

PLANNING APPLICATION CONTROL FORM

Application Reference No.: 21/343

Decision due by 04/08/2021

Previous Ref. Nos.: 07975

Date of Receipt of Application: 10/06/2021

Applicant: Woodburn Farms Ltd.

Address: C.L.W Environment Planners Ltd The Mews 23 Farnham St Cavan

Location of Development: Kilnamaddy Newbliss Co. Monaghan

Description: permission for the proposed alteration to the operation, and capacity, of their existing poultry farm, together with all ancillary structures and ancillary site works associated with the above development. This application relates to a development, which is for the purposes of an activity requiring a Licence under part IV of the Environmental Protection Agency (Licensing) Regulations 1994 to 2013. An Environmental Impact Assessment Report E.I.A.R. will be submitted with this planning application.

VALIDATION

Validated by: _____

Date of Validation: _____

SITE NOTICE

Was Notice published on site

Yes

No

Inspected by: A. Henderson

Date of Inspection: 10/6/21

Refer file for reports to:

Municipal District

No obj No Cons

Heritage Officer

E.H.O.

S.E.E. Roads

S.E.E. Water Services

S.E.E. Environment

No obj, Cons

Irish Water

S.E. Planner

NRA/TII

Housing

DoECLG

Fire Officer

An Taisce

I.F.I.

Roisin Moore

Flooding Section

Build Heritage

OPW

No pre-app

Kilrooske 6.1 Km, Sliabh Beagh 11.4 Km (as per AA) - EPA Guidance

MONAGHAN COUNTY COUNCIL
PLANNING AND DEVELOPMENT REPORT

File Ref: 21/343 (Grant Permission)
Applicant: Woodburn Farms Limited
Development: permission for the proposed alteration to the operation, and capacity, of their existing poultry farm, together with all ancillary structures (to include meal storage bin(s) and soiled water tank(s)) and site works associated with the above development. This application relates to a development, which is for the purposes of an activity requiring a Licence under part IV of the Environmental Protection Agency (Licensing) Regulations 1994 to 2013. An Environmental Impact Assessment Report (E.I.A.R.) will be submitted with this planning application.
Location: Kilnamaddy, Newbliss, Co. Monaghan

1. Date of Site Inspection

28-6-2021

2 Site Notice & Photos

SN In order

3. Pre-Planning Meeting(s)

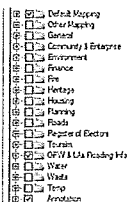
No as per Application Form

4. Zoning

The subject site is located in a 'Category 2- Remaining Rural Area' as per MCDP 2019-2025.

5. Characteristics of the Site/Area

- Subject site, denoted in red on the map below, has a stated site area of 0.74Ha.
- Site encompasses an established poultry farm with three existing poultry houses
- Access from local tertiary road
- Low lying site
- Within 15km of six Natura 2000 sites
- No flooding concerns



6. Proposed Development

This is an application for Permission for:

- proposed alteration to the operation, and capacity, of their existing poultry farm, together with all ancillary structures (to include meal storage bin(s) and soiled water tank(s)) and site works associated

This application relates to a development, which is for the purposes of an activity requiring a Licence under part IV of the Environmental Protection Agency (Licensing) Regulations 1994 to 2013. An Environmental Impact Assessment Report (E.I.A.R.) will be submitted with this planning application.

7. Site Planning History

As per Application Form

Previous Valid Planning Applications:	No
Subject of Appeal:	No
Site Flooded:	No
Previous Uses:	No
Statutory Notices:	No

8. Observations

The last date for observations was 14-7-2021. No submissions were received.

9. Referrals Reports

MCC Internal Consultees

MD: No objections subject to conditions in report dated 19-7-21
Environment: No objections subject to conditions in report dated 15-7-21
No other Referrals for internal reports on Planning Application Control Form

External Consultees

No Consultee Referrals on Planning Application Control Form

10. Development Plan Policy/Ministerial Guidelines

Monaghan County Development Plan 2019-2025

Section 15.15 Agricultural Development- Policies AGP1 and AGP2

Section 15.24 Building Lines

Section 15.27 Road Access Standards

Section 6.7 Natura 2000 Sites and Appropriate Assessment

Revised Guidelines for Planning Authorities and An Bord Pleanala on carrying out Environmental Impact Assessment, August 2018

11. Planning Assessment

Application Information

Site Area:	0.74 Ha.
Existing Floor Area:	2800 sqm
Proposed Floor Area:	0 sqm

Assessment of current application

Applicants Submission

- EIAR, dated June 2021, as prepared by CLW Environmental Planners
- Compliance Statement on Policy AGP1 and AGP2 of MCDP 2019-2025, as per Section 3(1) of EIAR
- Screening for Appropriate Assessment, dated May 2021, Appendix 17 of EIAR
- Supplementary Planning Application Form for Agricultural Development

Poultry Thresholds & Legislation

The capacity of the existing poultry farm is 26,000 pullets and 9,500 layers, and the proposed capacity is 60,000 pullets upon completion of development (an increase of 24,500 birds). The ultimate capacity of bird numbers exceeds the threshold for a mandatory Environmental Impact Assessment and that for which a Licence from the EPA is required (in excess of 40,000 places). Therefore, an Environmental Impact Assessment Report is required to be submitted with the application in accordance with Directive 2014/52/EU (application was received after the 15th May 2017) in accordance with Schedule 5, Part 1, 17 and Schedule 5 Part 2, 1(e)(i) of the Planning and Development Regulations 2001 (as amended).

The Planning Authority will consider the requirements of the Directive and the content of the submitted Environmental Impact Assessment Report (EIAR), dated June 2021, as prepared by CLW Environmental Planners.

This Directive requires the EIAR to assess the development in accordance with certain factors which diverge from those previously set out in the Planning and Development Act 2000 (as amended).

