400 metres from the nearest dwelling other than the applicants dwelling. In the case of villages and town's intensive poultry and particularly pig units will be required to be located a much greater distance away from the settlement because of the impacts on residential amenities.*
- *Animal housing units in terms of design, and associated activities such as cleaning, ventilation and heating.*
- *Landscaping of site - a comprehensive landscaping plan should be submitted as part of the planning application.*

Having regard to the above an Environmental Impact Assessment has been submitted with the application. The development will also require an IPCC license which has been applied for (See report from EPA).

It is noted that the development is located within 400 metres of a number of dwellings. Two of these dwellings appear to be the applicant's family homes. The applicant should be requested to submit a map outlining all dwellings within 400 metres of the facility and ownership of the dwellings. It is noted there are no third party submissions on the file.

Further Information required

Objective EH O8: Ballyhoura/Slieve Reagh Landscape Character Area

It is the objective of the Council to:

- Where housing is permitted encourage appropriate scale and high quality design for this landscape area coupled with sensitive site location and landscaping. Respect traditional scale particularly on elevated or locally prominent sites.*
- Strongly encourage retention of earth bank field boundaries particularly in the more upland parts of this area, as the screening abilities of landscape features in this area are limited.*
- Encourage use of species native to this particular area in landscaping developments. Species native to the upland parts of this area could be used, such as mountain ash and birch.*
- Ensure that forestry applications subject to planning are confined to infill and below 300m above sea level, as much of the Ballyhouras is a Special Area of Conservation.*
- (e) Applications for wind energy will be only be considered in the areas open for consideration in Map 8.4.*
- Encourage development within existing settlements.*

Objective EH O17: Scenic Views and Prospects

(a) It is the objective of the Council to safeguard the scenic views and prospects by integrating them into landscape character areas, which will ensure a more balanced approach towards landscape issues within the County.

(b) In areas where scenic views and prospects are listed in Map 7.6 there will be a presumption against development except that which is required in relation to farming and appropriate tourism and related activities, or a dwelling required by a long term land

owner or his/her family that can be appropriately designed so that it can be integrated into the landscape.

(c) The Planning Authority will exercise a high level of control (layout design, siting, materials used, landscaping) on developments in these areas. In such areas site specific designs are required. It should be noted that in areas outside these delineated areas, high standards will also be required.

Design and Layout of buildings having regard to above Objectives

The application involves a number of buildings that are generally in keeping with the existing facility and agricultural buildings. However the application also involves the construction of a Mill building with a ridge height of 18.287 metres. This building is to rear of single storey dwelling fronting the R662 regional road. It is noted that this building will facilitate a number of silos that are currently within existing facility but not located within any buildings. Having regard to the proximity of the site to the identified scenic views in the County Development Plan the proposed mill building is not acceptable. It is noted the EIS does not address the scenic views and prospects for this area. Applicant should be requested to submit revised proposals and to justify same.

Further Information required

Environmental Issues

The following report received from Environment Section on the 06/06/12 in terms of dealing with Noise, Odour and Effluent & Nutrient Management-

"I advise that further information be required as set out below: -

F.I. : - Provide specific details of the proposed heating, ventilation, dust management and drinking systems to demonstrate that Best Available Techniques will be employed. This shall be certified by a suitably qualified person to meet "Best Available Technology" criteria.*

F.I. - " Provide a comprehensive Effluent Management & Nutrient Management prepared by a suitably qualified Agriculturalist to demonstrate that the requirements of the European Communities (Good Agricultural Practice for Protection of Waters) Regulations 2010 & 2011 will be met.

A Yard Layout Plan shall indicate flow paths of all effluents arising and dimensions of all soiled yards areas shall be clearly shown on the yard sketch. Soiled water calculations shall be referenced in the Effluent Management Plan.

The plan shall demonstrate that the Applicant has a minimum slurry storage capacity of 26 weeks. The plan address the issue of

Maps of all spreadlands shall be provided and buffer zones (as set out in the above Regulations) shall be clearly identified on maps. Nitrogen & Phosphorus Statements of all recipient farmers shall also attach.

Disposal of any bedding material shall be referenced in the Nutrient Management Plan.

NOTE - A noise survey was carried out on 8th March 2012. Noise Levels do not exceed prescribed limits. It is noted in the report that "the proposed extension moves away from the nearest residences"

Wastewater

No report received from environment but discussed with Andrew Faughnan on the 06/06/12. In section 19 of the application form the applicant has indicated wastewater is treated from an existing system. It is unclear from the drawings submitted what this existing system is. Applicants should be requested to detail how wastewater is disposed off from the site. If a septic tank/treatment system exists it should be clearly shown on the drawings and a walkover survey should be carried out. Any proposals to improve the system if required should be submitted.

FI required

Entrance/Roads/Transport

Discussed with Robert Gallagher on 05/06/12.

It is noted the EIS is very limited in terms of the proposed traffic implications of the development onto the Regional Road. In this regard the applicant should be requested to submit details of existing traffic movements and proposed movements and types of vehicles etc.

A report has been received from the Area Office 06/06/12 as follows-

"I wish to confirm that I have inspected this application.

The proposal to open a new entrance is a definite improvement as the existing entrance is at a very bad location.

FI should be sought however requesting the achievable sight lines to be clearly shown bearing in mind that a sight distance of 160m should be required on the R662.

Is it the intention also to close the existing piggery entrance as this should be conditional on granting the new one."

Further Information

EPA

Report received on the 18/05/12. Report states the applicant will need an IPCC license for the development which has been applied for. If a license is to be granted the EPA incorporate conditions that will ensure appropriate national and EU standards are applied and the BAT will be used in the carrying on of the activities.

HSE

A detailed report has been received from the HSE on the 24/05/12 requiring a number of points of further information. The relevant planning points have been incorporated into the further information request and will be required in the EMP and NMP as discussed and agreed with Aidan Leonard in the Environment section.

10 Part V

N/A

11 Contributions:

Development Contribution Scheme Section E- Other Uses. Agricultural development where the development exceeds the EIA threshold as specified in the Planning and

Development Regulations. Further information required to determine size of new development.
€2,871 per 100 sq.m.

12) Recommendation

I recommend that the following Further Information is requested-

1. The Environmental Impact Assessment is lacking in terms of impacts of traffic from the development on to this Regional Road. In order to ensure that the proposed development does not result in the creation of a traffic hazard please submit the following information -
 - a. Specific details regarding the extent of traffic movements with particular attention to the number, type and respective weights of all vehicles should be highlighted.
 - b. Special attention should be paid to the frequency of movements and the number/type of delivery/collection movements by external contractors, visitors and the general public and turning area for HGV's.
 - c. All vehicular traffic turning manoeuvres that the proposed and existing development generate on the site and on to the public road.
2. In relation to the proposed use of the entrance to the site you are required to address the following-
 - a. Show in plan form and to scale that you can achieve adequate sight lines on to the R662 regional road. The sight line triangle should be assessed from a distance of three metres back from the public road edge, from a height of one metre and for a distance of 160 metres in both directions to the near road edge only (i.e. same side as entrance).
 - b. Show in plan form and to scale that you can achieve minimum stopping sight distances. Minimum stopping distances are measured along the centre line of the carriageway travelled on the road over a distance of 160 metres with a driver height of 1 metre and an object height of 0.26 metres. You must clearly show forward visibility in a south to north direction from a point 160 metres south of the entrance and from there at all 10 metre points maintaining 160 metres of clear visibility.
 - c. Any remedial measures which you propose to undertake should be clearly identified. Furthermore, if you propose to carry out works on land not in your ownership, you should submit the written consent of the relevant landowner(s).
 - d. Clarify your intentions for the existing entrances to the site.
3. The Planning Authority notes the proximity of the proposed mill building to scenic views and prospects as identified in the County Development Plan 2010-2016 Map 7.6. As such the development of a mill building of 18.287 metres is not acceptable. Submit revised proposals including amending the EIA and clearly justify the development having regard to the Scenic Views and Prospects as set

out above. Your submission should include alternative locations, photomontages and the erection of a temporary profile structure on the site.

4. The Planning Authority is very concerned about the visual impact of the existing and proposed development and in particular the mill building. In this regard submit a robust and comprehensive landscaping scheme and a site layout plan drawing of a suitable scale for the existing and proposed development. The scheme shall ensure the development is screened on all exposed boundaries, from the R662 regional road and the Scenic Views and Prospects. The scheme shall include the following-
 - a. A survey of all existing trees and hedgerow through the site.
 - b. Proposed mounding and seeding,
 - c. Plant and tree varieties to include hedgerow of native species, interspersed with larger trees. The roadside boundary should be a least two metres deep
 - d. height and girth of trees proposed,
 - e. Site specific planting and evidence of how proposed plant and tree variety are suitable to minimise the visual impact.
 - f. maintenance and replacement planting, and
 - g. Phasing and timing of implementation.

The landscaping scheme shall be prepared by a suitably qualified arbourist/landscape architect/ other suitably qualified person and evidence of qualifications shall also be submitted.

