

LIMERICK CITY & COUNTY COUNCIL

PLANNING AND DEVELOPMENT ACTS, 2000 (AS AMENDED)

NOTIFICATION OF GRANT OF PERMISSION

Jerry McAuliffe
C/O Corroville Designs,
Belville,
Kilmeedy,
Co. Limerick.

PLANNING REGISTER NUMBER: 17/1235

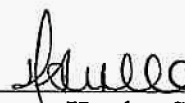
APPLICATION RECEIPT DATE: 28/12/2017

Permission for construction of a poultry house, site entrance and access road and carry out all associated site works at Appletown, Feohanagh, Co. Limerick.

Further to the Order dated: 19/09/2018

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 19/09/2018.

Signed on behalf of the said Council



Heather Supple
(for) A/Senior Planner
Planning & Environmental Services
23/10/2018

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

Jerry McAuliffe
C/O Corroville Designs,
Belville,
Kilmeedy,
Co. Limerick.

Planning Register Number: 17/1235
Valid Application Received: 28/12/2017
Further Information Received Date: 20/06/2018, 24/08/2018

In pursuance of the powers conferred upon them by the above-mentioned Act, Limerick City & County Council has by Order dated 19/09/2018 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: **construction of a poultry house, site entrance and access road and carry out all associated site works at Appletown, Feohanagh, 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: 19/09/2018

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

Case Type	Appeal received on or after 5 th September 2011
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 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 st 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

- 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: 17/1235

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, as amended by the further plans and particulars submitted on the 28th day of December 2017, the 20th day of June 2018 and on the 24th day of August 2018, 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. Archaeological monitoring by a qualified archaeologist shall be in place for all ground disturbance associated with the development. The name of the archaeologist shall be submitted to the Planning Authority four weeks in advance of the commencement of any site works. Should archaeological material be found during the course of monitoring, the archaeologist may have work on the site stopped, pending a decision as to how best to deal with the archaeology. The Department of the Culture, Heritage, and the Gaeltacht and the Planning Authority Archaeologist shall be informed. The developer shall be prepared to be advised by the Department of the Culture, Heritage and the Gaeltacht with regard to any necessary mitigating action and shall facilitate the archaeologist in recording any material found. On completion, a satisfactory archaeological report detailing the works shall be submitted to the Planning Authority and the Department of the Culture, Heritage and the Gaeltacht.

Reason – In order to conserve the archaeological heritage of the site and to secure the preservation of any remains that may exist within the site.

3. All side and rear boundaries shall be hedged with a double row of native hedging species (e.g. holly, hawthorn, blackthorn, ash etc.) common to the locality. All planting shall take place in the first planting season following construction of the dwelling. The hedgerow shall be trimmed and maintained in a tidy condition at all times.

Reason - In the interest of visual amenity.

4. 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.

5. 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.

6. The existing front mature hedgerow boundary to the site both north and south will be reduced in height to 0.80m to achieve 160m sightlines. This hedgerow boundary shall be maintained at this height at all times.

Reason: In the interest of pedestrian and traffic safety.

7. (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.

(b) All Storage facilities shall:-

- i. be designed, sited, constructed, maintained and managed so as to prevent run-off or seepage, directly or indirectly, into groundwater or surface water of any effluent produced on the farmyard and,
- ii. comply with such construction specifications for those facilities as may be approved from time to time by the Minister for Agriculture, Food and the Marine.
- iii. A leak detection system shall be installed in accordance with Section 6 - Part 6.8 of Department of Agriculture, Food and Marine Building Specification S.123 - Minimum Specification for Bovine Livestock Units and Re-Inforced Tanks (September 2017)

(c) 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.

8. Roof covering/sidings shall be a dark colour PVC coated steel or shall be painted in a dark colour e.g. dark green, dark grey, dark brown, dark red.

Reason - In the interest of visual amenity.

9. Effluent from poultry houses shall be collected and stored in concrete tanks constructed in accordance with Department of Agriculture, Food & Marine Building Specification S.123 – Minimum Specification for Bovine Livestock Units and Reinforced Tanks (September 2017).

A leak detection system shall be constructed under all tanks for poultry washings (as per Section 6, 6.8 of above building specification).

Reason - To avoid pollution and nuisance in the interest of the proper planning and development of the area.

10. Poultry litter shall be disposed of, and detailed records shall be maintained with regard to litter disposal, in a manner to be agreed with the planning authority. Details of the disposal means and final destination of the litter of each turnover of birds shall be submitted for the agreement of the planning authority prior to the removal of the litter.

Reason - In the interest of public health and amenity.