The Directive requires that the EIAR shall identify, describe and assess in an appropriate manner, in the light of each individual case, the direct and indirect significant effects of a project on the following factors:

- a) Population and human health
- b) Biodiversity with particular attention to species and habitats protected under Directive 92/42/EEC and Directive 2009/147/EC
- c) Land, soil, water and climate
- d) Material assets, cultural heritage and the landscape
- e) The interaction between the factors referred to in points (a) to (d)

The Directive also requires the assessment of the expected impacts from the vulnerability of the project/proposals to risk of major accidents or disasters which are relevant to the project concerned.

EIAR Summary

The EIAR, dated June 2021, as prepared by CLW Environmental Planners is summarised as follows:

Non-Technical Summary

Section 1 Introduction & Development Context

Section 2 Scoping of Environmental Impact Assessment

Section 3 Description of Reasonable Alternatives

Section 4 Environmental Assessment

Section 5 Description of measures to avoid, reduce, prevent or offset adverse effects on the environment

Section 6 Environmental Management Programme

Section 7 Summary

Appendices 1-19

Non-Technical Summary

- Provides a summary of the proposed development and its operations

Section 1 Introduction & Development Context

- Provides a site description and details on the scale of proposed development, planning/licencing history, site location, topography, description and operation of the proposed development

Section 2 Scoping of Environmental Impact Assessment

- Scoping has regard to the EU Directives, EPA Guidelines, MCDP 2019-2025, list areas of the environment that must be addressed in any EIAR, likely concerns of residents, the nature, location and scale of the proposal, existing environment and vulnerable/sensitive features, likely and significant impacts on the environment, and methods of reducing/eliminating undesirable impacts.

Section 3 Description of Reasonable Alternatives

Alternative Site

- All of the lands and existing poultry sites available reviewed
- Site has no significant environmental constraints
- Current site deemed most suitable due to use of the existing structures, and complementary to existing operational activities on the site
- Sets out a compliance statement with Policy AGP 1 and AGP 2 of MCDP 2019-2025
- the proposed site:
 - i. will improve biosecurity, performance and efficiencies
 - ii. will be integrated with and maintain and improve existing bio-security measures on the farm
 - iii. will make use of existing buildings on an existing long standing poultry farm
 - iv. does not involve any significant construction works
 - v. is in excess of 150m from any third party dwellings
 - vi. will result in improved waste management and operation of the poultry farm
 - vii. is an existing poultry farm and there will be no intensification of traffic movements
 - viii. has no significant and/or specific environmental constraints which mitigate against the proposed site and/or would support the selection of any alternative site available to the applicant in preference to the currently proposed site

Alternative Layout & Design

The EIAR states the following (summarised):

- The applicant is optimising the existing site and structures and so an alternative site is not appropriate
- The scale of the proposed development is in keeping with existing poultry farms
- No other alternative sites, layouts and/or designs were deemed satisfactory and/or appropriate as the proposed development:
 1. Seeks to utilise the existing location, design and layout
 2. Complies with the requirements of the Nitrates Directive
 3. Satisfies the applicants need for efficiencies of scale and specialisation of production while not requiring significant additional lands
 4. Is in line with BAT requirements
 5. Is not located in an area with any significant environmental and/or other constraints
 6. Is located to take advantage of the existing site infrastructure and facilities on an existing poultry farm and within an existing building.
 7. Complies with the County Development Plan

Alternative Size

The proposed development for change in stock numbers, bird types and operational practices on an existing site with existing structures has been designed and scaled to take into account the:

- Physical restraints/parameters of the site and existing houses
- Economies of scale

The scale of the proposed development is in keeping with the physical scale of the existing farm and other existing poultry farms, licensed by the EPA and are of a scale that can be appropriately managed by the Applicant.

Alternative Processes Considered

The applicant looked at a number of alternative processes including but not limited to:

1. Layer Housing – cage type systems are being phased out for welfare reasons
2. Free range layer – Applicant no longer has the area required to facilitate free range

The EIAR states that the proposed development for change in stock numbers, bird types and operational practices on an existing site with existing structures offers the best fit between the proposed and existing enterprise on the farm, both from a labour and efficiency viewpoint, having regard to biosecurity, and to ensure that all activities are carried out in an environmentally and economically sustainable manner.

Alternative Management of By Products

Applicant has confirmation from registered specialist contractor to remove poultry litter for application to / compost production, but will continue to examine the possibility of alternative uses of this fertiliser.

Section 4 Environmental Assessment

Description of proposed development

- Existing entrance onto public road
- Maintain existing hedgerows along site boundaries
- Registered contractor to remove manure off site
- Proposed development contained within existing poultry farm and timber portal frame poultry house
- Underground soiled water storage tank
- Existing hedgerows/landscaping to be strengthened where necessary
- Internal modifications to existing poultry unit

Description of the production processes

- Management and feeding of birds, dead bird disposal, soiled wash water management
- Increase in bird numbers will be off set by alterations to production system
- Main inputs are water and feed, and also electricity, gas and wood shavings

Estimation of residues, emissions and waste produced

- Lighting – energy efficient devices which are disposed of appropriately at end of life
- Heating – energy efficient gas heating with limited dissipation
- General wastes – packaging etc disposed of for recovery, recycling or landfill
- Dead stock – collected at two week intervals by contractor
- Manure – removed off site by contractor for use as organic fertiliser
- Soiled water - spread on farmland
- Noise – below legal limits
- Vibration – none
- Radiation – none
- Mitigation measures employed to minimise generation of waste

Current State of Environment and Impact of Not Implementing Development

- Existing poultry farm operating for about 40 years
- Site would remain a poultry farm but efficiencies and bio security would not be achieved if not implemented

Effects on Population and Human Health

- The proposed development is of average scale by current industry standards
- It will add to the economic activity on the farm with consequent positive “trickle down” effects on the regional and local community particularly with the installation of the required housing, water, feed and ventilation systems thus helping to stabilise the population of the local area
- No third-party dwellings within c150 metres of the poultry houses therefore no impairment of amenity due to the proposed development
- unlikely to generate or release sounds or odours that will significantly impair amenity beyond the site boundary
- not located close to and/or likely to adversely impact on any areas of Primary or Secondary Value as per MCDP 2019-2025
- Where nuisance effects occur, people object and under statutory requirements their objections will have to be investigated and have to be corrected if found to be real and justified.