5. Submit a map clearly identifying the location of all dwellings or any other noise sensitive locations within 400 metres of the application site. Clearly identify the ownership of each of these dwellings and their relationship to the applicants (if any).
6. Clarify the net and gross floor areas in sq.m of the following-
 - a. Existing buildings on site
 - b. Buildings to be demolished
 - c. Buildings to be retained
 - d. Proposed new build excluding buildings to be replaced
 - e. Proposed new build including buildings to be replaced
7. Submit details of the number of people currently and proposed to be employed on the site. Clearly show location of facilities available to staff e.g. kitchens, toilets, parking etc.
8. The odour management plan submitted indicates that dead animals will be stored in a lidded bin where possible or covered by plastic bags to prevent birds or rodents accessing the carcass. This arrangement is unsatisfactory from a public health viewpoint. The odour management plan shall be amended to provide proposals for lidded/sealed bins for storage of carcasses only. Submit revised proposals.

9. Submit a comprehensive Effluent Management and a Nutrient Management Plan prepared by a suitably qualified Agriculturalist to demonstrate that the requirements of the European Communities (Good Agricultural Practice for Protection of Waters) Regulations 2010 & 2011 will be met. In particular the following should be included in the plans-
- A Yard Layout Plan shall indicate flow paths of all effluents arising and dimensions of all soiled yards areas shall be clearly shown on the yard sketch. Soiled water calculations shall be referenced in the Effluent Management Plan.
 - The plan shall demonstrate that the Applicant has a minimum slurry storage capacity of 26 weeks. The plan should address the issue of
 - Maps of all spreadlands shall be provided and buffer zones (as set out in the above Regulations) shall be clearly identified on maps. Nitrogen & Phosphorus Statements of all recipient farmers shall also attach.
 - Disposal of any bedding material shall be referenced in the Nutrient Management Plan.
 - Reference to the following source protection areas and water supplies where the groundwater is identified
 - Regard should be had in the submission of the Nutrient Management Plan that a significant area of land in the immediate and general environs of the existing pig rearing facility is of such poor quality as to be deemed unsuitable for waste disposal purposes by virtue of high water table and poor percolation/drainage quantities.

The EIA ~~must~~ be revised accordingly having regard to above.

10. ^{Should}
- Submit proposals to ensure the protection of groundwater aquifers and source protection areas which have been identified as locally important and as having a high to low vulnerability with extreme vulnerability being identified in close proximity to the site. These source protection areas are
 - Cullane Group Water Supply
 - Ballyduff Group Water Supply
 - Anglesborough Public Water Supply
 - Ballylanders Public Water Supply

Where landspreading gives rise to a risk groundwater sources a precautionary principle should be adopted. The location of any private wells in spreadlands should be identified the EIA should be revised accordingly.

- The EPA/GSI Groundwater Response Matrix suggests that landspreading is acceptable over locally important aquifers where there is a minimum consistent thickness of 1m of soil/subsoil. You are required to verify the depth of subsoil and to conduct a vulnerability assessment of all landspreading areas utilising the Geological Survey of Ireland Groundwater Protection Scheme Map to assess which areas of spreadlands may be extreme, high, moderate or low vulnerability. In areas where there is extreme vulnerability or where there is rock outcropping these lands

The site is in the Suir Aherlow Catchment which contains Fresh water Pearl Mussel (*Margaritifera margaritifera*). It is important that this development poses no threat to the water quality in the River Aherlow. The EIA should take this into account with particular reference to buffer areas from streams leading into the catchment and nutrient loadings on spread lands which might contribute to deterioration of water quality in the catchment area.

should be excluded from landspreading. There should also be verification of the subsoil thickness over all spreadlands.

- c. Where the spreadlands infringe on the zone of contribution of the aquifer they should be removed from the spreadlands.
- d. Periodic groundwater quality monitoring of relevant parameters should also be incorporated into any proposed determination.

This assessment of Landspreading shall have regard to the Teagasc Code of Practice for Spreading of Slurry and it is recommended that the use of a low trajectory splash plate method is deployed in order to reduce odour during landspreading. Regard should also be given to the fact that agricultural run-off is known to be a potential source of oocysts which cause cryptosporidiosis. Conventional methods of water disinfection are incapable of killing the oocysts. Cryptosporidiosis can give rise to serious illness especially in vulnerable groups of the community. The water sources identified above are groundwater sources which at best receive basic disinfection treatment. Cryptosporidium is known to be resistant to conventional treatment and accordingly caution has to be exercised.

The EIA must be revised accordingly having regard to above.

11. Submit specific details of the proposed heating, ventilation, dust management, odour management and drinking systems to demonstrate that Best Available Techniques* will be employed. This shall be certified by a suitably qualified person to meet "Best Available Technology" criteria.
12. Submit detailed proposals for existing and proposed surface water drainage to address the following:
 - a. Include provision for a manhole/monitoring point on the site to allow for sampling and monitoring of surface water emissions.
 - b. Submit details of any existing monitoring and sampling and clearly identify the location of discharge and the name of stream.
 - c. Whilst there is an inspection chamber in the yard for the surface water run-off an inspection chamber should also be located closer to the point of discharge.
 - d. No detail is provided in respect of ultimate disposal to a receiving watercourse for surface water generated on site. Under Best Available Technology the identity and type of receiving water (river, ditch, estuary, stream, lake, etc) must be stated.
 - e. A National Grid reference must be given for all discharge points.
 - f. Best Available Technology also requires weekly visual inspection of surface water monitoring points and B.O.D. C.O.D. monitoring. Submit monitoring data in respect of same.

The EIA must be revised accordingly having regard to above.

13. It is noted in section 19 of the planning application form you have indicated that wastewater management treatment is serviced by an existing system. In this regard you are required to clarify how human wastewater is treated and disposed

off from the site. If toilet facilities are provided on the site you are required to address the following-

- a. A walkover survey of the site should be carried out to establish the location of any the septic tank and approximate location of the percolation area / soakaway. The presence or absence of a distribution box and ventilation pipes should be noted. An inspection of drains or streams bounding the site should be carried out to observe if there is evidence of any discharge and if necessary, a dye test should be carried out. The walkover survey should look for any signs of ponding on site.
- b. This work should be carried out by an approved person on the councils list of approved site assessors who should submit proposals to upgrade the system if required.

14. Clarify the location of all private wells on the site and on neighbouring properties. These wells should be tested for bacteriological and chemical criteria in accordance with EC Drinking Water regulations 2007. In the event of non compliance proposals for the appropriate disinfection of the supply should be submitted.
15. The EIA indicates a pest control company has been employed for the duration of the operation of the piggery however the HSE is concerned that the pest control programme is been carried out by the applicant. You are required to clarify same and if the pest control programme is carried out by applicant you are required to submit a map indicating the location of the bait points. The inspection and replenishing of bait should also be recorded. A material Safety Data Sheet for the bait used should also be kept on site. The EIA may need to be revised accordingly having regard to above.

You are strongly advised to contact the Limerick County Council's Environment Section and the HSE in relation to points 7-15 prior to making a formal response to the Planning Authority.

Assistant Planner:



Date: 7/6/12

Senior Executive Planner:



Date: 08/06/2012

M 12/306

Planning Report
Limerick County Council

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Adrian Ormsby 11/05/12

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3) Photographs:



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- 08581- Incomplete Application
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- 063801- Conditional grant of permission for construction of a new loose dry sow house to comply with new welfare regulations, adjacent to existing pig farm. An EIS has been submitted as part of this application

Pre-planning-

None indicated, meeting held on 06/12/11 with Patrick Ryan reference number 6377. Notes added to file

5) Habitats Directive Project Screening Assessment

Both construction and operating phases of the proposed development to be considered.

<p>Construction Phase: Extension to Piggery Are effects significant: Yes Are substantial works required: Yes Operating phase effects: N/A Are effects significant: No</p>	<p>Ex-situ effects: None Are effects significant? no Run-off: N/A Are effects significant: no Abstraction: None Displacement: None - site located outside SAC.</p>
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Identification of Natura 2000 sites which may be impacted by the proposed development

1	<p>Impacts on designated rivers, streams, lakes and fresh water dependant habitats and species e.g. bogs or otters -see abstraction/run off etc above.</p>	<p><i>Is the development in the relevant catchment of or immediately up/downstream of a watercourse that has been designated as a Natura 2000 site?</i></p>	No
2	<p>Impacts on terrestrial habitats and species.-see area and disturbance/displacement effects above.</p>	<p><i>Is the development within 1km of a SAC site with terrestrial based habitats or species?</i></p>	No

3	Impacts on designated marine habitats and species.	<i>Is the development located within marine or intertidal areas or within 5 km of a SAC site whose qualifying habitats or species include the following habitats: Salmonid, Lamprey Mudflats, sandflats, saltmarsh, shingle, reefs, sea cliffs</i>	Yes, approx 4km west of Galtee Mountains SAC (000646).
4	Impacts on birds in SPAs-	<i>Is the development within 1km of a Special Protection Area</i>	No
5	Cumulative effects	<i>Would consideration of a number of significant projects nearby such as forested areas, quarries, wind energy together with the proposed development significantly increase the impacts listed above:</i>	None

Conclusion:

Report received from Heritage Officer- No issues raised. Overall it is considered that the development will not exercise a significant effect on any SAC or SPA. I do not consider an Appropriate Assessment is necessary.

