

**Planning Report Template
Limerick County Council**

File Number: 09/588
Applicant: Patrick Ryan
Location of site: Ballyfauskeen, Ballylanders
Proposed Development: Permission for the replacement of existing obsolete house, replacement of existing farrowing house E and associated site works

1) Site Notice:

Irené McCormack - 28/05/2009

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

The site is located on Regional Road R-662 with a second access onto local road L- 8529, 2.98km southeast of Ballylanders. The site currently accommodates an integrated herd of 400 sows and their progeny reared to bacon weight. The applicant is seeking permission for the replacement of existing obsolete house, replacement of existing farrowing house E and associated site works. However, the drawings indicating an extension to farrowing house D1, clarification is required with respect to same. The site is not in a Water source protection area. There are no archaeological monuments, conservation designations or protected structures in the vicinity. The nearest houses, existing and permitted to the application site is that of the landowner and his immediate family. Other than that the nearest house is 310 metre distance from the site. Crucially the overall unit, to which this extension belongs, is associated with a large landholding

3) Photographs: N/A

4) Planning History:

07/2101: Patrick Ryan - 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 geomembrance lined pig manure storage basin adjacent to the big farm @ Ballyfausken, Ballylanders

06/3806 - Permission for construction of new loose dry sow house to comply with new welfare regulations, adjacent to existing pig farm. An EIS which was submitted as part of this application, due to the number of sows in a breeding unit (400).

5) Summary of relevant planning matters

Section 12.3.8 Agricultural Development

6) Submissions/Objections:

(a) Internal Submissions –
Archaeologists – No issues

(b) External Submissions – None

(c) Objections – None

(d) Submissions from Elected Representatives – Deputy Niall Collins

Summary of key planning issues and assessment:

Section 12.3.8 states:

Agricultural buildings and associated works (walls, fences, gates, entrances, yards etc.) while accepting the need to be functional, are required to be sympathetic to their surroundings - in scale, materials and finishes. Buildings should relate to the landscape and should avoid breaking the skyline.

Traditionally this was achieved by having the roof darker than the walls. Appropriate roof colours are dark grey, dark reddish brown or a very dark green. The grouping of agricultural buildings will be encouraged and use of existing landscaping in order to reduce their overall impact in the interests of visual amenity.

Some agricultural developments are exempt from planning control.

However, no new building or structure on a farm is exempt from planning permission unless it has adequate effluent storage facilities. The Planning

Authority will require adequate provision for the collection, storage and disposal of effluent produced from agricultural developments. Developers are required to adhere to the Department of Agriculture Guideline entitled

'Guidelines and Recommendations on the Control of Pollution from Farmyard Wastes and the following Slurry Storage and Slurry disposal/recycling

Requirements:

- All effluent storage tanks should be constructed to Department of Agriculture and Food specifications.
- The applicant may be required to demonstrate that sufficient lands of suitable nutrient status are available within a reasonable distance for the disposal/recycling of organic waste from a proposed agricultural development.

Taking cognisance of the above the site forms part of an established farm complex and as such will not be unduly prominent from the public road, however, the applicant is requested to clarify clearly and unambiguously the nature and extent of the development taking cognisance of the apparent inconsistency in the development description and the drawings submitted.

The proposed development works shall be carried out in accordance with specifications of the Department of Agricultural and food.

Planning Application Ref. 09/588

14/05/2009

Planning Engineer
Limerick County Council

RE: PERMISSION for the replacement of existing obsolete house, replacement of existing farrowing house E and associated site works at Ballyfauskeen Ballylanders

APPLICANT: Patrick Ryan

Dear Sir/Madam,

Callane

I refer to above application received on 11/05/2009 and enclose herewith copy of documentation regarding same. Your report and observations are required before 14/06/2009.

PLANNERS AREAS

1 Castleconnell 2 Rathkeale 3 Newcastle West 4 Bruff ~~5 Kilmallock~~ NCW Town

WATER SOURCE: ~~PA~~ Mains / Public G.W.S. / Private G.W.S. / Public Well / Private Well
WASTE WATER: ~~PA~~ Mains / Septic Tank Treatment System

Environmental Health Officer, H.S.E. (CMO)	Minister for the Marine and Natural Resources	Water Services
Environmental Protection Agency	Shannon Free Airport Development Company Limited	Chief Fire Officer
Office of Public Works	Failte Eireann	S.E.E County Roads
Bord Gais	An Chomhairle Ealaion (Arts Council)	S.E.E Main Roads
Iarnród Eireann (Divisional Engineer)	County Archaeologist	Environmental Section
Road Design Office	An Taisce	Heritage Officer
National Roads Authority	Heritage Council	Conservation Officer
	Arch Heritage	
Irish Aviation Regulatory Authority	National Heritge, National Parks and Wildlife	Housing Strategy Officer
Minister of Justice , Equality and Law Reform	Commission for the Electricity Regulation	County Vet
Regional Fisheries Board	Priority ABCDEFGHIJK	Date Plotted 18/09/09

Other _____

Site Notice Displayed Yes / No Date _____

Yours Faithfully,

Planning

**Planning Report Template
Limerick County Council**

File Number: 09/588
Applicant: Patrick Ryan
Location of site: Ballyfauskeen, Ballylanders
Proposed Development: Permission to extend farrowing house D and replace existing farrowing house E and associated site works.