Effects on biodiversity (flora and fauna)

- Proposed development will be contained within existing poultry farm and building
- the site is part of applicants existing poultry/bovine farming enterprise

- flora and fauna around the site have developed in the context of applicant's bovine farm
- surrounding area is agricultural grassland
- proposed development is not near to or likely to impact on any primary or secondary amenity area or views from scenic routes
- site is not likely to adversely impact on Natura 2000 sites (closest Kilroosky Lough System SAC and Magheraveely Marl Loughs SAC are approximately 5-6km away)
- proposed development is located in the Erne Hydrometric Area and Catchment, the Finn Sub-Catchment and Sub-Basin. Open drains close to the subject site and clean surface water from the application site will be directed to these drains, and these flow towards Nook Stream, which in turns flows to the Finn River, both of which have an unsatisfactory moderate ecological status.
- no discharge of soiled water or effluent from the proposed development to surface water and therefore the no impact on surface water
- A rodent/pest/weed control programme will be developed in line with Bord Bia and Department of Agriculture, Food and The Marine requirements with detailed records maintained on site
- Retaining as much as possible of the existing landscaping/hedgerow around the site boundary together with any proposed additional landscaping should maintain biological diversity on the site

Land and Soil

- proposed development makes use of existing poultry building on an established existing poultry farm
- no significant potential for any effect on soil outside of the development area, and no land take required to facilitate the proposed development
- potential for some positive benefits on soil on potential customer farmer lands as a result of the production of organic fertiliser by the proposed development

Geological and Geomorphological heritage of the area

- proposed development is within an existing poultry building on an existing poultry farm site
- no significant potential for any effect outside the development area, outside the site
- the proposed development will not have any adverse impact on the landscape and/or the geomorphological heritage of the area

Water

- effects on groundwater from the proposed development should be nil as there will be no process discharge to ground and there is minimal risk of accidental leakage or spillage of polluting liquid on the site
- proposed development is on an existing impermeable concrete base with proper storm and soiled water separation and collection facilities
- proposed development will operate on a dry manure basis and all manure will be removed from the houses at the end of each batch, thereby eliminating the risk of any leak to groundwater
- The only soiled water from the proposed development will arise due to washing down of the poultry houses
- volume of water needed for the farm once the proposed development has been completed will be supplied from existing supply/on farm well, which will serve the proposed development

Surface Water

- no process discharge to surface water and minimal risk of accidental leakage or spillage of polluting liquid on the site
- the only discharge from the site to surface waters will be the discharge of rainwater from roofs and clean yards to field drainage, which flows towards the adjacent watercourse, a tributary of the Finn River System
- Policies WPP1-19 of MCDP 2019-2025 for the protection of water quality have been considered in the design of the proposed development and includes a number of mitigation measures both during the construction and operational phases

Air

- potential effects of the proposed development on air relate to the odour emissions that may be associated with poultry and poultry manure on site
- Odorous emissions from the developed site are not likely to cause nuisance or impair amenity beyond the site boundary with the possible exception of times when birds and/or manure is being removed from the site which will all occur at the end of each batch, approximately 2-3 times a year
- management practices which will be implemented so as to minimise potential odour emissions from the proposed development

Climate/Climate Change

- climate information such as wind direction and rainfall is an important factor in determining likely impacts that the farm operation and the application of manure will have on the local residents
- good practices shall be employed to minimise odours/emissions
- no significant adverse effect on climate

Effect on Visual Aspects and Landscape

- Site located in Monaghan Drumlins Uplands Landscape Character Area which is not regarded as highly scenic, it is in good condition and has capacity to absorb the development
- no effects on the local environment/surrounding landscape
- not likely to adversely impact any Areas of Primary/Secondary Amenity Value, Views from Scenic Routes or Proposed NHAs, SAC or SPA as listed in MCDP 2019-2025

Archaeological and Cultural Heritage

- no visual evidence of any archaeological features on the subject site or adjoining the site
- no recorded sites within 225 metres of the subject site as per the Archaeological Survey Database and closest protected structure is a fort/castle 650 metres away southwest of the subject site

Effect on Material Assets

Resources that are valued and that are intrinsic to specific places are called "material assets". They may be of either human or natural origin and the value may arise for either economic or cultural reasons.

Material assets that could potentially be affected by the proposed development include:

Material Assets: agricultural properties including all agricultural enterprises

- The proposed development is modification of an existing poultry farm site that is currently farmed by the applicant and surrounded by agricultural farmland
- The proposed development will not interact with any lands outside the confines of the site, except for the production of a valuable organic fertiliser which may be utilised by farmers as a replacement to chemical fertiliser

Material Assets: Non-agricultural properties including residential, commercial, recreational and non-agricultural land

- The proposed development is a traditional farming practice in this area and is surrounded by agricultural lands and is located well away from any built-up areas and/or development clusters
- There are no third-party residential dwellings located within c150m of the site, and the site is an existing poultry farm
- The development will have no impact on adjoining property values if for no other reason than this is an agricultural development on an existing poultry farm with no alterations to physical scale of the development

Material Assets: Natural or other resources including mineral resources, land and energy

- The development will require no additional land and no additional construction
- The operation of the farm may require additional feed (classified as renewable resource), gas and water. The applicant will operate modern feeding, ventilation and heating systems to minimise same

- The farm does not require any major modifications to the existing electricity network, water or road infrastructure in the area.