6) Summary of relevant planning matters

County Development Plan 2010-2016.

7) Services

Existing

8) Submissions/Objections:

Internal Submissions

County Roads-

Further Information required

Environment-

Clarification required

County Archaeologist-

No objection subject to condition

Heritage Officer-

No objection subject to condition/ Discussed
12/09/12 NMP to be conditioned

External Submissions

HSE-

Report received 13/09/12 Clarification required

An Taisce-

Compliance of existing facility

Dev App Unit-

Report received on FI 10/09/12

EPA-
Bord Gáis-

Activity will require IPCC license
Report received 30/08/12- Condition to be
attached if granted

Objections

None

Submissions from Elected Representatives None

9) The following Further Information was requested on the 13/06/12-

1. The Environmental Impact Assessment is lacking in terms of impacts of traffic from the development on to this Regional Road. In order to ensure that the proposed development does not result in the creation of a traffic hazard please submit the following information -
 - a. Specific details regarding the extent of traffic movements with particular attention to the number, type and respective weights of all vehicles should be highlighted.
 - b. Special attention should be paid to the frequency of movements and the number/type of delivery/collection movements by external contractors, visitors and the general public and turning area for HGV's.
 - c. All vehicular traffic turning manoeuvres that the proposed and existing development generate on the site and on to the public road.

Discussed with John Madden Area Engineer on the 17/09/12 who has no issues with the information submitted for further information.

2. In relation to the proposed use of the entrance to the site you are required to address the following-
 - a. Show in plan form and to scale that you can achieve adequate sight lines at on to the R662 regional road. The sight line triangle should be assessed from a distance of three metres back from the public road edge, from a height of one metre and for a distance of 160 metres in both directions to the near road edge only (i.e. same side as entrance).
 - b. Show in plan form and to scale that you can achieve minimum stopping sight distances. Minimum stopping distances are measured along the centre line of the carriageway travelled on the road over a distance of 160 metres with a driver height of 1 metre and an object height of 0.26 metres. You must clearly show forward visibility in a south to north direction from a point 160 metres south of the entrance and from there at all 10 metre points maintaining 160 metres of clear visibility.
 - c. Any remedial measures which you propose to undertake should be clearly identified. Furthermore, if you propose to carry out works on land not in your ownership, you should submit the written consent of the relevant landowner(s).
 - d. Clarify your intentions for the existing entrances to the site.

The applicant has responded and detailed that the proposed sight lines turning left are 105 metres with 160 metres to the rights. The applicant has

detailed stopping sight distances are included in attachment 2 but these are not on file or shown on the drawing labelled T-001. Applicant indicates the existing entrance will be closed and an earth embankment will be constructed and 6 metre Ash trees will be planted. Report from area engineer as follows-

"I wish to recommend that clarification on response to FI be requested as the sight lines shown on the site layout plan are much less than required."

3. The Planning Authority notes the proximity of the proposed mill building to scenic views and prospects as identified in the County Development Plan 2010-2016 Map 7.6. As such the development of a mill building of 18.287 metres is not acceptable. Submit revised proposals including amending the EIA and clearly justify the development having regard to the Scenic Views and Prospects as set out above. Your submission should include alternative locations, photomontages and the erection of a temporary profile structure on the site.
Applicant has indicated the site is not visible from any neighbouring properties. Applicants have submitted a Visual Impact Assessment for the site that appears substandard. The request to include alternative locations, photomontages and the erection of a temporary profile structure on the site has not been addressed.
4. The Planning Authority is very concerned about the visual impact of the existing and proposed development and in particular the mill building. In this regard submit a robust and comprehensive landscaping scheme and a site layout plan drawing of a suitable scale for the existing and proposed development. The scheme shall ensure the development is screened on all exposed boundaries, from the R662 regional road and the Scenic Views and Prospects. The scheme shall include the following-
 - a. A survey of all existing trees and hedgerow through the site.
 - b. Proposed mounding and seeding,
 - c. Plant and tree varieties to include hedgerow of native species, interspersed with larger trees. The roadside boundary should be a least two metres deep
 - d. height and girth of trees proposed,
 - e. Site specific planting and evidence of how proposed plant and tree variety are suitable to minimise the visual impact.
 - f. maintenance and replacement planting, and
 - g. Phasing and timing of implementation.The landscaping scheme shall be prepared by a suitably qualified arbourist/landscape architect/ other suitably qualified person and evidence of qualifications shall also be submitted.
This has not been adequately addressed. The drawing submitted (C-001.) showing proposed planting is not acceptable for a landscaping scheme as requested.
5. Submit a map clearly identifying the location of all dwellings or any other noise sensitive locations within 400 metres of the application site. Clearly identify the

ownership of each of these dwellings and their relationship to the applicants (if any).

A map has been submitted showing all dwellings within 500 metres. Ownership and their relationship to applicant has not been detailed. This should be clarified.

6. Clarify the net and gross floor areas in sq.m of the following-
 - a. Existing buildings on site
 - b. Buildings to be demolished
 - c. Buildings to be retained
 - d. Proposed new build excluding buildings to be replaced
 - e. Proposed new build including buildings to be replaced

Details not submitted as requested. Applicant should be requested to answer the question asked.

7. Submit details of the number of people currently and proposed to be employed on the site. Clearly show location of facilities available to staff e.g. kitchens, toilets, parking etc.

Applicant has detailed there will be one full time employee (applicant) and 2 part time. Other details not submitted.

8. The odour management plan submitted indicates that dead animals will be stored in a lidded bin where possible or covered by plastic bags to prevent birds or rodents accessing the carcass. This arrangement is unsatisfactory from a public health viewpoint. The odour management plan shall be amended to provide proposals for lidded/sealed bins for storage of carcasses only. Submit revised proposals.

Applicant has indicated that dead animals are stored in plastic bags and the placed into a wheellie bin and the lid secure. See report from environment where clarification is required.

9. Submit a comprehensive Effluent Management and a Nutrient Management Plan prepared by a suitably qualified Agriculturalist to demonstrate that the requirements of the European Communities (Good Agricultural Practice for Protection of Waters) Regulations 2010 & 2011 will be met. In particular the following should be included in the plans-

- a. A Yard Layout Plan shall indicate flow paths of all effluents arising and dimensions of all soiled yards areas shall be clearly shown on the yard sketch. Soiled water calculations shall be referenced in the Effluent Management Plan.
- b. The plan shall demonstrate that the Applicant has a minimums slurry storage capacity of 26 weeks. The plan should address the issue of
- c. Maps of all spreadlands shall be provided and buffer zones (as set out in the above Regulations) shall be clearly identified on maps. Nitrogen & Phosphorus Statements of all recipient farmers shall also attach.

- d. Disposal of any bedding material shall be referenced in the Nutrient Management Plan.
- e. Reference to the following source protection areas and water supplies where the groundwater is identified
- f. Regard should be had in the submission of the Nutrient Management Plan that a significant area of land in the immediate and general environs of the existing pig rearing facility is of such poor quality as to be deemed unsuitable for waste disposal purposes by virtue of high water table and poor percolation/drainage qualities.

The EIA must be revised accordingly having regard to above.

The applicant has referred to discussions with Aidan Leonard from Environment Section. His report 14/09/12 requires clarification on a number of issues.

The HSE have submitted their report stating their dissatisfaction with the information submitted. Their report can be summarised as follows-

- *The submission in relation to the nutrient management plan and the effluent management plan as requested have not been provided and as submitted is inadequate.*
- *The NMP should provide maps of all intended spreadlands and soil sample results of such intended spreadlands.*

Clarification required.

10.

- a. Submit proposals to ensure the protection of groundwater aquifers and source protection areas which have been identified as locally important and as having a high to low vulnerability with extreme vulnerability being identified in close proximity to the site. These source protection areas are
 - Cullane Group Water Supply
 - Ballyduff Group Water Supply
 - Anglesborough Public Water Supply
 - Ballylanders Public Water Supply

Where landspreading gives rise to a risk groundwater sources a precautionary principle should be adopted. The location of any private wells in spreadlands should be identified the EIA should be revised accordingly.

- b. The EPA/GSI Groundwater Response Matrix suggests that landspreading is acceptable over locally important aquifers where there is a minimum consistent thickness of 1m of soil/subsoil. You are required to verify the depth of subsoil and to conduct a vulnerability assessment of all landspreading areas utilising the Geological Survey of Ireland Groundwater Protection Scheme Map to assess which areas of spreadlands may be extreme, high, moderate or low vulnerability. In areas where there is extreme vulnerability or where there is rock outcropping these lands should be excluded from landspreading. There should also be verification of the subsoil thickness over all spreadlands.

- c. Where the spreadlands infringe on the zone of contribution of the aquifer they should be removed from the spreadlands.
- d. Periodic groundwater quality monitoring of relevant parameters should also be incorporated into any proposed determination.

