

**LIMERICK CITY & COUNTY COUNCIL**

**PLANNING AND DEVELOPMENT ACTS, 2000 (AS AMENDED)**

**NOTIFICATION OF GRANT OF PERMISSION**

Ballyfaskin Enterprises Ltd.  
C/o Patrick Ryan,  
Ballyfaskin,  
Ballylanders,  
Co. Limerick V35H275

**PLANNING REGISTER NUMBER:** 19/1135

**APPLICATION RECEIPT DATE:** 20/11/2019

---

Permission for increased capacity of the piggery from 600 sows to 1000 sows and their progeny in addition a new electrical substation will be constructed. The development requires an EPA Industrial Emissions License (formerly Integrated Pollution Prevention and Control License). An Environmental Impact Assessment Report (EIAR) has been submitted as part of the planning application at Ballyfaskin, Ballylanders, Co. Limerick.

Further to the Order dated: 17/12/2020

---

A PERMISSION has been granted for the development described above subject to the 16 condition(s) set out on the Schedule which accompanied the Notification of the Council's Decision dated 17/12/2020.

Signed on behalf of the said Council



Heather Supple  
(for) A/Senior Planner  
Planning & Environmental Services  
29/01/2021

Please note that the provisions of Planning & Development Act 2000 (as amended) limits the duration of this planning permission to a period of five years from the date hereof.

**LIMERICK CITY & COUNTY COUNCIL**

**PLANNING AND DEVELOPMENT ACTS 2000 (AS AMENDED)**


**NOTIFICATION OF DECISION TO GRANT**

Ballyfaskin Enterprises Ltd.  
C/o Patrick Ryan,  
Ballyfaskin,  
Ballylanders,  
Co. Limerick V35H275

**Planning Register Number:** 19/1135  
**Valid Application Received:** 20/11/2019  
**Further Information Received Date:** 19/10/2020, 23/10/2020 & 10/12/2020

In pursuance of the powers conferred upon them by the above-mentioned Act, Limerick City & County Council has by Order dated 17/12/2020 decided for the reason set out in the First Schedule hereto, to **GRANT PERMISSION** for development of land in accordance with the documents submitted namely: **increased capacity of the piggery from 600 sows to 1000 sows and their progeny in addition a new electrical substation will be constructed. The development requires an EPA Industrial Emissions License (formerly Integrated Pollution Prevention and Control License). An Environmental Impact Assessment Report (EIAR) has been submitted as part of the planning application at Ballyfaskin, Ballylanders, Co. Limerick.** subject to the 16 condition(s) and the reasons for the imposition of the said condition(s) as set out in the Second Schedule.

Signed on behalf of said Council

  
Heather Supple  
for DIRECTOR OF SERVICES  
LIMERICK CITY & COUNTY COUNCIL

Date: 17/12/2020

Under Article 20 of the Planning & Development Regulations 2001 (as amended) the applicant shall remove the site notice in respect of the application following notification of the Planning Authority's decision.

In deciding the planning application, the Planning Authority, in accordance with Section 34(3) of the Planning & Development Act 2000 (as amended) has had regard to submissions/observations received (if any) in accordance with the Planning & Development Regulations 2001 (as amended).

In accordance with Article 31(j) of the Planning & Development Regulations 2001 (as amended), if there is no appeal to An Bord Pleanála a grant of permission shall be issued as soon as may be but not earlier than 3 working days after the expiration of the period for making of an appeal (see footnote).

**THIS NOTICE IS NOT A GRANT OF PERMISSION AND WORK SHOULD NOT COMMENCE UNTIL PLANNING PERMISSION IS GRANTED.**

**NOTE:**

An appeal against a decision of a planning authority under the provisions of the Planning & Development Act 2000 (as amended) may be made to An Bord Pleanála at any time before the expiration of the appropriate period and on payment of the appropriate fee, by an applicant for permission or any person who made submissions or observations in writing in relation to the planning application. An appeal by a person who made submissions or observations must be accompanied by the acknowledgement of receipt of the submissions or observations from the planning authority. Any such appeal must be made in writing and received by the Board within 4 weeks beginning on the date of the making of the decision by the

planning authority. The appeal must be fully complete from the start otherwise it will be invalid. It is very important to note that any appeal referrals under the Planning & Development Acts 2000(as amended) which are not accompanied by the correct fee will be invalid.

/P.T.O.