11. The temporary on site storage of carcasses shall be in sealed containers.

Reason - In the interest of public health and amenity.

12. The transport of poultry manure shall be in suitably contained, leak proof vehicles.

Reason - In the interest of public health and amenity.

13. Any alteration to the disposal method for litter and casualty birds shall only be implemented with the prior written approval of the planning authority. No land-spreading of poultry litter on lands.

Reason: In the interest of public health and amenity.

14. Prior to the commencement of development a vermin control plan shall be submitted to and agreed with the planning authority in writing.

Reason - In the interest of public health and amenity.

15. Cleaning of the poultry units and removal of spent litter shall not occur during the hours 1900-0800 Monday to Friday or at any time during Saturday, Sunday or Public Holiday.

Reason - In the interest of public health and amenity.

16. The developer shall maintain on site, at his expense, a register for each calendar year for which shall be available for the inspection of Limerick County Council at all reasonable times and which shall include a record of times and dates of transportation of chicken litter, volumes of litter transported, names of authorised litter disposal contractors and final destination of the litter.

Reason - In the interests of public health and pollution control.

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. _____ 970/2018

Reference Number: 17/1235

Name of Applicant: Jerry McAuliffe
Address: C/O Corroville Designs,
Belville,
Kilmeedy,
Co. Limerick.

Nature of Application PERMISSION for construction of a poultry house, site entrance and access road and carry out all associated site works

Location of Development: Appletown, Feohanagh, Co. Limerick.

Recommendation of A.P./E.P./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.

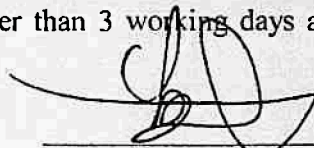
ORDER:

Whereas by Chief Executive's Order No. CE/2018//102 dated 1st July, 2018, Conn Murray, 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 Donogh O'Donoghue, with effect from the 1st July, 2018, the functions within the meaning of the Local Government Act, 2001 as set out therein.

The said Order also states that from the 1st July, 2018, should the said Donogh O'Donoghue be on official leave, the delegation herein to Donogh O'Donoghue shall stand revoked for that period and for that period only and in pursuance of the powers conferred on the Chief Executive by Section 154 of the Local Government Act 2001, the functions shall instead be delegated to Stephane Duclot, Acting Senior Planner.

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 Acts 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 19/09/2018

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

Lincoln County Council
Viewing purposes only

20/09

Planning Report
Limerick City & County Council

File No: 17/1235
Applicant: Jerry McAuliffe
Location: Appletown, Feohanagh, Co. Limerick
Dev. Description: PERMISSION for construction of a poultry house, site entrance and access road and carry out all associated site works

Site notice & date of site inspection:

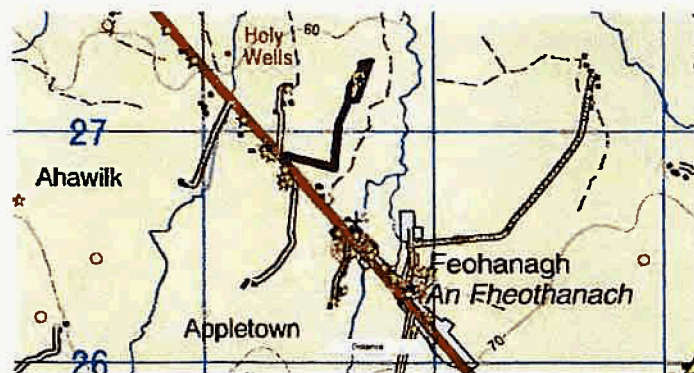
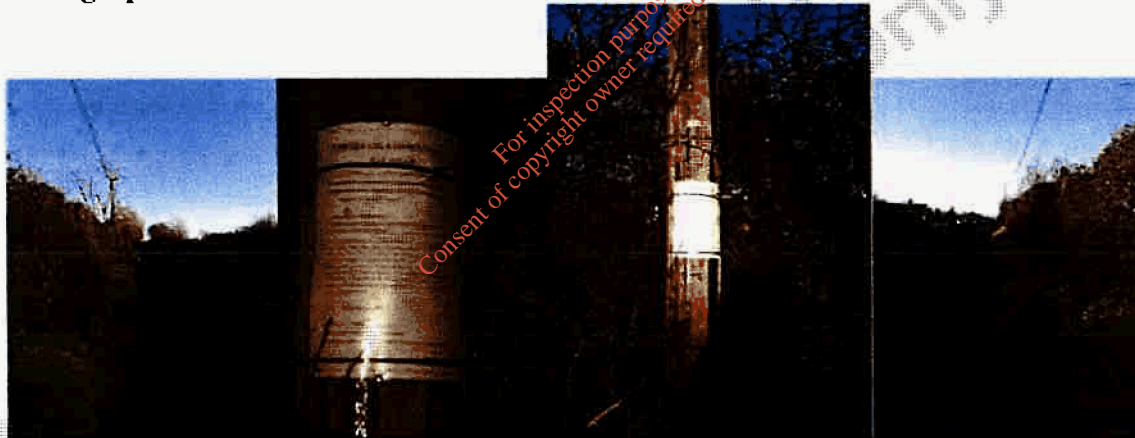
Site visited on 6/2/18 by L. Ruttle. Site notice in place and legible.

