

LIMERICK COUNTY COUNCIL

PLANNING AND DEVELOPMENT ACTS, 2000 - 2008

NOTIFICATION OF GRANT OF PERMISSION

Patrick Ryan
c/o NRGE Ltd.
Mooresfort
Lattin
Co. Tipperary

PLANNING REGISTER NUMBER : 09/588

APPLICATION RECEIPT DATE: 11/05/2009

Permission for extension of farrowing house D and replace existing farrowing house E and associated site works at Ballyfauskeen Ballylanders.

Further to the Order dated: 06/08/2009

A PERMISSION has been granted for the development described above subject to the 12 condition(s) set out on the Schedule which accompanied the Notification of the Council's Decision dated 06/08/2009.

Signed on behalf of the said Council _____

(for) Director of Services
Planning & Development
Date: 10/09/09

Please note that the provisions of Planning & Development Acts, 2000 - 2008 limits the duration of this planning permission to a period of five years from the date hereof.

LIMERICK COUNTY COUNCIL

PLANNING AND DEVELOPMENT ACTS 2000-2008

NOTIFICATION OF DECISION TO GRANT

Patrick Ryan
c/o NRGE Ltd.
Moonesfort
Lattin
Co. Tipperary

Planning Register Number: 09/588
Valid Application Received: 11/05/2009
Further Information Received Date: 20/07/2009

In pursuance of the powers conferred upon them by the above-mentioned Act, Limerick County Council has by Order dated **6th August, 2009** 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: **-extension of farrowing house D and replace existing farrowing house E and associated site works at Ballyfauskeen Ballylanders** subject to the 12 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


for **DIRECTOR OF SERVICES**
PLANNING & DEVELOPMENT

Date: **6th August, 2009**

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 Acts, 2000-2007 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 2000 to 2008 Planning & Development Acts 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 10 th December 2007
Planning Acts	
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 relates to unauthorised development.	€4,500 or €9,000 if EIS 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 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 unauthorised development, other than an appeal mentioned at (b) or (c).	€660
e. Appeal other than an appeal mentioned at (b), (c), (d) or (g)	€220
f. Application for leave to appeal.	€110
g. Appeal following a grant of leave to appeal.	€110
h. Referral	€220
i. Reduced fee (payable by specified bodies).	€110
j. Submissions or observations (by observer) on strategic infrastructure development applications, appeals and referrals.	€50
k. Request from a party for an oral hearing.	€50

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.lcc.ie and 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: 09/588

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. This permission is subject to the submissions of the 20th July, 2009.
Reason - In order to clarify the development to which this permission applies.
2. Prior to the commencement of development the applicant shall submit:
(i) An effluent Management Plan for the site demonstrating compliance with the European Communities (Good Agricultural Practice for Protection of Waters) Regulations 2009.
(ii) A site layout plan indicating the flow patterns of all effluent arising from the development.
Reason - In the interest of orderly development.
3. Manure storage facilities shall be provided and maintained for not less than 20 weeks production.
Reason - In the interests of public health and to prevent pollution.
4. Slurry shall not be spread on lands during the months of November to February inclusive.
Reason - In the interests of public health and to prevent pollution.
5. Details of the proposed method of storage and disposal of animal carcasses, offal or similar wastes shall be submitted and agreed with the Planning Authority before development commences.
Reason - In the interests of public health and to prevent pollution.

6. On a three yearly basis, an independent report prepared by Teagasc (or other agents as nominated by the Planning Authority), shall be submitted to the Planning Authority, detailing the agricultural suitability of the spreading area to accept further slurry as a fertiliser unit. Particular emphasis shall be given to the avoidance of the over-saturating of the soil with nutrients in the event of land being used repetitively for slurry spreading.

Reason - In the interests of facilitating the control of pollution.

7. All necessary measures shall be taken by to ensure that no offensive odours are emitted into the atmosphere from the proposed development in such a manner as to cause public nuisance.

Reason - In the interests of facilitating the control of pollution and of the protection of property in the vicinity.

8. All effluent (pig slurry and contaminated surface water) arising from the proposed development shall be directed to and collected in the effluent storage tank.

Reason - To prevent pollution in the interests of the proper planning and development of the area.

9. The effluent storage tank shall be a watertight construction.

Reason - To prevent pollution in the interests of the proper planning and development of the area.

10. No effluent arising from the proposed development shall be caused or permitted to flow onto any adjoining property or to any drains, ditch, watercourse or stream or to overflow from the effluent storage tank.

Reason - In the interests of orderly development, the avoidance of pollution of ground or surface waters in the vicinity and the protection of the amenities of property in the vicinity.

11. All necessary steps shall be taken to ensure that the rate at which slurry spreading takes place does not exceed the agreed rate in any year

Reason - In the interests of pollution control.

12. The construction of all facilities including pig accommodation and slurry storage facilities shall be in line with current relevant Department of Agriculture Specifications (such as S126 for geo-membrane-lined tanks).

Reason – To ensure that all works are carried out in accordance with current good practice and standards.

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Limerick County Council

PLANNING AND DEVELOPMENT ACTS 2000-2008

Senior Executive Officer Planning & Development Order No: P.D. 808/09

Reference Number: 09/588

Name of Applicant: Patrick Ryan
Address: c/o NERGE Ltd.
Mooresfort
Lattin
Co. Tipperary

Nature of Application PERMISSION for extension of farrowing house D and replace existing farrowing house E and associated site works

Location of Development: Ballyfauskeen Ballylanders

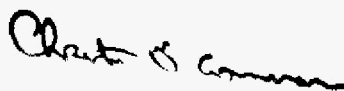
Recommendation of S.E.E./S.E.P. PERMISSION **BE GRANTED** for the above mentioned development subject to the 12 condition(s) set out in the Second Schedule hereto.

ORDER:

Whereas by County Manager's Order No. HR. 613/08 dated 19th December, 2008, Edmond Gleeson, Limerick County Manager, did, pursuant to the powers conferred on him by Section 154 of the Local Government Act, 2001, delegate unto Christopher O'Connor, 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, Christopher O'Connor, Senior Executive Officer, Limerick County Council, hereby decide, pursuant to the provisions of the Planning & Development Acts, 2000-2008 and the Planning & Development Regulations 2001-2008, 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 12 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.



SENIOR EXECUTIVE OFFICER PLANNING & DEVELOPMENT

DATED THIS 6TH DAY OF AUGUST, 2009

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PLANNING REGISTER REFERENCE NUMBER: 09/588

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