Description of Likely significant effects of the proposed development

The likely effects detailed in the EIAR are summarised as follows:

Construction and Existence of proposed Poultry House

- No impact on the landscape due to use of the existing poultry house and ancillary facilities
- No long term impact on traffic on the local road as a result of the proposed development will not have a significant adverse impact
- Once the proposed development would be completed, there would be a reduction in traffic as an average of 2.5 crops of 34,500 pullets per annum require roughly the same amount of feed as 9,500 layers would, and there would be the elimination of journeys associated with egg collection
- Traffic to and from the site will be minimised by optimising load sizes
- No increase in traffic and so development will not adversely impact on the public road network

Natural Resources

- No impact on land, soil and/or biodiversity outside of the site area, as same is an existing poultry farm
- Main resource to be consumed would be poultry feed which is classifiable as a natural resource that is a renewable resource

Emission of Pollutants

- Site management is to be focused on ensuring that all storm water collection surfaces and facilities are maintained in clean and fully functional condition at all times so that the possibility of storm water carrying significant pollution to the stream is effectively eliminated
- emission of pollutants is to be effectively controlled and prevented by the regular removal of all solid waste materials from the site to authorised disposal/recovery sites elsewhere and by the removal of poultry manure off site by an experienced contractor
- no increase in the amount of wastes/potential pollutants produced or used on the farm that would lead to a significant adverse environmental impact
- The additional organic fertiliser/poultry manure to be produced will be utilised as a resource ingredient in the mushroom compost industry and/or as an organic fertiliser, and will be removed by a contractor
- All soiled water shall be allocated to the farmland in accordance with SI605 of 2017 as amended

Creation of Nuisance

- proposed development will be carried out in accordance with the management and operational routine proposed, and in accordance with the EPA, DAFM, Bord Bia and Monaghan Co Co requirements, and is not expected to create any significant nuisance

Waste/By-Products

- net change in the volumes of waste/by-product which will be generated will not cause a significant adverse environmental impact
- volumes of organic fertiliser/manure produced will be minimised by efficient cleaning out and the use of high pressure low volume power washers
- opportunity to reduce the volume of waste materials below that which are generated under Good Farming Practice is very small and is near zero
- With regard to the hazardous waste in the form of spent fluorescent tube, the volumes are small and already minimised

Risks to human health, cultural heritage or the environment

- The potential risk to human/health, cultural heritage or the environment due to accidents and/or disasters is limited due to the innate nature of the production system and activities on site
- No significant risk outside the site boundary as a result of any accident/disaster

Class A Disease

- Disposal strategy to be employed, in event of a Class A disease, will be decided by Dept of Agriculture, Food and Marine in consultation with the National Expert Epidemiological Group
- The preferred option for disposal of carcasses from this farm site is rendering

Impact of Project on Climate

- As the birds will be maintained in a controlled environment within the proposed houses, the operation of the farm is not directly significantly susceptible to climate change
- Climate change may impact on energy use associated with heating/ventilation systems to maintain a controlled environment in the house relative to outside climatic conditions and may have implications for feed supply to feed the birds

Forecasting the effects on the environment

- The proposed development will comply with the Nitrates Directive
- No significant adverse impact on the local environment

Cumulative and Transboundary Effects

- No transboundary effect due to this distance from any international boundary (c5km from NI border)
- No significant adverse cumulative impact due to the nature of the modifications of the poultry farming activity to be carried out on site
- All wastes/by-products will be utilised/disposed of/recovered within the country
- No adverse impact on the local environment either within Monaghan area and/or further afield

Inter-Relationship between factors referred to in points (a), (b), (c) and (d)

The Planning Authority has summarised (above) the content of the EIAR and the stated direct and indirect significant effects of the proposal on the following factors:

- (a) Population and human health
- (b) Biodiversity with particular attention to species and habitats protected under Directive 92/42/EEC and Directive 2009/147/EC
- (c) Land, soil, water and climate
- (d) Material assets, cultural heritage and the landscape

The inter-relationships between the various factors outlined above are summarised as follows:

Positive impacts:

- (i) Impacts of land/soil on human health/population
- (ii) Impacts of human health/population on other factors including land/soil, water, air, climate and climate change, landscape and visual, bio-diversity, cultural heritage, material assets
- (iii) Impacts of air and climate/climate change on biodiversity (Flora and Fauna)
- (iv) Impacts of traffic on noise, flora and fauna, and material assets
- (v) Impacts of human beings on soil, water, air and climate, landscape and visual, flora and fauna, cultural and heritage, and material assets

Neutral impacts:

- (i) Impacts of land/soil on water, landscape and visual, and biodiversity (Flora and Fauna)
- (ii) Impacts of water on bio-diversity (Flora and Fauna)
- (iii) Impacts of air and climate/climate change on human health/population
- (iv) Impacts of traffic on air and climate, and human beings
- (v) Impact of flora and fauna on air and climate, and landscape and visual
- (vi) Impact of human beings on traffic

Difficulties encountered in compiling required information

The proposed development is standard and is the same as that operating in houses 1 and 2 on the site, thus is well understood and therefore no difficulties were encountered.

Section 5 Description of measures to avoid, reduce, prevent or offset adverse effects on the environment

- 11no. best practice mitigation measures are outlined to reduce any potential adverse impact
- Implementation of the measures will ensure significant effects on the environment will be avoided and the risks of incidents of environmental significance will be near zero

Section 6 Environmental Management Programme

- Applicant will implement a comprehensive monitoring programme on site involving maintaining an organic fertiliser register and visual inspection of storm water outlets, and any requirements as governed by the EPA and MCC in relation to odour/noise and dust

Section 7 Summary

The EIAR Summary states the following (summarised):

- The proposed development which is a change in operating practices has been subject to EIA in accordance with the requirements under the Planning and Development Regulations 2001 (as amended)
- The proposal will make a significant positive contribution to the rural economy of County Monaghan and will serve to increase employment and secure the viability and competitiveness of the applicant's farm enterprise as well as the wider poultry farming industry
- The development will not give rise to any significant environmental effects
- The granting of permission for the proposed development will strongly accord with the provisions of the county development plan and will provide a significant boost to the economy of the County
- The development will operate under the conditions imposed as part of any grant of planning permission and EPA Licence for this farm

Planning Authority's Assessment and Reasoned Conclusion of Environmental Impact Assessment Report

The Planning Authority has thoroughly assessed the content of the submitted Environmental Impact Assessment Report (EIAR), dated June 2021, as prepared by CLW Environmental Planners.