Description of existing and proposed development and site analysis:

The site is approx. 0.9ha and is located in the townland of Appletown, approx. 970m northwest of Feohanagh village. The site is accessed via strategic regional road LR522 with a speed limit of 80km/h. The site is greenfield in agricultural use at present and is relatively flat in nature. The site is set back approx. 470m from the R522.

Permission is sought to construct one poultry house with GFA 1,580m², site entrance and access road and carry out all associated site works. The Applicant proposes to breed 37,500 birds per cycle. Based on information submitted it is not known if an EPA Industrial Emissions License (formerly Integrated Pollution Prevention and Control License) is required.

Photographs:



Planning history:

Current:

None.

Adjacent:

92/909: Conditional permission to Michael Sheehy for the construction of dairy, isolation box, beef house, meal store and extension to milking parlour.

Pre-planning:

9868: With L. Ruttle and Applicant on 26/9/17. Policies in respect of minimum separation distance to dwellings (400m), stocking no. and breeding cycles. requirement for EIS over threshold, odour, noise nuisance, landscaping, wells and watercourses, traffic, dust mgt., surface water mgt., disposal of carcasses and flood zone discussed.

Habitats directive project screening assessment:

Construction Phase: Construction of 2 no. poultry houses and all ancillary works	Ex-situ effects:
Are effects significant? No	Are effects significant? No
Are substantial works required: No	Run-off:
Are effects significant? No	Are effects significant? No
Operating phase effects:	Abstraction:
Are effects significant? No	Are effects significant? NA
	Displacement:
	Are effects significant? NA

Identification of Natura 2000 sites which may be impacted by the proposed development:

1	Impacts on designated rivers, streams, lakes and fresh water dependant habitats and species e.g. bogs or otters -see abstraction/run off etc above.	Is the development in the relevant catchment of or immediately up/downstream of a watercourse that has been designated as a Natura 2000 site? Name of site:	No
2	Impacts on terrestrial habitats and species.-see area and disturbance/displacement effects above.	Is the development within 1km of a SAC site with terrestrial based habitats or species? Name of site:	No
3	Impacts on designated marine habitats and species.	Is the development located within marine or intertidal areas or within 5 km of a SAC site whose qualifying habitats or species include the following habitats: Salmonid, Lamprey Mudflats, sandflats, saltmarsh, shingle, reefs sea cliffs	No

		Name of site:	
4	Impacts on birds in SPAs	<i>Is the development within 1km of a Special Protection Area</i> Name of site:	No
5	Cumulative effects	Would consideration of a number of significant projects nearby such as forested areas, quarries, wind energy together with the proposed development significantly increase the impacts listed above:	None

Conclusion:

No potential for significant effects therefore Appropriate Assessment is not required. Overall it is considered that the development as proposed should not exercise a significant effect on the conservation status of any SAC or SPA and therefore an Appropriate Assessment is not necessary.

Summary of relevant planning matters:

Limerick County Development Plan 2010-2016

Objective ED 018: Agricultural developments

Section 10.8 Agricultural Development

Services:

Existing public mains.

Submissions/objections:

a) Internal Submissions

Environment: Report from Agricultural Scientist: I had a look at above application - there is insufficient information for an assessment to be carried out.

I advise that the following information be sought:

- a) Confirm that - other than his own dwelling - there are no sensitive receptors within 400m of the proposed development
- b) Provide details of the proposed enterprise - Type of poultry to be reared / no. of cycles per annum / no. of birds per cycle.
- c) Provide calculations which detail the amount of poultry litter per annum arising from the proposed development.
- d) Provide a background noise survey for the proposed development (to be conducted at the nearest third party residence). An estimate of the impact of the development shall be submitted. This to be carried out by a suitably qualified Acoustic Consultant.
- e) Provide a comprehensive Nutrient Management Plan (to be carried out by a suitably qualified Agriculturalist) which clearly demonstrates how poultry litter arising will be applied to lands in accordance with requirements set out in the European Union (Good Agricultural Practice for Protection of Waters) Regulations 2017. Soil sample results to be included.

