

Limerick County Council

PLANNING AND DEVELOPMENT ACTS 2000-2006

Senior Executive Officer Planning & Development Order No: P.D. 294/07

Reference Number: 06/3801

Name of Applicant: Pat Ryan
Address: Ballyfausken
Ballylanders
Co. Limerick

Nature of Application 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

Location of Development: Ballyfausken Ballylanders

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

ORDER:

I, Christopher O'Connor, Senior Executive Officer, Limerick County Council, by virtue of the powers conferred on me under Section 154 of the Local Government Act, 2001 and delegated to me by County Manager's Order No. HR 187/06 of 29th May, 2006, hereby decide, pursuant to the provisions of the Planning & Development Acts, 2000-2006 and the Planning & Development Regulations 2001-2006 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 conditions 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 8th DAY OF FEBRUARY, 2007



PLANNING REGISTER REFERENCE NUMBER: 06/3801

FIRST SCHEDULE

Having regard to the proposed development and the pattern of development in the area, it is considered that, subject to the conditions set out in the Second Schedule, the proposed development would not seriously injure the amenities of the surrounding area 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.

SECOND SCHEDULE

1. 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.

2. 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.

3. 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.

4. 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.

5. 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.

6. 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.

7. 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.

8. 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.

9. The Planning Authority shall be permitted to carry out such soil tests as are considered necessary to determine that over-application of effluent to lands is not occurring. The costs of such monitoring shall be borne by the developer/operator.

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

10. 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.

11. Roof covering/sidings shall be a dark colour PVC coated steel or shall be painted in a dark colour.

Reason - In the interests of visual amenity

12. No effluent shall be transported from this development over public roads except in approved transporters that are leak proof.

Reason - In the interests of public health and to prevent pollution