The Planning Authority is not satisfied that there are no significant impacts on the following factors as a result of this proposal:

- (a) Population and human health
- (b) Biodiversity with particular attention to species and habitats protected under Directive 92/42/EEC and Directive 2009/147/EC
- (c) Land, soil, water and climate
- (d) Material assets, cultural heritage and the landscape
- (e) The interaction between the factors referred to in points (a) to(d)

The Planning Authority does accept the content of the EIAR that significant impacts on the above factors are not anticipated on the basis that no details of how the figures quoted in relation to a reduction in ammonia emissions have been calculated are included within the EIAR. In addition, this section of the EIAR appears to be incomplete and there is no reference to any changes in levels of nitrogen emissions arising from the proposed development.

The attached Appropriate Assessment Screening Report relies on this reduction to conclude that there is not likely be any impacts on the Natura 200 sites and makes reference to a SCAIL model being prepared as part of the assessment, but no details of the SCAIL model results have been provided within the EIAR. Sufficient details to demonstrate the asserted reduction in ammonia emissions, and that there is no increase in nitrogen emissions as a result of the proposed development are required.

Policies for Agricultural Development

The importance of agriculture in County Monaghan is recognised.

- All planning applications shall be required to include an 'Agricultural Development' Form
- All planning applications shall be required to be accompanied by a completed supplementary planning application form for agricultural developments.

Proposed Development

- The submitted forms are summarised as follows:
 - farm Area: 0.74Ha.
 - proposed floor area: c2800sqm
 - in excess of >150m from nearest third-party dwelling house
 - 26000 pullets and 9500 layers existing, with 60,000 pullets following development (+34,000 pullets)
 - Storage tank capacity: 81m³
 - within existing poultry production complex

The Applicant has submitted a compliance Statement with Policies AGP1 and AGP 2 as follows (summarised):

Policy for Agricultural Development	
AGP 1	<p>To permit development on new and <u>established</u> agricultural or forestry holdings where it is demonstrated that:</p> <p>a) It is necessary for the efficient use of the agricultural holding or enterprise, Applicant's Submission: Will result in specialisation on site. Necessary to achieve bio-security, the levels of performance, and efficiencies PA Response: Planning Authority is satisfied</p> <p>b) The appearance, character and scale are appropriate to its location, Applicant's Submission: Proposed development on an existing poultry farm site and within existing poultry house will not be visually detrimental PA Response: Planning Authority is satisfied</p> <p>c) The proposal visually integrates into the local landscape and additional landscaping is provided where necessary, Applicant's Submission: Proposed development on an existing poultry farm site and within existing poultry house will not be visually detrimental. PA Response: Planning Authority is satisfied</p> <p>d) The proposal will not have an adverse impact on the natural or built heritage, Applicant's Submission: Proposed development on an existing poultry farm site and within existing poultry house involves no construction works PA Response: Planning Authority is satisfied</p> <p>e) The proposal will not result in a detrimental impact on the amenity of residential dwellings outside of the holding including potential for issues arising from noise, smell and pollution. Where a development is proposed within 100m of any residential property not located on the holding within the rural area (i.e. outside of a designated settlement) written consent, witnessed by a solicitor or a peace commissioner, from the adjoining property owner stating there is no objection to the proposal must be provided, Applicant's Submission: No third party dwellings within 150m of the proposed development PA Response: Appropriate separation distance from third party houses and no third party submissions, therefore Planning Authority is satisfied</p>

- f) The proposal will not result in a pollution threat to sources of potable water, water courses, aquifers or ground water,
 Applicant's Submission: Compliance with DAFM and designated contractors' requirements
 PA Response: Environmental and ecological issues are addressed in submitted EIAR and Environment Section report states no objection subject to conditions, therefore Planning Authority is satisfied
- g) Proper provision for disposal of liquid and solid waste is provided.
 Applicant's Submission: Registered contractors/sites identified
 PA Response: addressed in submitted EIAR and Environment Section report states no objection subject to conditions, therefore Planning Authority is satisfied
- h) The proposal will not result in a traffic hazard
 Applicant's Submission: Existing poultry farm with existing access and on-site traffic arrangements with no intensification of traffic movements
 PA Response: Even though 50m sightlines have been indicated when 90m is required as per MCDP 2019-2025, the applicant has demonstrated no intensification of movements. and therefore Planning Authority is satisfied

Where a new building is proposed applicants must also provide the following information:

- i) Outline why there is no suitable existing building on the holding that cannot be used.
 Applicant's Submission: Not applicable
 PA Response: Planning Authority is satisfied
- j) Design, scale and materials which are sympathetic to the locality and adjacent buildings.
 Applicant's Submission: Not applicable
 PA Response: Planning Authority is satisfied
- k) The proposal is located within or adjacent to existing farm buildings, unless it has been clearly demonstrated that the building must be located elsewhere for essential operational or other reasons
 Applicant's Submission: Not applicable
 PA Response: Planning Authority is satisfied
- l) Ensure that the proposal will not seriously impact on the visual amenity of the area of the natural surrounding environment and that the finishes and colours used blend into the surroundings
 Applicant's Submission: Not applicable
 PA Response: Planning Authority is satisfied
- m) Where possible, the development is grouped with existing buildings in order to reduce their overall impact in the interests of amenity.
 Applicant's Submission: Not applicable
 PA Response: Planning Authority is satisfied

Policy for Intensive Agriculture /Poultry and Pig Farming

AGP 2

In addition to the information required under AGP 1 the following additional information will be required for assessing applications for intensive poultry units or similar specialised agri-developments the Council:

- a) An Environmental Impact Statement (EIS) and/or Appropriate Assessment depending on the size and use of the unit, and its likely impact on the environment.