Where it is intended to export poultry litter to a third party, provide a letter from the intended importer specifying the amount of material he/ she is willing to import.

f) Provide location details for the required effluent storage tank. Also, provide calculations which show all effluents arising and clearly show that the proposed tank has a minimum 15 days net storage capacity.

g) Provide details of on-site wells to include the depth and construction along with clarification of treatments / disinfection of the water (in accordance with the Drinking Water Regulations S.I. no. 122 of 2014). In addition, the Applicant shall clarify if any of the neighbouring properties have their own private water source and distances of these sources to the proposed development (show neighbouring private water sources on a map).

h) Provide a map showing the discharge point to waters of clean all clean water arising from the existing and proposed development.

NOTE - Please ask the Applicant to confirm that the scale of the proposed development is below the threshold for the requirement to submit an Environmental Impact Statement (as per the Planning & Development Regulations).

Environment: Report from Executive Scientist: I have no comment on 17-1235 because there are no noise sensitive receptors within the vicinity of the proposed development.

Archaeology: Report received. There are no Recorded Monuments within the curtilage or the immediate vicinity of the site. The development, however, is large in scale (0.9807ha) and located in green field. There is a possibility of disturbing previously unknown archaeological material/artefacts. In this instance, it is a policy of Limerick County Council to require archaeological monitoring of all ground disturbance associated with the development (10.10.2 paragraph 3 County Development Plan 2010-2016). If the development is allowed to proceed then the following condition should apply:

Archaeological monitoring by a qualified archaeologist shall be in place for all ground disturbance associated with the development. The name of the archaeologist shall be submitted to the Planning Authority four weeks in advance of the commencement of any site works. Should archaeological material be found during the course of monitoring, the archaeologist may have work on the site stopped, pending a decision as to how best to deal with the archaeology. The Department of the Culture, Heritage, and the Gaeltacht and the Planning Authority Archaeologist shall be informed. The developer shall be prepared to be advised by the Department of the Culture, Heritage and the Gaeltacht with regard to any necessary mitigating action and shall facilitate the archaeologist in recording any material found. On completion, a satisfactory archaeological report detailing the works shall be submitted to the Planning Authority and the Department of the Culture, Heritage and the Gaeltacht.

Roads: Report received. Roads observations -:

1. Sightlines

i. The proposed vehicular access is off the Regional Road R522 Appletown, Feohanagh, with a posted speed limit of 80km/h. The Applicant has indicated sightlines of 160 metres in both directions from the proposed vehicular access. From a setback of 3 metres sightlines are severely impeded by the existing hedge grow front site boundary. To achieve the required sightlines of 160 metres the hedgerow would have to be removed or setback outside the clear sight triangle. Some of the said hedgerow front boundary does not appear in the ownership of the Applicant.

ii. Consequently the Applicant is requested to submit the following-

- a. Submit in plan form and to scale that you can achieve sightlines and confirm the method proposed to achieve sightlines stated taking into account that the existing sightlines are currently impeded.
- b. Submit in plan form and to scale that you can achieve minimum stopping sight distances.
- c. Submit written permission from the adjoining owner that would allow for the removal or setting back of hedgerow.

iii. The proposed vehicular access should be set back 3 metres from the road edge and appropriately splayed.

iv. We require a revised Site Layout Plan clearly addressing the issue above for Limerick City & County Council's approval.

FOR FI

2. Surface Water Disposal

- i. There is an existing dyke inside the road edge, the Applicant should submit a cross-section construction detail for the proposed vehicular access. The existing dyke should not be interfered other than the construction of the proposed vehicular access.
- ii. The Applicant should provide a Surface Water Disposal Site Layout Plan for Limerick City & County Council's approval and should include gully & manhole locations. If the Applicant proposes to discharge the surface water into a stream or dyke we will require calculations to demonstrate capacity, however if it is being discharged to a soak away we require trial hole results in accordance with the BRE document and a construction detail.
- ii. A longitudinal section should be submitted and should include pipe size, length, gradient, manholes and outfall.
- iii. Headwall construction details will be required if connecting to a stream or dyke.
- iv. All surface water drainage pipes should have a minimum diameter of 225mm with the exception of road gully connections which can be 150mm in diameter.
- v. On completion of the development the Engineer shall certify all works in relation to the storm sewers, this cert to be provided upon completion of the development.
- vi. 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 Limerick City & County Council are carried out. Full details of any such alternative arrangements shall be submitted to the Planning Authority and agreed prior to commencement of development.
- vii. All surface water run-off from the development shall be disposed of appropriately. No such surface water shall be allowed discharge onto adjoining properties or onto the public road.