The scale of fees payable to An Bord Pleanála in respect of appeals is set out hereunder:

Case Type	Appeal received on or after 5 <sup>th</sup> September 2011
<b>Planning Acts</b>	
a. Application for strategic infrastructure development or a request to alter the terms of such development already permitted or approved.	€100,000
b. Appeal against a decision of a planning authority on a planning application relating to commercial development, made by the person by whom the planning application was made, where the application included retention of development.	€4,500 or €9,000 if *EIS or **NIS involved
c. Appeal against a decision of a planning authority on a planning application relating to commercial development, made by the person by whom the planning application was made, other than an appeal mentioned at (b).	€1,500 or €3,000 if *EIS or **NIS involved
d. Appeal against a decision of a planning authority on a planning application made by the person by whom the planning application was made, where the application relates to retention of development, other than an appeal mentioned at (b) or (c) (non-commercial development).	€660
e. 1 <sup>st</sup> party appeal solely against contribution condition(s) – (2000 Act Section 48 or 49).	€220
f. Appeal other than an appeal mentioned at (b), (c), (d) or (h)	€220
g. Application for leave to appeal.	€110
h. Appeal following a grant of leave to appeal.	€110
i. Referral.	€220
j. Reduced fee (payable by specified bodies).	€110
k. Submissions or observations (by observer) on strategic infrastructure development applications, appeals and referrals.	€50
l. Request from a party for an oral hearing.	€50
*EIS - Environmental Impact Statement	
**NIS - Natura Impact Statement	

Submissions or observations on appeals made by third parties must be received by the Board within 4 weeks from the receipt of the appeal by the Board and the fee in this case is €50. Development consisting of the provision of two or more dwellings is classed as commercial development for the purposes of an appeal.

Should you wish to make an appeal, the following documents are available on [www.pleanala.ie](http://www.pleanala.ie)

- A Planning Appeal Form/Checklist and
- A Guide to making a Planning Appeal.

Appeals should be addressed to An Bord Pleanála, 64 Marlborough Street, Dublin 1.

**PLANNING REGISTER REFERENCE NUMBER: 19/1135**

**FIRST SCHEDULE**

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

**SECOND SCHEDULE**

1. The development shall be carried out in accordance with the plans and particulars lodged with the application on the 20<sup>th</sup> day of November 2019 as amended by the further plans and particulars submitted on the 19<sup>th</sup> day of October 2020, the 23<sup>rd</sup> day of October 2020 and the 10<sup>th</sup> day of December 2020, except as may otherwise be required in order to comply with the following conditions.

Reason - In order to clarify the development to which this permission applies.

2. (a) All farming activities shall be carried out in accordance with requirements of the European Union (Good Agricultural Practice for Protection of Waters) Regulations 2017 as amended.  
(b) All construction works shall be carried out in accordance to the relevant Department of Agriculture, Food & Marine building specifications.

Reason – In the interest of environmental protection and in particular the prevention of pollution of surface waters.

3. (a) All liquid effluent and other contaminated run-off generated by the proposed development in the farmyard shall be conveyed through properly constructed channels to the proposed storage facilities and no effluent or other contaminated run-off shall discharge or allow to be discharged to any stream, river or watercourse on the public road.  
(b) Where pig slurry is delivered to third party farms and where such slurry is to be stored on-farm prior to landspreading, there shall be adequate on-farm storage capacity to ensure that the requirements of the European Union (Good Agricultural Practice for Protection of Waters) Regulations 2017 (as amended) are met.  
(c) Records of all slurry movements shall be kept in accordance Department of Agriculture Food & Marine requirements.

Reason – In the interest of environmental protection and in particular the prevention of pollution of surface waters.

4. The adjacent public road shall be maintained in a clean manner and where off-site spreading of slurry effluent is undertaken, any wheel borne mud/spillages from the tank shall be cleaned by the applicant/operator.

Reason: In the interest of residential amenity.

5. All mitigation measures set out in the EIAR shall be complied with in full.

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

6. (a). The rating level of the sound from the electrical substation shall not exceed the background noise level by greater than 5 dB outdoors at the nearest noise sensitive location when measured in accordance with BS4142:2014 Methods for rating and assessing industrial and commercial sound.  
(b). The pig loading bay enclosure walls and roof shall be fully insulated.

Reason: In the interest of amenity and proper planning and sustainable development.

7. Sight distance triangles shall be maintained and kept free from vegetation or other obstructions that would reduce the minimum visibility required.

Reason – In the interest of traffic safety.

8. The applicant is required to undertake road upgrade works on the R662 at the entrance to the piggery in order to cater for HCV turning movements loading at the location over its full width. The works shall include
- Road construction in the form of SD6 of the 'Guidelines for Managing Openings in Public Roads' (The Purple Book) over a length of 15m either side of the centre point of the proposed entrance.
  - Surface Course: 45mm HRA 30/40 Surf 40/60 des (20mm pre-coated chippings) to cl. 911.
  - Binder Course: 140mm AC 20 HDM bin 40/60 rec to cl. 906.
  - 220mm Bond Coat to Clause 920.

All works shall be agreed in writing with the planning authority prior to the commencement of development.

Reason: In the interest of pedestrian and traffic safety.

9. All surface water run-off from the public road which flows into the site shall continue to be accommodated within the site unless alternative arrangements acceptable to the Planning Authority are carried out. Full details of any such alternative arrangements shall be submitted to the Planning Authority and agreed prior to commencement of development.

Reason – To prevent flooding on the public road in the interest of amenity and traffic safety.