Applicant's Submission: addressed in submitted EIA and AA Screening Report
PA Response: 35,500 birds existing + 24,500 proposed additional birds = 60,000 birds on completion. EIA Submitted and AA Screening report submitted in EIA (Appendix 17), but insufficient detail submitted and so Natura Impact Statement may be required and therefore Planning Authority is not satisfied

- b) Details of the scale and intensity of existing operations in the vicinity of the site, including the cumulative impact of similar type developments within proximity of the site.

Applicant's Submission: Existing poultry units on site and change will be offset, therefore no reason to believe that proposed development will cause a significant adverse cumulative impact. Impacts addressed in submitted EIA

PA Response: 35,500 birds existing + 24,500 proposed additional birds = 60,000 birds on completion. EIA Submitted and AA Screening report submitted in EIA (Appendix 17), but insufficient detail submitted and so Natura Impact Statement may be required and therefore Planning Authority is not satisfied

- c) Methods for waste management including frequency and location of disposal relative to the proposed unit.

Applicant's Submission: addressed in submitted EIA with dead birds and general waste to be disposed of as appropriate

PA Response: Planning Authority is satisfied

- d) Details of air pollution arising from the units and effluent storage, transportation and spreading.

Applicant's Submission: No significant effects upon the designated sites arising from emissions from the proposed development

PA Response: EIA Submitted and AA Screening report submitted in EIA (Appendix 17), but insufficient detail submitted and so Natura Impact Statement may be required and therefore Planning Authority is not satisfied

- e) Proximity of development to aquifers and water courses and its impact on them.

Applicant's Submission: Manure disposed of in compliance with DAFM specifications, SI605 of 2017 and registered contractors identified

PA Response: Environment Section report states no objection subject to conditions, therefore Planning Authority is satisfied

- f) The potential impact of the proposal on the residential amenity of adjoining occupiers must be considered. A unit shall not be developed at a distance of less than 100 metres from a dwelling within the rural area (i.e. outside of a designated settlement) unless the third party has given written consent, witnessed by a solicitor or a peace commissioner.

Applicant's Submission: No third party dwellings within 150m of the proposed development

PA Response: Appropriate separation distance from third party houses and no third party submissions, therefore Planning Authority is satisfied

- g) Details of associated activities such as cleaning, ventilation and heating

Applicant's Submission: addressed in submitted EIA

PA Response: Planning Authority is satisfied

- h) A comprehensive landscaping plan

Applicant's Submission: Will be integrated into the site and surrounding landscape and will require no additional housing

	<p>PA Response: Planning Authority is satisfied</p> <p>i) A statement outlining why a location on the landholding was deemed more appropriate to alternative options. If the Planning Authority, consider a more appropriate location is available on the landholding the application may not receive favourable consideration. Applicant's Submission: Existing poultry farm with existing access and all services on site PA Response: Planning Authority is satisfied</p> <p>j) Traffic management plans and traffic assessment associated with the proposed development may be required for large proposals. Applicant's Submission: Not required as no intensification in traffic PA Response: Planning Authority is satisfied</p>
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Building Lines

- Complies with required set back of 18m from a County Road as per Section 15.24 of MCDP 2019-2025
- Proposed poultry house is located c28m from the local primary road

Additional Information

AI was requested on 4-8-2021 and a response was received on 10-8-2021.

An Taisce submission was received on 22-9-2021.

An Taisce request Further Information on:

1. Specific date on ammonia levels in the local receiving environment of the local area of the planning application
2. Impact on any woodland or peatland areas in the application site area
3. The cumulative impact with other existing or proposed industrial farming facilities including transboundary with Northern Ireland

The AI request was as follows:

1. It is stated at the end of Section 4(3)(6) of the Environmental Impact Assessment Report (EIAR) and repeated in the attached Appropriate Assessment Screening Report that the proposed change in poultry farming practice within the site will result in a decrease in annual ammonia emissions from the farm from 4,315 kg ammonia to 3,600 kg ie. a 17.25% reduction. The attached Appropriate Assessment Screening Report relies on this reduction to conclude that there is not likely be any impacts on the Natura 200 sites. However, no details of how these figures have been calculated are included within the EIAR. In addition, this section of the EIAR appears to be incomplete and there is no reference to any changes in levels of nitrogen emissions arising from the proposed development. The Appropriate Assessment Screening Report also makes reference to a SCAIL model being prepared as part of the assessment, but no details of the SCAIL model results have been provided within the EIAR. Submit sufficient details to demonstrate the asserted reduction in ammonia emissions, and that there is no increase in nitrogen emissions as a result of the proposed development.

In the event that the applicant cannot demonstrate to the satisfaction of the planning authority that the proposed development would result in an increase in ammonia or nitrogen emissions, a Stage 2 Appropriate Assessment Natura Impact Statement is required to be submitted given that the proposed development is located within 10 kilometres of Natura 2000 sites and any increase is likely to have an adverse impact on these sites.

The submission of the above information may constitute Significant Further Information and in accordance with Article 35 of the Planning and Development Regulations 2001 (as amended), and if deemed so the applicant would be required to:

- a. Revise the Site Notice as required and indicating 'Significant Further Information/Revised Plans, as appropriate'
- b. Erect revised Site Notice on site as required
- c. Revise the Press Notice indicating 'Significant Further Information/Revised Plans, as appropriate'
- d. Submit a Copy of the Revised Site Notice and Revised Press Notice to the Planning Authority.