This assessment of Landspreading shall have regard to the Teagasc Code of Practice for Spreading of Slurry and it is recommended that the use of a low trajectory splash plate method is deployed in order to reduce odour during landspreading. Regard should also be given to the fact that agricultural run-off is known to be a potential source of oocysts which cause cryptosporidiosis. Conventional methods of water disinfection are incapable of killing the oocysts. Cryptosporidiosis can give rise to serious illness especially in vulnerable groups of the community. The water sources identified above are groundwater sources which at best receive basic disinfection treatment. Cryptosporidium is known to be resistant to conventional treatment and accordingly caution has to be exercised.

The EIA must be revised accordingly having regard to above.

The HSE have submitted their report which can be summarised as follows-

- *Where this type of operation (landspreading) gives rise to a risk to the groundwater sources previously identified a precautionary principle should be adopted. The location of any private wells in spreadlands should be identified and addressed in a revised E.I.S. This information is not available in the further information submitted. The only wells identified are the two wells owned by the applicant.*
- *The applicant does not address the issue of spreadlands adequately in the further information submitted. Regard should be had in the NMP, for the fact that a significant area of land in the immediate and general environs of the existing pig rearing facility is of such poor quality as to be deemed unsuitable for waste disposal purposes by virtue of high water table and poor percolation/drainage qualities.*

The applicants farm overlies a locally important aquifer. The EPA/GSI Groundwater Response Matrix suggests that landspreading is acceptable over locally important aquifers where there is a minimum consistent thickness of 1m of soil/subsoil. The applicant should be asked to verify the depth of subsoil. It is recommended that the applicant conduct a vulnerability assessment of all landspreading areas utilising the Geological Survey of Ireland Groundwater Protection Scheme Map to assess which areas of spreadland may be extreme, high, moderate or low vulnerability. In areas where there is extreme vulnerability or where there is rock outcropping these lands should be excluded from landspreading. There should also be verification of the subsoil thickness over all spreadlands.

Where the spreadlands infringe on the zone of contribution of the aquifer they should be removed from the spreadland. Periodic groundwater quality monitoring of relevant parameters should also be incorporated into any proposed determination.

The applicant has not addressed this issue in the submitted further information.

Report from the Environment Section also requires clarification.

Clarification required.

11. Submit specific details of the proposed heating, ventilation, dust management, odour management and drinking systems to demonstrate that Best Available Techniques* will be employed. This shall be certified by a suitably qualified person to meet "Best Available Technology" criteria.

The applicant has responded but has not included certification demonstrating BAT will be employed.

12. Submit detailed proposals for existing and proposed surface water drainage to address the following-
 - a. Include provision for a manhole/monitoring point on the site to allow for sampling and monitoring of surface water emissions.
 - b. Submit details of any existing monitoring and sampling and clearly identify the location of discharge and the name of stream.
 - c. Whilst there is an inspection chamber in the yard for the surface water run-off an inspection chamber should also be located closer to the point of discharge.
 - d. No detail is provided in respect of ultimate disposal to a receiving watercourse for surface water generated on site. Under Best Available Technology the identity and type of receiving water (river, ditch, estuary, stream, lake, etc) must be stated.
 - e. A National Grid reference must be given for all discharge points.
 - f. Best Available Technology also requires weekly visual inspection of surface water monitoring points and B.O.D. C.O.D. monitoring. Submit monitoring data in respect of same.

The EIA must be revised accordingly having regard to above.

Report received from HSE can be summarised as follows-

"The further information submitted identifies the two surface water discharge points however it does not identify the stream to which the surface water drains to. There are no provisions for the monitoring or sampling of such surface water drainage at the point of discharge. No detail is provided in respect of ultimate disposal to a receiving watercourse for surface water generated on site. Under B.A.T. the identity and type of receiving water (river ditch, estuary, stream, lake, etc) must be stated. A National Grid reference must be given for all discharge points."

Report from the Environment Section also requires clarification.

Clarification required.

13. It is noted in section 19 of the planning application form you have indicated that wastewater management treatment is serviced by an existing system. In this regard you are required to clarify how human wastewater is treated and disposed

off from the site. If toilet facilities are provided on the site you are required to address the following-

- a. A walkover survey of the site should be carried out to establish the location of any the septic tank and approximate location of the percolation area / soakaway. The presence or absence of a distribution box and ventilation pipes should be noted. An inspection of drains or streams bounding the site should be carried out to observe if there is evidence of any discharge and if necessary, a dye test should be carried out. The walkover survey should look for any signs of ponding on site.
- b. This work should be carried out by an approved person on the councils list of approved site assessors who should submit proposals to upgrade the system if required.

The applicant has responded stating that currently employees use toilet facilities at domestic residence. Report received from environment on the 12/09/12 as follows-

"It is not satisfactory to use the domestic residence for sanitary facilities to the development. A proposal should be submitted for the treatment and disposal of wastewater, based on a site characterisation report carried out by a approved site assessor."

Clarification required.

14. Clarify the location of all private wells on the site and on neighbouring properties. These wells should be tested for bacteriological and chemical criteria in accordance with EC Drinking Water regulations 2007. In the event of non compliance proposals for the appropriate disinfection of the supply should be submitted.

Report from HSE as follows-

The applicant has not submitted details of the potability of the private wells on site. It is recommended that whilst both wells should be tested it is of importance that the well which is serving the applicants home, and his parents home are tested for bacteriological and chemical criteria in accordance with the parameters of the E.C. Drinking Water Regulations 2007 . In the event of non compliance appropriate disinfection of the supply to ensure potability shall be sought.

Clarification required.

15. The EIA indicates a pest control company has been employed for the duration of the operation of the piggery however the HSE is concerned that the pest control programme is been carried out by the applicant. You are required to clarify same and if the pest control programme is carried out by applicant you are required to submit a map indicating the location of the bait points. The inspection and replenishing of bait should also be recorded. A material Safety Data Sheet for the bait used should also be kept on site. The EIA may need to be revised accordingly having regard to above.

Report from HSE as follows-

"The further information submitted indicates that Mr. Ryan will be carrying out the pest control programme himself. A material Safety Data Sheet for the bait used is also available on site. The information submitted does not however provide the following:

1. a map indicating the location of the bait points is available.
2. A record of the inspection and replenishing of bait.

Clarification required.

10) Summary of key planning issues and assessment:

The applicant is applying for new buildings to existing piggery. The new build will be 7513.4 sq.m. 2600 sq.m will be retained. The site area is 2.6 hectares. An Environmental Impact Assessment has been submitted with this application as advised at preplanning stage and in accordance with Schedule 5 Part 2-1 (e) (ii). The applicant is proposing to access the site through the use of an existing entrance onto the R662 Regional Road.

The applicant has detailed that the site currently operates with a maximum capacity of 300 Sow Units. The proposed development will accommodate 600 sow pig production.

The development includes the following-

3 Fattening houses-	1531.8 sq.m	(1 replacement of 1070.4 sq.m)
1 Feed Mill-	400 sq.m	
1 Farrowing house-	653.3 sq.m	(1 replacement of 413.8 sq.m)
1 Dry Sow House-	1192.4 sq.m	
1 Gilt House (replacement) -	258.5 sq.m	

Environmental Impact Assessment

The existing development and the proposed application will exceed the threshold set out in the 2001 Planning Regs and as such an EIA has been submitted with the application.

The EIA dealt with the following-

- Alternatives- the application is an extension to existing facility and as such is suitably located in rural setting and is acceptable in principle.
 - Air Quality and Climate- See reports from Environment and HSE
 - Noise- See reports from Environment and HSE, it is noted that LCC's environment section have stated noise levels do not exceed prescribed limits. This can be addressed with a condition..
 - Landscape and Visual- See assessment below on Landscape Character and Scenic Views and Prospects
 - Terrestrial Environment- See report from Heritage Officer (no issues raised)
 - Aquatic Environment- See report from Heritage Officer (no issues raised)
 - Soils Geology and Hydrogeology See reports from Environment and HSE
 - Climate- the proposed development will not negatively impact on climate
 - Material Assets
 - Agriculture
 - Natural and other resources
- See reports from Environment and HSE

- Architectural, Archaeological and Cultural Heritage. It is noted there are no protected structures, Architectural Conservation Areas or buildings on the NIAH in the vicinity of the site. There are a number of Archaeological monuments in the general area. See report from County Archaeologist.

Overall it is considered that the EIA is deficient in a number of points as outlined by reports from LCC Environment Section and the HSE i.e. Effluent and Nutrient Management Plan, impacts on groundwater and source protection areas from land spreading and surface water disposal. These issues have not been fully addressed as per the reports received from the HSE. EIA has not been updated.

Clarification required

Objective ED O19: Agricultural developments

The Council will normally permit development proposals for agricultural development where:

- a) they are appropriate in nature and scale to the area in which they are located;*
- b) the proposal is necessary for the efficient use of the agricultural holding or enterprise;*
- c) where the proposal involves the erection of buildings, there are no suitable redundant buildings on the farm holding which would accommodate the development;*
- d) the development is not visually intrusive in the local landscape and, where the proposal is for a new building(s) and there are no suitable redundant buildings, the proposal is sited adjacent to existing buildings and suitably visually integrated in the holding; and*
- e) the proposal demonstrates that it has taken into account traffic, environmental and amenity considerations and is in accordance with the policies, requirements and guidance contained in this Plan.*

The application is for an extension to existing pig facility and as such is acceptable in principle at this location.