FOR FI

b) External Submissions

None.

c) Objections

None.

d) Submissions from Elected Representatives

None.

Part V:

N/A.

Summary of key planning issues and assessment:

The site is approx. 0.9ha and is located in the townland of Appletown, approx. 970m northwest of Feohanagh village. The site is accessed via strategic regional road LR522 with a speed limit of 80pkm/h. The site is greenfield in agricultural use at present and is relatively flat in nature. The site is set back approx. 470m from the R522.

Permission is sought to construct a poultry house, site entrance and access road and carry out all associated site works.

EIAR:

Under the Planning and Development Regulations 2001, Schedule 5, Part 1 (17)
Installations for the intensive rearing of poultry or pigs with more than-

- (a) 85,000 places for broilers, 60,000 places for hens.
- (b) 3,000 places for production pigs (over 30 kilograms).
- (c) 900 places for sows.

Under the Planning and Development Regulations 2001, Schedule 5, Part 2 (1)(e)(i)
Installations for the intensive rearing of poultry or pigs with more than-

(e) (i) Installations for intensive rearing of poultry not included in Part 1 of this Schedule which would have more than 40,000 places for poultry.

Based on information submitted 37,500 birds will be reared per cycle. it is not known if an EPA Industrial Emissions License (formerly Integrated Pollution Prevention and Control License) is required.

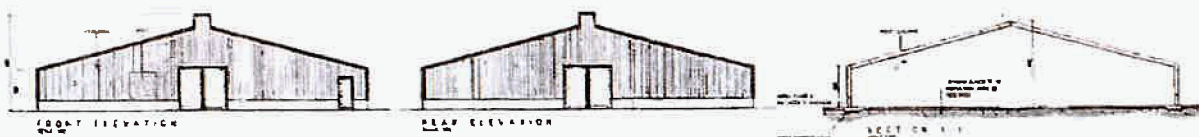
Design:

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.

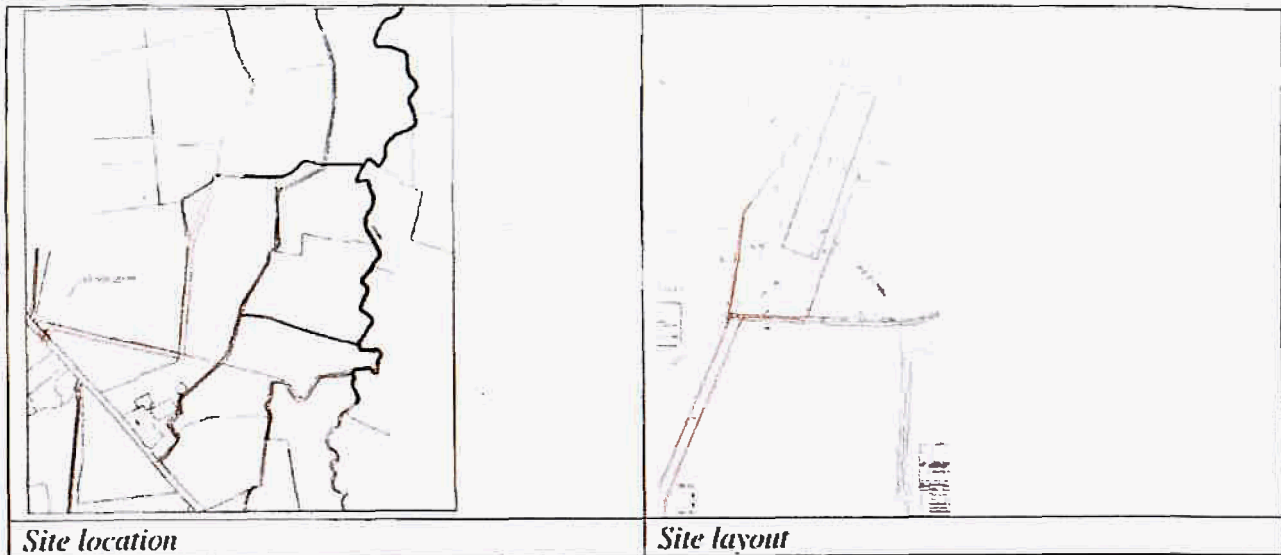
Traditionally this was achieved by having the roof darker than the walls. Appropriate roof colours are dark grey, dark reddish brown or a very dark green. The grouping of agricultural buildings will be encouraged and use of existing landscaping in order to reduce their overall impact in the interests 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 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 Specification.
- The capacities of all slurry, effluent and soiled water tanks and all other tanks for pollutants shall comply with the current Department of Agriculture Guidelines and any subsequent documents/ guidelines.
- 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.