10. All surface water run-off from roofs, entrances and parking areas within the site shall be collected and disposed of within the site to soakpits/adjacent watercourses. No such surface waters shall discharge onto adjoining properties or the public road

Reason- In the interest of public health and to prevent flooding in the interest of traffic safety and amenity.

11. The construction Management Plan, which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This plan shall provide details of intended construction practice for the development, including hours of working, noise/vibration and traffic management measures and off-site disposal of construction/demolition waste.

Reason- In the interests of public safety and residential amenity.

12. Prior to the commencement of this development the site developer or appointed contractor shall submit to Planning and Environmental Services for agreement in writing a site specific waste management plan for the recovery/disposal of all wastes arising from the demolition, refurbishment and/or construction related activities of this development. The waste management plan shall include:

- A list of proposed authorised waste collection permit holders to be employed.
- A list of the proposed waste facility permitted sites at which the wastes may be recovered or disposed of.
- Estimates of the proposed tonnages of construction and demolition (C&D) wastes by type e.g. soil and stone, rubble, wood, metal and plastic.

A template waste management plan can be found on our website at: <https://www.limerick.ie/council/construction-and-demolition-waste>

Reason: In the interests of sustainable waste management.

13. All landscaping shall take place as per landscaping plan submitted on 23/10/20.

Reason: In the interest of biodiversity, visual and residential amenity.

14. During construction of the proposed development, the following shall apply-
- a. No work shall take place on site outside the hours of 8.00 a.m. to 8.00 p.m. Monday to Friday and 8.00 a.m. to 4.00 p.m. Saturday, or on Sundays or public holidays, unless otherwise agreed in writing by the Planning Authority.
  - b. No surface water run-off shall be discharged onto public roads, foul sewers or adjacent property.
  - c. Adequate car parking facilities shall be provided on site for all workers and visitors.

Reason – To protect the residential amenities of the area in the interest of proper planning and sustainable development.

15. The wheels and underside of all construction traffic leaving the site shall be cleaned, as required, to prevent soiling of public roads. A wheel washing facility, including water jets or other approved cleansing method shall be provided close to the site exit. In the event that any public roads become soiled by construction traffic from the site, these roads shall be cleaned immediately.

Reason - In the interest of the proper planning and sustainable development of the area, road safety and to protect the amenity of the area.

16. All public service cables for the development, including electrical and telecommunications cables, shall be located underground throughout the site. Under no circumstances shall the applicant/developer cut or otherwise interfere with the public road for the purposes of connection to public services without a road opening licence.

Reason - In the interest of visual amenity.

Limerick City & County Council  
Viewing Purposes Only!  
For inspection purposes only.  
Consent of copyright owner required for any other use.

Limerick City & County Council

**PLANNING AND DEVELOPMENT ACT 2000 (as amended)**

Acting Senior Planner Limerick City & County Council Order No: P.D. 1209/2020

**Reference Number:** 19/1135  
**Name of Applicant:** Ballyfaskin Enterprises Ltd.  
**Address:** C/o Patrick Ryan,  
Ballyfaskin,  
Ballylanders,  
Co. Limerick V35H275

**Nature of Application** PERMISSION for increased capacity of the piggery from 600 sows to 1000 sows and their progeny in addition a new electrical substation will be constructed. The development requires an EPA Industrial Emissions License (formerly Integrated Pollution Prevention and Control License). An Environmental Impact Assessment Report (EIAR) has been submitted as part of the planning application

**Location of Development:** Ballyfaskin, Ballylanders, Co. Limerick.

**Recommendation of A/S.E.P.** PERMISSION BE GRANTED for the above mentioned development subject to the 16 condition(s) set out in the Second Schedule hereto.

**ORDER:**

Whereas by Chief Executive's Order No. CE/2020/031 dated 4<sup>th</sup> March, 2020, Dr. Pat Daly, Chief Executive of Limerick City & County Council, did, pursuant to the powers conferred on him by Section 154 of the Local Government Act, 2001, (as amended by the Local Government Reform Act 2014) delegate unto Stephane Duclot, with effect from the 4<sup>th</sup> March, 2020, the functions within the meaning of the Local Government Act, 2001 as set out therein.

NOW THEREFORE pursuant to the delegation of the functions aforesaid, I, Stephane Duclot, Acting Senior Planner, Limerick City & County Council, hereby decide, pursuant to the provisions of the Planning & Development Act 2000 (as amended) and the Planning & Development Regulations 2001 (as amended), for the reason set out in the First Schedule attached hereto, to **GRANT PERMISSION** for the above development in accordance with documents submitted, subject to the 16 condition(s) set out in the Second Schedule attached hereto.

Notification of decision to grant to issue forthwith and notification of the grant of PERMISSION to issue as soon as may be but not earlier than 3 working days after the expiration of the period for making of an appeal.

  
\_\_\_\_\_  
**ACTING SENIOR PLANNER  
PLANNING & ENVIRONMENTAL SERVICES  
DATED THIS 17/12/2020**



Limerick City & County Council:  
Viewing Purposes Only!

For inspection purposes only.  
Consent of copyright owner required for any other use.