Section 10.8.1 - Intensive Pig and Poultry Units

In assessing an application for intensive pig or poultry units, the Planning Authority will consider and require information on the following:

- *Depending on the size of the unit, an E.I.S. may be required. In addition an Integrated Pollution Control licence may be required from the Environmental Protection Agency.*
- *Scale and intensity of operations including the cumulative impact of similar type developments.*
- *Waste management including frequency and location of disposal relative to pig and poultry units. In addition, the applicant will be required to demonstrate that there is a stable, secure, sustainable outlet for all slurries and manures from the proposed development. All slurry and effluent shall be stored in concrete tanks constructed in accordance with SI23 'Minimum Specification: Slatted livestock units; Reinforced Concrete tanks' (DAFF 1994) or other types of structures approved by the Planning Authority.*

- *Air pollution arising from housing units and effluent storage, transportation and spreading. The control of odour is another important consideration.*
- *Proximity of development to aquifers and watercourses.*
- *Units should be located a minimum of 400 metres from the nearest dwelling other than the applicants dwelling. In the case of villages and town's intensive poultry and particularly pig units will be required to be located a much greater distance away from the settlement because of the impacts on residential amenities.*
- *Animal housing units in terms of design, and associated activities such as cleaning, ventilation and heating.*
- *Landscaping of site - a comprehensive landscaping plan should be submitted as part of the planning application.*

Having regard to the above an Environmental Impact Assessment has been submitted with the application. The development will also require an IPCC license which has been applied for (See report from EPA).

It is noted that the development is located within 400 metres of a number of dwellings. Two of these dwellings appear to be the applicant's family homes. The applicant was requested to submit a map outlining all dwellings within 400 metres of the facility and ownership of the dwellings however this has not been adequately addressed through further information. It is noted there are no third party submissions on the file.

Clarification required

Objective EH O8: Ballyhoura/Slieve Reagh Landscape Character Area

It is the objective of the Council to:

- Where housing is permitted encourage appropriate scale and high quality design for this landscape area coupled with sensitive site location and landscaping. Respect traditional scale particularly on elevated or locally prominent sites.*
- Strongly encourage retention of earth bank field boundaries particularly in the more upland parts of this area, as the screening abilities of landscape features in this area are limited.*
- Encourage use of species native to this particular area in landscaping developments. Species native to the upland parts of this area could be used, such as mountain ash and birch.*
- Ensure that forestry applications subject to planning are confined to infill and below 300m above sea level, as much of the Ballyhouras is a Special Area of Conservation.*
- (e) Applications for wind energy will be only be considered in the areas open for consideration in Map 8.4.*
- Encourage development within existing settlements.*

Objective EH O17: Scenic Views and Prospects

- It is the objective of the Council to safeguard the scenic views and prospects by integrating them into landscape character areas, which will ensure a more balanced approach towards landscape issues within the County.*
- In areas where scenic views and prospects are listed in Map 7.6 there will be a presumption against development except that which is required in relation to farming and*

appropriate tourism and related activities, or a dwelling required by a long term land owner or his/her family that can be appropriately designed so that it can be integrated into the landscape.

(c) The Planning Authority will exercise a high level of control (layout design, siting, materials used, landscaping) on developments in these areas. In such areas site specific designs are required. It should be noted that in areas outside these delineated areas, high standards will also be required.

Design and Layout of buildings having regard to above Objectives

The application involves a number of buildings that are generally in keeping with the existing facility and agricultural buildings. However the application also involves the construction of a Mill building with a ridge height of 18.287 metres. This building is to rear of single storey dwelling fronting the R662 regional road. It is noted that this building will facilitate a number of silos that are currently within existing facility but not located within any buildings. Having regard to the proximity of the site to the identified scenic views in the County Development Plan the proposed mill building is not acceptable. After a request for further information the applicants have not adequately addressed the concerns over the scenic views and prospects for this area. Applicant should be again requested to submit revised proposals and to justify same.

Clarification required.

Environmental Issues

See report received from Environment Section on the 14/09/12 which can be summarised as follows-

The information submitted for noise is satisfactory.

The information received for Odour does not adequately deal with the query.

The information received for Nutrient Management is acceptable.

Clarification of further Information is required as follows-

"I advise that Mr. Ryan be requested to submit the ff. information: -

- a) A copy of his Slurry Export Register detailing all slurry exports for 2012 to date.*
- b) Copies of Nitrogen & Phosphorus Statements for all farmers who import slurry from him.*
- c) An Effluent Management Plan showing clearly the ff. :-*
 - Effluent Storage Capacity of existing Slurry Storage Facilities*
 - Details of Effluent Produced from Existing Stock (breakdown according to age categories and type of animal)*
 - Effluent Storage Capacity including proposed Effluent Storage Facilities*
 - Details of Effluent Production post expansion*
- d) Provide maps (Discovery Series) showing locations of all proposed spreadlands. The maps shall reference the Nitrogen & Phosphorus Statements for individual importers. Where spreadlands are located within the Aherlow and Munster Blackwater catchments provide maps for individual importing farmers showing details of spreadlands (Single Farm Payment Maps will be acceptable*

provided they clearly show the land parcels on which it is proposed to spread slurry).

e) *Provide comprehensive details on the storage, security and disposal arrangements for fallen animals on the farm. The location of such storage facilities to be clearly shown on a yard sketch.*

Clarification required

Wastewater

Clarification required based on report from environment 12/09/12.

Clarification required

Entrance/Roads/Transport

Discussed with John Madden on 17/09/12 and report received 14/09/12. Proposals submitted not acceptable and clarification should issue.

Clarification required

EPA

Report received on the 18/05/12. Report states the applicant will need an IPCC license for the development which has been applied for. If a license is to be granted the EPA incorporate conditions that will ensure appropriate national and EU standards are applied and the BAT will be used in the carrying on of the activities.

HSE

Two detailed reports have been received from the HSE on the 24/05/12 and the 12/09/12 requiring a number of points of further information and clarification. The relevant planning points have been incorporated into the further information request and will be required in the EMP and NMP as discussed and agreed with Aidan Leonard in the Environment section.

Department of Arts Heritage and Gaeltacht

Reports received 10/09/12 indicates site is located within the Suir Aherlow catchment which contains Freshwater Pearl Mussels. Department states the FJ received-

“does not adequately address water quality concerns and that Limerick County Council must ensure that this development poses no threat to the water quality in the River Aherlow. In particular the following should be considered: a nutrient management plan, location of spread lands, on site drainage and appropriate mitigation measures etc.”

Bord Gais

Report received 30/08/12 stating a condition should be attached ensuring applicant contacts An Bord Gais in advance of any extraction to arrange a visit to site and mark out wayleave.

11Part V

N/A

12 Contributions:

Development Contribution Scheme Section E- Other Uses. Agricultural development where the development exceeds the EIA threshold as specified in the Planning and Development Regulations. Clarification required to determine size of new development. €2,871 per 100 sq.m.

13) Recommendation

I recommend that the following clarification of further information is requested-

1. In relation to your response to point 2 of the further information request advised that the proposal is not acceptable and you are required to address the following-
 - a. Show in plan form and to scale that you can achieve 160 metres of sight lines on to the R662 regional road. The sight line triangle should be assessed from a distance of three metres back from the public road edge, from a height of one metre and for a distance of 160 metres in both directions to the near road edge only (i.e. same side as entrance).
 - b. You are required to show in plan form and to scale that you can achieve minimum stopping sight distances. This has not been submitted to date. Minimum stopping distances are measured along the centre line of the carriageway travelled on the road over a distance of 160 metres with a driver height of 1 metre and an object height of 0.26 metres. You must clearly show forward visibility in a south to north direction from a point 160 metres south of the entrance and from there at all 10 metre points maintaining 160 metres of clear visibility.
 - c. Any remedial measures which you propose to undertake to achieve the above should be clearly identified. Furthermore, if you propose to carry out works on land not in your ownership, you should submit the written consent of the relevant landowner(s).
 - d. Clearly show on the site layout plan your proposals to close up the existing entrances and the landscaping to be incorporated.

You are strongly advised to contact the Kilmallock Area Office in relation to this issue prior to making a formal response to the Planning Authority.

2. In relation to your response to point 3 of the further information request the Planning Authority considers the visual impact report to be substandard and does not have significant regard to the proximity of the proposed mill building to scenic views and prospects as identified in the County Development Plan 2010-2016 Map 7.6. As such the development of a mill building of 18.287 metres is not acceptable. You are again requested to submit revised proposals including amending the EIA and clearly justify the development having regard to the Scenic Views and Prospects as set out above. You are again requested to include alternative locations, photomontages and the erection of a temporary profile structure on the site.
3. The response received in relation to point 4 is not acceptable. The Planning Authority remains very concerned about the visual impact of the existing and

proposed development and in particular the mill building. In this regard you are again requested to submit a robust and comprehensive landscaping scheme and a site layout plan drawing of a suitable scale for the existing and proposed development. The scheme shall ensure the development is screened on all exposed boundaries, from the R662 regional road and the Scenic Views and Prospects. The scheme must include the following-

- a. A survey of all existing trees and hedgerow through the site.
- b. Proposed mounding and seeding,
- c. Plant and tree varieties to include hedgerow of native species, interspersed with larger trees. The roadside boundary should be a least two metres deep
- d. height and girth of trees proposed,
- e. Site specific planting and evidence of how proposed plant and tree variety are suitable to minimise the visual impact.
- f. maintenance and replacement planting, and
- g. Phasing and timing of implementation.