In respect of the submission of a Stage 2 Appropriate Assessment Natura Impact Statement, the requirements set out under Section 239 and 240 of the Planning and Development Regulations 2001 (as amended) are required to be complied with.

AI response

- Increase in bird numbers BUT change in production system will result in a change to the bird type, manure management systems and diets fed on the farm = reduction in emissions
- SCAIL details submitted
- Existing Houses 1 (pullets), 2 (pullets) and 3 (free range) total 4315kg ammonia
- Proposed House 1, 2 and 3 (all pullets) total 3600kg ammonia
- Above data correlates with and supports information already submitted in the EIAR and AA Screening
- No alterations or NIS required (not SFI)

Planning Authority AI Assessment

- The Planning Authority notes the content of An Taisce submission
- The Planning Authority is satisfied that the SCAIL data submitted shows ammonia decrease from 4315kg to 3600kg
- The reduction in ammonia emissions on the application site results in a positive impact on the local receiving environment, the local area and transboundary area
- The Planning Authority is satisfied that the Applicant has adequately addressed the AI request as per AI submission on 10-8-2021

Development Contribution

Not applicable as no increase in floorspace

Appropriate Assessment

Under Article 6(3) of the EU Habitats Directive and Regulation 30 of SI no. 94/1997 "European Communities (Natural Habitats) Regulations" (1997) any plan or project which has the potential to significantly impact on the integrity of a Natura 2000 site (i.e. SAC or SPA) must be subject to an Appropriate Assessment". This requirement is also detailed under Section 177(U) of the Planning and Development Acts (2000-2010).

Policy AAP1 of MCDP 2019-2025 states "Ensure that all plans and projects in the County, not directly connected with or necessary to the management of a Natura 2000 site, but likely to have a significant effect, either directly or indirectly, on a Natura 2000 site, either alone or in combination with other plans or projects, are subject to Appropriate Assessment Screening in accordance with Article 6 of the Habitats Directive".

Policy HLP13 of MCDP 2019-2025 states

"To resist development in or adjacent to any Natura 2000 site (SPA or SAC) where it would result in the deterioration of that habitat or any species reliant on it. The onus will be on the developer to demonstrate that any such development will not adversely impact on the qualifying interest of such sites subject to the preparation of an appropriate assessment exercise under the provisions of the EU Habitats Directive"

The submitted AA Screening Report (Appendix 17 of EIAR), dated May 2021, as prepared by Noreen McLoughlin, Ecologist, is summarised as follows:

- Six Natura 2000 sites identified within 15km of the application site
 - Magheraveely Marl Loughs SAC 5.1km
 - Kilroosky Lough SAC 6.1km
 - Upper Lough Erne SPA 10.6km
 - Sliabh Beagh SPA 11.4km
 - Slieve Beagh – Mullaghafad- Lisnaskea SPA UK 11.5km
 - Slieve Beagh SAC UK 14.9km
- Potential effects of the proposed development on the Natura 2000 sites identified either alone or in combination with other plans or projects is set out in Section 3.4
- Finding of No Significant Effects set out in Section 3.5
- No increase in ammonia from the proposed development
- It examined the proposed development in context of a number of factors and concludes that the proposed development will not have a significant effect on the Natura 2000 network and a Stage 2 Appropriate Assessment is not required.

The Planning Authority has noted the content of the submitted AA Screening Report but does not accept its findings on the basis that the Environmental Impact Assessment Report and attached Appropriate Assessment Screening Report state that the proposed change in poultry farming practice within the site will result in a decrease in annual ammonia emissions, but no details of how these figures have been calculated are included within the EIAR. In addition, there is no reference in the EIAR or AA Screening Report to any changes in levels of nitrogen emissions arising from the proposed development. The AA Screening Report also makes reference to a SCAIL model being prepared as part of the assessment, but no details of the SCAIL model results have been provided within the EIAR. Submit sufficient details to demonstrate the asserted reduction in ammonia emissions, and that there is no increase in nitrogen emissions as a result of the proposed development.

Therefore the Planning Authority cannot conclude at this stage that the development is not of a nature or scale to have any significant effects on the integrity the above mentioned or any other Natura 2000 sites and that a Stage 2 Appropriate Assessment is not required in respect of this project.

Planning Authority AA Assessment post AI

- A Stage 2 Appropriate Assessment Natura Impact Statement was not required
- The Applicant has submitted sufficient details to demonstrate the reduction in ammonia emissions, and that there is no increase in nitrogen emissions as a result of the proposed development
- The Planning Authority can therefore conclude that the proposed development has a positive impact on nearby Natura 2000 sites

Summary

The Planning Authority is satisfied that the Applicant has adequately addressed the AI request as per AI submission on 10-8-2021.

A Grant of Permission is recommended, subject to Conditions.

Main Reasons and Considerations

Having regard to

- the nature and scale of the proposed development
- the established pattern of development in the area
- the provisions of the current Monaghan County Development Plan

it is considered that the proposed development,

- would not seriously injure the amenities of the area
- would not injure public safety by reason of traffic hazard
- would not injure the amenity of property in the vicinity
- would not endanger public health

and subject to compliance with the conditions set out below it is considered that the proposed development accords with both the Monaghan County Development Plan 2019-2025 and the proper planning and sustainable development of the area.

It is recommended that PERMISSION be GRANTED subject to the following conditions:

1. This Permission hereby permitted shall be for a total capacity of 60,000 pullets. Any alteration to the operation, capacity, or change to the system of operation approved shall be the subject of a separate planning application.