Refer to previous planners report, the following further information was requested:

1. (a) The development description states “*permission for the replacement of existing obsolete house, replacement of existing farrowing house E and associated site works*”, however, the drawings indicate new farrowing house E and the extension of farrowing house D. Consequently, the applicant is requested to clarify clearly and unambiguously the nature and extent of the development taking cognisance of the apparent inconsistency in the development description and the drawings submitted. (Note: The applicant maybe required to re-advertise).

The application has been re-advertised to state permission to extend farrowing house D, replace existing farrowing house E and associated site works.

- (b) In this regard the applicant is requested to submit an existing site layout plan and a proposed site layout plan

Revised site layout submitted clarify existing, permitted and perused development on site. This is acceptable.

Reports

County Archaeologist – No issues

Environment – Aidan Leonard

Nutrient Management Plan required and a revised site layout clearly identifying development on site and nature of uses.

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 20/07/2009

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. Std 110
- 4. Std 111
- 5. Std 112
- 6. Std 113
- 7. Std 114
- 8. Std 116
- 9. Std 117
- 10. Std 118
- 11. Std 121

12. The construction of all facilities including pig accommodation and slurry storage facilities to be 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.

Signed: UCC Date: 7/8/05

Signed: [Signature] Date: 05/08/09

Note: Revised development description.

PA 09/S88

SITE NOTICE INSPECTION

File No: 09/588

Date: 28/5/09

Name: Patrick Ryan

Address: Ballyfauskean, Ballylandos

Site Notice in Place (Yes / No) Yes

Details: (Please Tick)

- Title
- Name
- Type of Application
- Development Details
- Inspection Details
- Signature
- Date

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LIMERICK COUNCIL

Colour of Notice: White

Inspected By: IMCE

Notes:



Limerick County Council
Comhairle Chontae Luimnigh
Planning Application Ref.

Planning

t: 061 496347

f: 061 496006

09/588

Limerick County Council
County Hall
Dooradoyle

Comhairle Chontae Luimnigh
Halla an Chontae
Tuay an Daill
Carrige Luimnigh

t: 061 496000

f: 061 496001

e: planning@limerickcoco.ie

Address:

Ballytauskreen, Ballylanders

Applicant:

Patrick Ryan

Date of referral:

19.05.09

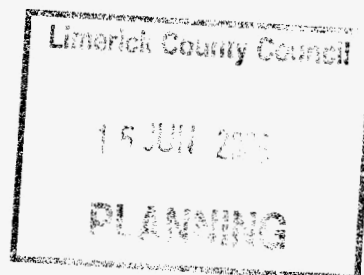
There are no archaeological issues in regard to this application.

Sarah McCutcheon

Executive Archaeologist

Limerick County Council

12.06.09



Murray Ailis

From: McCutcheon Sarah
Sent: 28 July 2009 11:44
To: Planning Referrals
Subject: 09/588

Re FI referral, no archaeological issues in regard to this application.

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09/588

From: Leonard Aidan

Sent: 27 July 2009 12:36

Planning

t: 061 496347

f: 061 496006

To: Planning Referrals

Subject: 09/588 Patrick Ryan, c/o NRG Ltd., Moorestown, Lattin, Co. Tipperary

Limerick County Council
County Hall
Dooradoyle
Co. Limerick

Comhairle Chontae Luimnigh
Halla an Chontae
Tuair an Daill
Contae Luimnigh

t: 061 496000

f: 061 496001

e: planning@limerickcoco.ie

Importance: High

Please disregard my previous e-mail !!!

I don't appear to have seen this application previously.

If it is not too late I advise that a detailed Nutrient Management Plan prepared by a suitably qualified Agriculturalist be requested. The plan should demonstrate that the requirements of the European Communities (Good Agricultural Practice for Protection of Waters) Regulations 2009 (a.k.a. "The Nitrates Regulations") are being met on Mr. Ryan's farm.

The yard sketch which accompanies the application is "too busy". A new yard sketch should be requested which details clearly flow-paths of all effluents arising. Although documentation which accompanies the application (under the heading "Description of Development") states "----- manure routes are similarly indicated as Red arrows" this does not clearly show effluent flowpaths.

The Nutrient Management Plan should identify all farmers on whose lands it is proposed to spread pig manure from the above enterprise (i.e. "Importing Farmers") and should include all relevant maps & nutrient management calculations for these farms.

Aidan Leonard
Environment Section

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