The landscaping scheme shall be prepared by a suitably qualified arbourist/landscape architect/ other suitably qualified person and evidence of qualifications shall also be submitted.

4. In relation to your response to point number 5 of the further information request you are again required to submit a map clearly identifying the location of all dwellings or any other noise sensitive locations within **400 metres** of the application site. Clearly identify the ownership of each of these dwellings and their relationship to the applicants (if any). You should clearly label what each structure is.
5. The response received to address point number 6 is not acceptable. You are again requested to clarify the net and gross floor areas in sq.m of the following only-
 - a. Existing buildings on site
 - b. Buildings to be demolished
 - c. Buildings to be retained
 - d. Proposed new build excluding buildings to be replaced
 - e. Proposed new build including buildings to be replaced
6. In relation to your response to point number 7 of the further information request you are required to clarify the discrepancy in number of people to be employed on the site and that indicated in the Traffic Impact Assessment. You are again requested to show location of facilities available to staff e.g. kitchens, toilets, parking etc.
7. In relation to your response to point number 8 of the further information request you are required to provide comprehensive details on the storage, security and disposal arrangements for fallen animals on the farm. The location of such storage facilities to be clearly shown on a site layout plan.

8. In relation to your response to point number 9 of the further information request you are advised that the submission to date is inadequate. You are required to address the following-
- a. The NMP should provide maps of all intended spreadlands and soil sample results of such intended spreadlands.
 - b. Where this type of operation (landspreading) gives rise to a risk to the groundwater sources previously identified a precautionary principle should be adopted. The location of any private wells in spreadlands should be identified and addressed in a revised EIS. The only wells identified are the two wells owned by the applicant.
 - c. The issue of spreadlands has not been adequately addressed. Submit revised proposals having regard in the NMP, for the fact that a significant area of land in the immediate and general environs of the existing pig rearing facility is of such poor quality as to be deemed unsuitable for waste disposal purposes by virtue of high water table and poor percolation/drainage qualities. Provide maps (Discovery Series) showing locations of all proposed spreadlands. The maps shall reference the Nitrogen & Phosphorus Statements for individual importers. Where spreadlands are located within the Aherlow and Munster Blackwater catchments provide maps for individual importing farmers showing details of spreadlands (Single Farm Payments Maps will be acceptable provided they clearly show the land parcels on which it is proposed to spread slurry).
 - d. Submit a copy of Slurry Export Register detailing all slurry exports for 2012 to date.
 - e. Submit copies of Nitrogen & Phosphorus Statements for all farmers who import slurry from him.
 - f. Submit an Effluent Management Plan clearly showing the following-
 - Effluent Storage Capacity of existing Slurry Storage Facilities,
 - Details of Effluent Produced from Existing Stock (breakdown according to age categories and type of animal),
 - Effluent Storage Capacity including proposed Effluent Storage Facilities,
 - Details of Effluent Production post expansion
9. In relation to your response to point 10 of the request for further information you are required to address the following-
- a. The EPA/GSI Groundwater Response Matrix suggests that landspreading is acceptable over locally important aquifers where there is a minimum consistent thickness of 1m of soil/subsoil. You are required to verify the depth of subsoil and are required to conduct a vulnerability assessment of all landspreading areas utilising the Geological Survey of Ireland Groundwater Protection Scheme Map to assess which areas of spreadlands may be extreme, high, moderate or low vulnerability. In areas where there is extreme vulnerability or where there is rock outcropping these lands

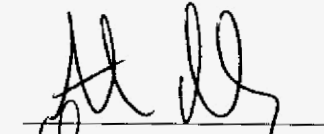
should be excluded from landspreading. There should also be verification of the subsoil thickness over all spreadlands.

- b. Where the spreadlands infringe on the zone of contribution of the aquifer they should be removed from the spreadlands. Periodic groundwater quality monitoring of relevant parameters should also be incorporated into any proposed determination.
10. In relation to your response to point 11 of the further information request you are again requested to submit certification that the proposals for heating, ventilation, dust management, odour management and drinking systems demonstrate that Best Available Techniques* will be employed. This certification shall be by a suitably qualified person.
 11. The information received in relation to point 12 of the further information request is not adequate. In this regard the further information submitted identifies the two surface water discharge points however it does not identify the stream to which the surface water drains to. There are no provisions for the monitoring or sampling of such surface water drainage at the point of discharge. No detail is provided in respect of ultimate disposal to a receiving watercourse for surface water generated on site. Under B.A.T. the identity and type of receiving water (river, ditch, estuary, stream, lake, etc) must be stated. A National Grid reference must be given for all discharge points. B.A.T. also requires weekly visual inspection of surface water monitoring points and B.O.D. C.O.D. monitoring. No monitoring data in respect of same has been submitted. You are required to submit proposals to address the above.
 12. In relation to your response to point 13 of the further information request you are advised it is not satisfactory to use the domestic residence for sanitary facilities to the development. Submit a proposal for the treatment and disposal of wastewater, based on a site characterisation report carried out by an approved site assessor.
 13. In relation to your response to point 14 of the further information request it is noted that details of the potability of the private wells on site have not been submitted. Both wells should be tested and it is of importance that the well which is serving the applicants home, and his parents home are tested for bacteriological and chemical criteria in accordance with the parameters of the E.C. Drinking Water Regulations 2007. In the event of non compliance appropriate disinfection of the supply to ensure potability should be submitted. Submit proposals to address the above.
 14. In relation to your response to point 15 of the further information request you are required to submit the following-
 - A map indicating the location of the bait points.
 - A record of the inspection and replenishing of bait.

15. As previously requested at further information stage you are required to submit a new Environmental Impact Statement having regard to all of the above.

You are strongly advised to contact Limerick County Council's Environment Section and the HSE in relation to points 7-15 prior to making a formal response to the Planning Authority.

Assistant Planner:



Date: 17-9-12

Acting Senior Planner:



Date: 17/09/2012

M 12/306

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Planning Report
Limerick County Council

File No: 12306
Applicant: Ballyfaskin Enterprises Ltd
Location: Ballyfaskin, Ballylanders
Development Description: the expansion of an existing integrated sow unit to 600 sows. The development proposes to construct a new loose welfare friendly dry sow house, 3 no. fattening houses, a new farrowing house, a feed mill, new site entrance including access road and associated site works. The development proposes to replace two existing farrowing houses, an existing fattening house and a gilt house (this application relates to development which comprises or is for the purposes of an activity requiring an Integrated Pollution Control Licence and an Environmental Impact Statement has been submitted as part of the planning application)

Refer to previous planners report the following clarification of further information was requested: -

1. In relation to your response to point 2 of the further information request advised that the proposal is not acceptable and you are required to address the following-
 - a. Show in plan form and to scale that you can achieve 160 metres of sight lines on to the R662 regional road. The sight line triangle should be assessed from a distance of three metres back from the public road edge, from a height of one metre and for a distance of 160 metres in both directions to the near road edge only (i.e. same side as entrance).
 - b. You are required to show in plan form and to scale that you can achieve minimum stopping sight distances. This has not been submitted to date. Minimum stopping distances are measured along the centre line of the carriageway travelled on the road over a distance of 160 metres with a driver height of 1 metre and an object height of 0.26 metres. You must clearly show forward visibility in a south to north direction from a point 160 metres south of the entrance and from there at all 10 metre points maintaining 160 metres of clear visibility.
 - c. Any remedial measures which you propose to undertake to achieve the above should be clearly identified. Furthermore, if you propose to carry out works on land not in your ownership, you should submit the written consent of the relevant landowner(s).
 - d. Clearly show on the site layout plan your proposals to close up the existing entrances and the landscaping to be incorporated.

You are strongly advised to contact the Kilmallock Area Office in relation to this issue prior to making a formal response to the Planning Authority.

In response the applicant has established 105m sightliness looking left and in excess of 160m looking right this is considered acceptable as per report received from John Madden dated 9/10/2012.

2. In relation to your response to point 3 of the further information request the Planning Authority considers the visual impact report to be substandard and does not have significant regard to the proximity of the proposed mill building to scenic views and prospects as identified in the County Development Plan 2010-2016 Map 7.6. As such the development of a mill building of 18.287 metres is not acceptable. You are again requested to submit revised proposals including amending the EIA and clearly justify the development having regard to the Scenic Views and Prospects as set out above. You are again requested to include alternative locations, photomontages and the erection of a temporary profile structure on the site.

2 no. photomontages have been submitted indicating no visual impact from the R513 Ballylanders to Mitchelstown. The building will be visually prominent on the R662 however additional landscaping is proposed and in the site context acceptable.