Reason: In the interest of orderly development

2. Terms and Conditions of the parent permission Ref No.07/975 shall be fully complied with except where modified by this Permission

Reason: In the interest of orderly development and to clarify the scope of this Permission

3.
 - (i) The development/facility hereby approved shall be operated in accordance with the European Union (Good Agricultural Practice for Protection of Waters) Regulations 2017
 - (ii) There shall be 2 cuts of silage per annum removed from the paddock area
 - (iii) All soiled waters shall be directed to a storage tank and disposed of in accordance with the European Union (Good Agricultural Practice For Protection of Waters) Regulations 2017
 - (iv) No polluting matter including soiled water shall discharge or be allowed to discharge to any stream, river, watercourse, groundwater body or to the public road
 - (v) All uncontaminated roof water from buildings and yard water shall be separately collected and discharged in a sealed system to existing drains, streams or adequate soakpits and shall not discharge or be allowed to discharge to the foul effluent drains, foul effluent and slurry storage tanks or to the public road
 - (vi) All uncontaminated yard water from all concrete yard areas shall discharge to an appropriately sized silt trap followed by a soak pit
 - (vii) All uncontaminated roof water to discharge to a soakpit or directly to surface water
 - (viii) An inspection manhole shall be installed for sampling and inspection purposes and shall be located prior to outfall
 - (ix) All drainage works shall be carried out in accordance with these agreed details
 - (x) All organic fertiliser generated by the development hereby approved shall be conveyed through properly constructed channels to the proposed storage facilities and shall not discharge or be allowed to discharge to any stream, river, watercourse, groundwater body or public road
 - (xi) All organic fertiliser generated by the proposed development shall be disposed of in accordance with the details submitted to the Planning Authority on 16/06/2020 and in accordance with the European Union (Good Agricultural Practice for Protection of Waters) Regulations 2017
 - (xii) There shall be no change in poultry type or increase in the numbers of poultry being accommodated at this site unless otherwise agreed in writing with the Planning Authority.
 - (xiii) The proposed activity shall not become operational except under IED license.
 - (xiv) Any construction and demolition waste or excess soil generated during the construction phase which cannot be reused on site shall be disposed/recovered at an appropriately permitted facility in accordance with the requirements of the Waste Management Act 1996 as amended
 - (xv) All waste oils and any other hazardous waste materials shall be stored appropriately and collected, recovered or disposed of in accordance with the Waste Management Act 1996 as amended, and records of such shall be kept on site

- (xvi) All hazardous liquid waste or oil/fuel storage containers, temporary or otherwise, shall be banded
- (xvii) All bunds will be designed to contain 110 % of the capacity of the largest storage container located within the bund
- (xviii) There shall be no overflow drain facility from any bunds on site and all filling and off-take points shall be located within a bund
- (xix) Facilities shall be provided for the collection and segregation of recyclable waste. Wastes shall be collected for recycling/reuse whenever feasible or otherwise disposed of in accordance with the Waste Management Act 1996 as amended
- (xx) The applicant shall immediately inform the Planning Authority & Inland Fisheries Board of an accidental spillage of wastewater, organic fertiliser, fuel, machine oil or any other substance which may threaten the quality of any watercourse or groundwater body
- (xxi) During the construction phase of development, the applicant shall immediately inform the Planning Authority & Inland Fisheries Board of an accidental spillage of polluting mater or any other substance which may threaten the quality of any watercourse or groundwater body
- (xxii) Organic fertiliser shall be taken offsite by the contractor/haulier as stated in the planning application. This contractor must be registered with the Department of Agriculture Food and Marine and the organic fertiliser shall be utilized in accordance with the requirements of the European Union (Good Agricultural Practice for Protection of Waters) Regulations 2017. Any changes in contractor shall be agreed in writing with the Planning Authority.

Reason: In the interest of environmental protection and public health.

4. (a) The planting details and associated site works as indicated on plans as submitted to the Planning Authority on 10-6-2021, as amended by Additional Information on 10-8-2021, shall be fully implemented prior to any operation of the poultry house hereby approved or in the first available planting season following commencement of building operations, whichever is the sooner.
- (b) Landscaping works within the site area as detailed on plans as submitted to the Planning Authority on 10-6-2021, as amended by Additional Information on 10-8-2021, shall be permanently retained thereafter being planted. Any plant which fails in the first planting season shall be replaced.


Reason: In the interest of visual amenity.

5. (a) Roofing material shall be dark green, dark grey, dark blue or black in colour.
- (b) No unpainted metal sheeting shall be used for roofing or on the external finish of the structure.

Reason: In the interest of visual amenity

6. The development shall be carried out in accordance with plans and documentation submitted on 10-6-2021, as amended by Additional Information on 10-8-2021 except as may otherwise be required in order to comply with the above conditions.

Reason: In the interest of orderly development and to prevent unauthorised development.


 Aisling King McKenna
 Planner
 Date 4/10/2021

Assessment of Environmental Impact Assessment Report as submitted and the Environmental Impact Assessment as carried out by the Assigned Officer

Having reviewed the details as contained within the submitted application and the related Environmental Impact Assessment Report and the assessment report as carried out by the assigned planning officer, I consider the Planning Authority to have fully considered the proposed development and I accept the conclusions as reached in respect of this proposed development.

In this regard I therefore consider it appropriate to grant permission for the proposed development, subject to conditions as recommended in the attached report.

ADH

Adrian Hughes
Senior Planner

04.10.2021

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PLANNING APPLICATION DECISION FORM

Planning Application
Reference No. 21343

Decision due by: _____

Reports received from:

Municipal District _____

S.E.E. Roads _____

E.H.O. _____

S.E.E. Environment _____

S.E.E. Water Services _____

Planning Officer _____

I recommend that planning permission be:

Granted, subject to the conditions
outlined in the enclosed

Refused, for the reasons
outlined in the enclosed

Planning Officer's Report

Planning Officer's Report

Recommended by
Executive Planner: _____

Date: _____

Recommended by:

MOHuse
Senior Planner

Date: 04.10.2021

DECISION OF MONAGHAN COUNTY COUNCIL:

Approved with conditions
recommended in

Refused

Planning Officer's Report

Other

MOHuse
Senior Planner

04.10.2021
Date