Elevations of proposed



Based on drawings submitted the design is in keeping with general poultry house design in terms of materials used, the roof ridge height is 5.440m and the building is 98.63m in length. Timber-clad walls and metal cladding in grey proposed. The house will hold 37,500 birds per cycle.

Location:

The site is approx. 0.9ha and is located in the townland of Appletown, approx. 970m northwest of Feohanagh village. The site is greenfield in agricultural use at present and is relatively flat in nature. The site is set back approx. 470m from the R522. A long farm access road is proposed to serve the site from the R522. Location to third party dwellings is not known, it appears to be over 400m from dwellings. To be clarified.

Access:

The site is accessed via strategic regional road LR522 with a speed limit of 80km/h. Sightlines of 160m are required in both directions, more detail is sought by further information.

Landscaping/ screening:

Greenfield site. No landscaping plan submitted.

Well and water supply:

Details in respect of on site and any third party wells within vicinity of development shall be sought.

Renewable energy technology:

No information provided.

Pest control:

No information provided.

Noise:

No information provided.

Odour:

No information provided.

Litter management:

Custom Compost to move litter from site. No other information provided.

I recommend Further Information be sought for:

1. The proposed vehicular access is off the Regional Road R522 Appletown, Feohanagh, with a posted speed limit of 80km/h. The Applicant has indicated sightlines of 160 metres in both directions from the proposed vehicular access. From a setback of 3 metres sightlines are severely impeded by the existing hedgerow front site boundary. To achieve the required sightlines of 160 metres the hedgerow would have to be removed or setback outside the clear sight triangle. Some of the said hedgerow front boundary does not appear in the ownership of the Applicant.

The Applicant is requested to submit the following-

- (a). Submit in plan form and to scale that you can achieve sightlines and confirm the method proposed to achieve sightlines stated taking into account that the existing sightlines are currently impeded.
- (b). Submit in plan form and to scale that you can achieve minimum stopping sight distances.
- (c). Submit written permission from the adjoining owner that would allow for the removal or setting back of hedgerow.
- (d). Provide a revised site layout plan clearly addressing the issue.

Note: The proposed vehicular access should be setback 3 metres from the road edge and appropriately splayed. The Planning Authority is not in the favour of the removal of hedgerows.

2. The Applicant shall confirm that other than his own dwelling, there are third party dwellings within 400m of the proposed development. Please submit site layout plan with distances of any houses within 400m of the proposed development.

Note: A background noise survey for the proposed development (to be conducted at the nearest third party residence will be required if any third party dwelling is within 400m of proposed development.

3. The application lacked sufficient information in order for it to be fully assessed. The Applicant shall provide details of the proposed enterprise including the type of poultry to be reared, the no. of cycles per annum, the no. of birds per cycle. If the development exceeds thresholds for Environmental Impact Assessment (EIA).

4. Please confirm if an EPA Industrial Emissions License (formerly Integrated Pollution Prevention and Control License) is required.

5. The Applicant shall provide calculations which detail the amount of poultry litter per annum arising from the proposed development. It is noted that manure will be moved off site by Custom Compost. Please provide a letter from the intended importer specifying the amount of material he/ she is willing to import.

6. Provide a comprehensive Nutrient Management Plan (to be carried out by a suitably qualified Agriculturalist) which clearly demonstrates how poultry litter arising will be applied to lands in accordance with requirements set out in the European Union (Good Agricultural Practice for Protection of Waters) Regulations 2017. Soil sample results to be included.

7. Provide location details for the required effluent storage tank including calculations which show all effluents arising and clearly show that the proposed tank has a minimum 15 days net storage capacity.

8. Provide details of all on-site wells to include the depth and construction along with clarification of treatments / disinfection of the water (in accordance with the Drinking Water Regulations S.I. no. 122 of 2014). In addition, the Applicant shall clarify if any of the neighbouring properties have their own private water source and distances of these sources to the proposed development (show neighbouring private water sources on a detailed site layout plan/ map with distances set out.). The

Applicant shall clarify how the site will be serviced with water, public mains is indicated on application form.

9. The Applicant is requested to provide a map showing the discharge point to waters of all water arising from the existing and proposed development. Details of any nearby watercourse shall also be set out in a site layout plan.

10. The Applicant shall confirm that the scale of the proposed development is below the threshold for the requirement to submit an Environmental Impact Assessment Report (EIAR – EU Directive 2014/52/EU) (as per the Planning & Development Regulations).