3. The response received in relation to point 4 is not acceptable. The Planning Authority remains very concerned about the visual impact of the existing and proposed development and in particular the mill building. In this regard you are again requested to submit a robust and comprehensive landscaping scheme and a site layout plan drawing of a suitable scale for the existing and proposed development. The scheme shall ensure the development is screened on all exposed boundaries, from the R662 regional road and the Scenic Views and Prospects. The scheme must include the following-
 - a. A survey of all existing trees and hedgerow through the site.
 - b. Proposed mounding and seeding,
 - c. Plant and tree varieties to include hedgerow of native species, interspersed with larger trees. The roadside boundary should be a least two metres deep
 - d. height and girth of trees proposed,
 - e. Site specific planting and evidence of how proposed plant and tree variety are suitable to minimise the visual impact.
 - f. maintenance and replacement planting, and
 - g. Phasing and timing of implementation.

The landscaping scheme shall be prepared by a suitably qualified arbourist/landscape architect/ other suitably qualified person and evidence of qualifications shall also be submitted.

Landscaping plan submitted indicated additional tree and hedgerow planting. The submission includes a general overview of existing planting on site. No proposals to maintain planting and or timing for planting have been submitted. Furthermore the Planning Authority is concerned about the leylandi hedging, evergreen and popular trees proposed.

4. In relation to your response to point number 5 of the further information request you are again required to submit a map clearly identifying the location of all dwellings or any other noise sensitive locations within **400 metres** of the application site. Clearly identify the ownership of each of these dwellings and their relationship to the applicants (if any). You should clearly label what each structure is.

In response the applicant indicates that the applicant and his parents are the only dwellings within 500m of the site.

5. The response received to address point number 6 is not acceptable. You are again requested to clarify the net and gross floor areas in sq.m of the following only-
- Existing buildings on site
 - Buildings to be demolished
 - Buildings to be retained
 - Proposed new build excluding buildings to be replaced
 - Proposed new build including buildings to be replaced

Telephoned agent on 19/11/2012 and he confirmed that the floor areas are as per originally submitted and as follows: -

3 Fattening houses- 1531.8 sq.m (plus 1 replacement of 1070.4 sq.m – not included in contribution calculations)
1 Feed Mill- 400 sq.m
1 Farrowing house- 653.3 sq.m (plus 1 replacement of 413.8 sq.m – not included in contribution calculations)
1 Dry Sow House- 1192.4 sq.m
1 Gilt House (replacement) -258.5 sq.m (not included in contribution calculations)

In response to the above the applicant has submitted the following in relating to the tank sizes and associated floor areas: -

Table A Existing building areas

Building	Building length m	Building Width m	Building Area m ²
Fattening hse no. a	22.0	7.3	161.9
Fattening hse no. b	20.5	5.3	108.7
Fattening hse no. c	42.3	5.1	220.8
Farrowing hse no. d	12.0	12.0	144.0
Farrowing hse no. e	30.5	12.7	387.4
Farrowing hse no. f	14.8	13.0	192.4
Gilt hse no. g	14.3	11.8	215.9
Open tank no. h	8.7	6.8	57.4
Fattening hse no. i	69.2	19.9	1377.1
First weaner hse. j	30.3	11.0	333.3
First weaner hse no. k	15.5	11.2	173.6
2nd stage weaner hse no. l	29.4	17.9	526.3
2nd stage weaner hse no. m	18.4	11.3	185.3
Dry sow hse no. n	46.4	20.8	955.8
Fattening hse no. o	21.7	21.5	466.6
Fattening hse no. p	23.6	10.4	245.4

Proposed and existing buildings as part of the proposed development

Table B

	Building	Building length m	Building Width M	Building Area m ²
Proposed	Fattening hse no. a	48.8	21.9	1068.1
Proposed	Farrowing hse no. d - 1112	52.9	12.0	633.6
	Farrowing hse no. e	30.5	12.7	387.4
	Farrowing hse no. f	14.8	13.0	192.4
Proposed	Gilt hse no. g - 1111	52.9	12.8	676.9
	Fattening hse no. i	69.2	19.9	1377.1
	First weaner hse. j	30.3	11.0	333.3
	First weaner hse no. k	15.5	11.2	173.6
	2nd stage weaner hse no. l	29.4	17.9	526.3
	2nd stage weaner hse no. m	18.4	11.3	185.3
	Dry sow hse no. n	46.4	20.6	955.8
	Fattening hse no. o	21.7	21.5	466.6
	Fattening hse no. p	23.6	10.4	245.4
Proposed	Dry sow hse no. 1	52.9	22.6	1192.4
Proposed	Fattening 1	21.8	21.3	453.8
Proposed	Fattening 2	21.8	21.3	453.8
Proposed	Fattening 3	21.8	21.3	453.8

6. In relation to your response to point number 7 of the further information request you are required to clarify the discrepancy in number of people to be employed on the site and that indicated in the Traffic Impact Assessment. You are again requested to show location of facilities available to staff e.g. kitchens, toilets, parking etc.

In response the applicant indicates that staff will use the facilities in his adjoining dwelling. This is not considered acceptable and the HSE have advised that the applicant needs to address same in the form of a planning application. A suitable condition shall be attached to any grant of planning permission.

7. In relation to your response to point number 8 of the further information request you are required to provide comprehensive details on the storage, security and disposal arrangements for fallen animals on the farm. The location of such storage facilities to be clearly shown on a site layout plan.

In response the applicant states the following:

Dead animals are stored in plastic bags and then placed into wheelie bins and the bins are stored in a shed. Fallen animals must be disposed of by a suitable method as set out under the Animal By-Products Regulations. Pigs that die on-farm cannot be disposed of by burial, open burning or disposal to landfill. Fallen stock can only be disposed of by the following methods:

- Incineration in an approved incineration plant; or
- Rendering at an approved rendering plant.

This provision applies to the disposal of stillborn piglets and foetuses, as well as to older pigs.

Standard Wheelie bins are used for the storage of fallen stock. They must be:

- clean, disinfected and intact before they are left on holdings
- sited so that they are not accessible to livestock and in a place where the collection vehicle has sufficient room to enter the site, collect and exit the site without encroaching on livestock areas
- leak-proof and lidded.

In this regard conditions will be attached regarding the disposal of animal carcasses having regard to the above and the recommendations of the HSE.

8. In relation to your response to point number 9 of the further information request you are advised that the submission to date is inadequate. You are required to address the following-
- The NMP should provide maps of all intended spreadlands and soil sample results of such intended spreadlands.
 - Where this type of operation (landspreading) gives rise to a risk to the groundwater sources previously identified a precautionary principle should be adopted. The location of any private wells in spreadlands should be identified and

addressed in a revised EIS. The only wells identified are the two wells owned by the applicant.

- The issue of spreadlands has not been adequately addressed. Submit revised proposals having regard in the NMP, for the fact that a significant area of land in the immediate and general environs of the existing pig rearing facility is of such poor quality as to be deemed unsuitable for waste disposal purposes by virtue of high water table and poor percolation/drainage qualities. Provide maps (Discovery Series) showing locations of all proposed spreadlands. The maps shall reference the Nitrogen & Phosphorus Statements for individual importers. Where spreadlands are located within the Aherlow and Munster Blackwater catchments provide maps for individual importing farmers showing details of spreadlands (Single Farm Payment Maps will be acceptable provided they clearly show the land parcels on which it is proposed to spread slurry).
 - Submit a copy of Slurry Export Register detailing all slurry exports for 2012 to date.
 - Submit copies of Nitrogen & Phosphorus Statements for all farmers who import slurry from him.
 - Submit an Effluent Management Plan clearly showing the following-
 - Effluent Storage Capacity of existing Slurry Storage Facilities,
 - Details of Effluent Produced from Existing Stock (breakdown according to age categories and type of animal),
 - Effluent Storage Capacity including proposed Effluent Storage Facilities,
 - Details of Effluent Production post expansion.
9. In relation to your response to point 10 of the request for further information you are required to address the following-
- a. The EPA/GSI Groundwater Response Matrix suggests that landspreading is acceptable over locally important aquifers where there is a minimum consistent thickness of 1m of soil/subsoil. You are required to verify the depth of subsoil and are required to conduct a vulnerability assessment of all landspreading areas utilising the Geological Survey of Ireland Groundwater Protection Scheme Map to assess which areas of spreadlands may be extreme, high, moderate or low vulnerability. In areas where there is extreme vulnerability or where there is rock outcropping these lands should be excluded from landspreading. There should also be verification of the subsoil thickness over all spreadlands.
 - b. Where the spreadlands infringe on the zone of contribution of the aquifer they should be removed from the spreadlands. Periodic groundwater quality monitoring of relevant parameters should also be incorporated into any proposed determination.

In response to item 8 and 9 above additional documentation has been received. The documentation has been reviewed by Aidan Leonard in the Environment Section of LCC and the following report has been received: -

The information which you referred to me on 19.10.12 is satisfactory. However, a condition of planning should attach as follows: -

Pig slurry shall not be spread on lands in Co. Tipperary (numbered 4, 9,10, 14, 19 on attached map) without the prior consent of South Tipperary Co. Council's Environment Section.

Regards

Aidan

10. In relation to your response to point 11 of the further information request you are again requested to submit certification that the proposals for heating, ventilation, dust management, odour management and drinking systems demonstrate that Best Available Techniques* will be employed. This certification shall be by a suitably qualified person.

In response the applicant states that the operator is obliged to meet the requirements of the national legal acts concerning animal housing on minimal conditions of farm animal housing. The response sets out the important issued governed by legislation. In addition in relation to housing design and management the applicant states that the aim of the design is to ensure that housing systems are designed and managed to minimise environmental impact, particularly of ammonia and odour.

11. The information received in relation to point 12 of the further information request is not adequate. In this regard the further information submitted identifies the two surface water discharge points however it does not identify the stream to which the surface water drains to. There are no provisions for the monitoring or sampling of such surface water drainage at the point of discharge. No detail is provided in respect of ultimate disposal to a receiving watercourse for surface water generated on site. Under B.A.T. the identity and type of receiving water (river, ditch, estuary, stream, lake, etc) must be stated. A National Grid reference must be given for all discharge points. B.A.T. also requires weekly visual inspection of surface water monitoring points and B.O.D. C.O.D. monitoring. No monitoring data in respect of same has been submitted. You are required to submit proposals to address the above.

In response the applicant has submitted details stating that:-

Ambient surface water is sampled at monitoring point reference numbers SW1 and SW2 weekly basis for visual examination & COD and quarterly basis and analysed for COD, Ammonia, Total Nitrogen and Total Phosphorus.

Sampling and testing of surface water in any temporary drains at the site and at the proposed piggery buildings will continue for as long as construction work are underway and for a short time thereafter.

12. In relation to your response to point 13 of the further information request you are advised it is not satisfactory to use the domestic residence for sanitary facilities to the development. Submit a proposal for the treatment and disposal of wastewater, based on a site characterisation report carried out by an approved site assessor.

In response the applicant states that it is proposed to carry on as, reference is made to the erection of a purpose built building but planning permission has not been sought for same. The applicant also states that it is proposed to replace the current changing accommodation with a new port-a-cabin. In this regard a condition shall be attached to any grant of planning permission stating that no development works shall commence on site until the applicant has applied for and obtained planning permission for staff facilities to include provision for adequate disposal of waste generated.

13. In relation to your response to point 14 of the further information request it is noted that details of the potability of the private wells on site have not been submitted. Both wells should be tested and it is of importance that the well which is serving the applicants home, and his parents home are tested for bacteriological and chemical criteria in accordance with the parameters of the E.C. Drinking Water Regulations 2007. In the event of non compliance appropriate disinfection of the supply to ensure potability should be submitted. Submit proposals to address the above.

Analysis of both wells submitted. The results show good chemical and microbiological results.

14. In relation to your response to point 15 of the further information request you are required to submit the following-
- A map indicating the location of the bait points.
 - A record of the inspection and replenishing of bait.

In response a map has been submitted indicating the location of the bait points and details of the bait stations and a copy of a baiting record sheet.

15. As previously requested at further information stage you are required to submit a new Environmental Impact Statement having regard to all of the above.

No reference in the applicant's response to item 15 above. Following telephone call on the 19/11/2012 the agent stated that the information has been submitted but not in the form of an updated EIS.

Having regard to the existing use of the site as a piggery and the proposed arrangements for screening planting on site, it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the amenities of the area or of property in the vicinity, would not be prejudicial to public health and would be acceptable in terms of traffic safety and

convenience. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

Additional Reports:

EPA – No additional comments

HSE – Refer to lack of staff facilities and attach conditions to be included in any grant of planning permission.

An Bord Gáis – No comment

Contributions:

Development Contribution Scheme Section E- Other Uses. Agricultural development where the development exceeds the EIA threshold as specified in the Planning and Development Regulations. Clarification required determining size of new development. €2,871 per 100 sq.m.

The applicant has indicated that the floor area of the proposed buildings is 6,841.1sqm. The development relates to the production of a further 300 places for sows in an integrated unit. The contribution is calculated on the basis of 100 sows having regard to the threshold of 200 sows as per Development for the purposes of Part 10 Schedule 5 Part 2 (e) (ii). Consequently, the contribution amount has been calculated on a third of the proposed floor area. This equates to a development contribution of €65,469.33

Recommendation:

First Schedule.

Having regard to the nature of the proposed development it is considered that subject to the conditions as set out in the Second Schedule, the proposed development would be in accordance with the proper planning and development of the area.

Second Schedule

It is recommended that a Grant of Permission be issued in respect of this application, subject to the following conditions.

1. Std 1 insert 23/08/2012 and 15/10/2012, 20/04/2012
2. Std 3 insert €65,469.33
3. The stocking rate of this facility for sows (and other pigs) shall not be increased over and above existing permitted levels as stated in the application documentation.
Reason: In the interest of clarity.
4. The landscaping scheme shown on drg no. C-001, as submitted to the planning authority on the 15th day of October, 2012 shall be carried out within the first planting season following substantial completion of external construction works. All planting shall be adequately protected from damage until established. Any plants which die, are removed or become seriously damaged or diseased, within a period of 5 years from the completion of the development, shall be replaced within the next planting season with others of similar size and species, unless otherwise agreed in writing with the planning authority.
Reason: In the interests of residential and visual amenity

5. External materials and finishes of proposed buildings shall be submitted to and agreed in writing with the planning authority, prior to the commencement of development.

Reason: In the interest of visual amenity.

6. Std 167

7. Archaeological monitoring by a qualified archaeologist should be in place for all ground disturbance associated with the development. The name of the archaeologist shall be submitted to the Planning Authority **four** weeks in advance of the commencement of any site works. Should archaeological material be found during the course of monitoring, the archaeologist may have work on the site stopped, pending a decision as to how best to deal with the archaeology. The National Monuments Service- Department of the Arts, Heritage and the Gaeltacht and the Planning Authority Archaeologist should be informed. The developer shall be prepared to be advised by the Department of the Arts, Heritage and the Gaeltacht with regard to any necessary mitigating action and should facilitate the archaeologist in recording any material found. On completion, an archaeological report detailing the works shall be submitted to the Planning Authority and the Department of the Arts, Heritage and the Gaeltacht.

Reason – To protect areas of archaeological potential in the interest of the proper planning and development of the area.

8. Prior to the commencement of the development a Vermin Control Programme in relation to the proposed development shall be submitted to the planning authority for written agreement prior to the commencement of development.

Reason: In the interests of orderly development.

9. Transport of pig slurry, Animal tissues and carcasses sent off site for disposal/recovery shall be in suitably contained, leak proof vehicles

Reason: In the interest of public health and to provide for the protection of the environment

10. The temporary on-site storage of animal tissues and carcasses shall be in sealed leak proof containers and removed at regular intervals.

Reason: In the interest of public health, infection control, odour control and to provide for the protection of the environment

11. Waste sent off site for recovery/disposal shall be transported by authorised waste contractors or an exempted person (Waste Management Collection Permit Regulation 2007-2008). The waste shall be transported from the site of activity to the site of recovery/disposal, only in a manner which will not adversely affect the environment or public health

12. Slurry generated by the proposed development shall be disposed of by spreading on land, or by other means agreed in writing with the planning authority. The location, rate and time of spreading (including prohibited times for spreading) and the buffer zones to be applied shall be in accordance with the requirements of the European Communities (Good Agricultural Practice for the Protection of Waters) Regulations, 2009.

Reason: To ensure the satisfactory disposal of waste material, in the interest of amenity, public health and to prevent pollution of watercourses.

13. Detailed records shall be maintained with regards to pig slurry disposal; these shall include such matters as dates, volumes disposed of and outlet locations.

The records shall be kept up-to-date and shall be available at all reasonable times for inspection by an authorised person of the planning authority and be provided to the planning authority on request in writing

Reason: To ensure the satisfactory disposal of waste material, in the interest of amenity, public health and to prevent pollution of watercourses.

Reason: In the interest of orderly development.

14. The use of the facilities in the adjoining dwelling house is not acceptable. Appropriate staff facilities and associated services to include the disposal of effluent shall be in place prior to the commencement of development. Full details shall be submitted for the written approval of the Planning Authority.

Reason: In the interest of proper planning and orderly development.

Signed: IMC

Signed: [Signature]

Date: 5/12/12

Date: 05/12/2012

Note: Pig slurry should not be spread in the vicinity of the Aherlow, Blackwater or Aloe river catchments without the prior consent of the relevant Council.

Note: The applicant should contact An Bord Gáis in advance of any extraction to arrange a visit to site and mark out wayleave.

PA12/306

Agricultural Development						
Service	Amount Per Sq.M	% Calculation Formula)	Enter Area of Development in Sq.M	Charge Per Unit	No. of Units	Total Charges
Water	€2.73	9.52%	2280.37	€6,232.68	1	€6,232.68
Sewerage	€5.47	19.05%	2280.37	€12,471.91	1	€12,471.91
Open/Space	€5.47	19.05%	2280.37	€12,471.91	1	€12,471.91
Roads	€15.04	52.38%	2280.37	€34,292.83	1	€34,292.83
Total	€28.71	100.00%		€65,469.33		€65,469.33

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05/12/2012

PA 12/306

IME
5/12/12