11. The Applicant shall submit a comprehensive landscaping scheme for the site to include details of all existing boundary hedges to be retained and additional proposals to screen the development. Please provide on a revised site layout plan.

12. The Applicant is requested to supply details to deal with the storage of carcasses and for pest control for the site.

13(a). There is an existing dyke inside the road edge, the Applicant shall submit a cross-section construction detail for the proposed vehicular access. The existing dyke should not be interfered other than the construction of the proposed vehicular access.

(b). The Applicant is requested to provide a surface water disposal site layout plan to include gully & manhole locations. If the Applicant proposes to discharge the surface water into a stream or dyke provide calculations to demonstrate capacity. If it is being discharged to a soakaway provide trial hole results in accordance with the BRE document and a construction detail.

(c). A longitudinal section should be submitted and should include pipe size, length, gradient, manholes and outfall.

(d). Headwall construction details will be required if connecting to a stream or dyke.

Note: All surface water drainage pipes should have a minimum diameter of 225mm with the exception of road gully connection, which can be 150mm in diameter.

On completion of the development the Engineer shall certify all works in relation to the storm sewers, this cert to be provided upon completion of the development.

Note: There are no Recorded Monuments within the curtilage or the immediate vicinity of the site.

The development, however, is large in scale (0.9807ha) and located in green field. There is a possibility of disturbing previously unknown archaeological material/artefacts. In this instance, it is a policy of Limerick County Council to require archaeological monitoring of all ground disturbance associated with the development (10.10.2 paragraph 3 County Development Plan 2010-2016). If the development is allowed to proceed then the following condition should apply:

Archaeological monitoring by a qualified archaeologist shall be in place for all ground disturbance associated with the development. The name of the archaeologist shall be submitted to the Planning Authority four weeks in advance of the commencement of any site works. Should archaeological material be found during the course of monitoring, the archaeologist may have work on the site stopped, pending a decision as to how best to deal with the archaeology. The Department of the Culture, Heritage, and the Gaeltacht and the Planning Authority Archaeologist shall be informed. The developer shall be prepared to be advised by the Department of the Culture, Heritage and the Gaeltacht with regard to any necessary mitigating action and shall facilitate the archaeologist in recording any material found. On completion, a satisfactory archaeological report detailing the works shall be submitted to the Planning Authority and the Department of the Culture, Heritage and the Gaeltacht.

Assistant Planner	Lisa Ruttle	Date: 22 nd February 2018
Signature:		
Senior Executive Planner		

In response to the further information request on the 23rd of February 2018 the following has been received:

1. Letter from Applicants agent with enclosures.

Assessment where Further Information submitted:

Point 1: Roads report received: Sightlines from the existing Vehicular Access:

i. The Applicants Agent has stated that the sightlines and stopping distances has been shown on Drawing no. 002, this drawing has not been submitted.

ii. We require a revised Site Layout Plan to be submitted clearly addressing the issue above for Limerick City & County Council's approval. To be clarified.

Point 2: No map submitted re. nearby dwellings, one property is 300m from site, is unoccupied and part of a farm holding. Environment report received: I have no comment on 17-1235 because there are no noise sensitive receptors within the vicinity of the proposed development. Acceptable.

Point 3 & 10: The Applicant has confirmed that 37,500 broilers in 6 cycles will be reared on the farm per annum, and this is below the minimum threshold for EIAR. Acceptable.

Point 4: The Applicant has confirmed that an EPA Industrial Emissions licence is not required in this case. Acceptable.

Point 5: Calculation submitted with a total of 270,000 litres/ 270 tonnes of litter per annum.

Point 6: Nutrient management plan attached. Environment report received: (a). Nutrient Management Plan. I see letter from Con Doody stating that he will allow washings from storage tank to be spread on his lands but I don't see anything relating to the disposal of actual poultry litter. Please address how this waste will be disposed of.

(b). Re. Con Doody - I suppose the question should be asked that if - at a future point - Mr. Doody refuses to allow the material to be spread on his lands is there a contingency plan in place (bear in mind that the material to be spread may pose an extremely high risk to cattle - potential Botulism infection)? Clarification of further information is required.

Point 7: Calculation for soiled water tank from concrete yard and wash out of houses attached. The Applicant has confirmed that wash water generated from, the proposed development will be land spread on lands owned by Con Doody, letter attached.

Point 8: No onsite wells in site, the Applicants land and adjoining lands are connected to public mains.

Point 9: Applicant proposes that the rain water from poultry house roof will be collected by guttering to open dyke to front boundary of site. Further details of open dyke required.

Point 11: Landscaping plan for front boundary submitted. The site is approx. 400m from public road and will be sited 3-3.5m below the road level, decreasing the visual impact of the proposed development. Acceptable.

Point 12: Plan to deal with carcasses attached.

Point 13: Roads report received: Surface Water Disposal:

i. The Applicants Agent has not clearly addressed how the surface water from the concrete apron will be dealt with as there are no gullies and therefore there is no guarantee that the surface water can get to this proposed soiled water storage tank.

- ii. The Applicants Agent has stated that drawing No. 002 shows the cross section details through the existing dyke inside road side boundary, this drawing has not been received. This must be submitted for Limerick City and County Council's approval.
- iii. We require a revised Surface Water Disposal Plan to be submitted showing the existing and proposed and should include gully, manhole and outfall locations/gravel systems.
- iv. The Applicant should submit a cross-section through the dykes/streams showing the bank level, invert level of discharge pipe, water level, bed level and photographs to show its condition at the outfall locations.
- v. A longitudinal section should be provided and should include pipe diameter, pipe length, pipe gradient, manhole invert/cover levels. To be clarified.

I recommend Clarification of Further Information be sought for:

1. The Applicant has stated that the sightlines and stopping distances are shown on drawing no. 002, this drawing has not been submitted. Please address.

2(a). The Applicant has not clearly addressed how the surface water from the concrete apron will be dealt with as there are no gullies set out on drawing, and therefore there is no guarantee that the surface water can get to this proposed soiled water storage tank.

(b). The Applicant has stated that drawing No. 002 shows the cross section details through the existing dyke inside road side boundary, this drawing has not been received. Please address.

(c). Please submit a revised surface water disposal plan showing the existing and proposed and should include all gully, manhole and outfall locations/gravel systems.

(d). The Applicant shall submit a cross-section through the dykes/streams showing the bank level, invert level of discharge pipe, water level, bed level and photographs to show its current condition at the outfall locations.

(e). A longitudinal section shall be provided and include pipe diameter, pipe length, pipe gradient, manhole invert/cover levels.

3(a). In respect of the Nutrient Management Plan. Submitted letter from Mr. Con Doody states that he will allow washings from storage tank to be spread on his lands. If at a future point Mr. Con Doody refuses to allow the material to be spread on his lands is there a contingency plan in place (bear in mind that the material to be spread may pose an extremely high risk to cattle - potential Botulism infection). Please address adequately.

(b). No information was submitted in relation to the disposal of poultry litter. Please address how this waste will be disposed of, including letter from facility which confirms the volume of litter they will accept per annum.

Note to Applicant: An time extension of 3 months to reply to further information request may be required, please address.

Assistant Planner	Lisa Ruttle	Date: 11 th July 2018
Signature:		
Senior Executive Planner		

In response to the further information request on the 12th of July 2018 the following has been received:

- 1. Letter from Applicants agent with enclosures.

Assessment where Further Information submitted:

Time extension was applied for and granted.

Point 1 & 2: Roads report received. Roads observations -: Sightlines from the existing Vehicular Access: i. The Applicant has provided a revised Site Layout Plan indicating that the existing front mature hedgerow boundary to the site both north and south will be reduced in height to 0.80m to achieve 160m sightlines. The Applicant must maintain this hedgerow boundary and any other hedgerow to be planted at this height at all times. **CONDITION**

Surface Water Disposal: i. 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 Limerick City & County Council are carried out. Full details of any such alternative arrangements shall be submitted to the Planning Authority and agreed prior to commencement of development. ii. All surface water run-off from the development shall be disposed of appropriately. No such surface water shall be allowed discharge onto adjoining properties or onto the public road.

CONDITION

Letter of consent of adjoining landowner to reduce the height of the existing roadside boundary to 0.8m in height for 127m north and 134m south. The roadside boundary will be replanted with native hedgerow species, double row. Continuous maintenance shall be a condition of planning. This is acceptable in this instances to allow for sightlines of 160m in both directions.

Point 3: Environment report received. I spoke with Jason Kelly (Kelly's Bobcat Services) and he confirmed that all litter will be taken to Co. Cork. He will confirm removals by sending receipts to us each time he removes a batch of litter. We will forward same to Cork Co. Council so that they can keep an eye on things. Please attach usual conditions.

Letter of consent of Terence Leonard with lands at Ballinac, Castlemahon and Dromanig, Dromcollogher re. consent to spread effluent arising from soiled water storage tanks on his lands. Acceptable.

Contributions:

Recommendation:

I recommend that planning permission be granted subject to conditions:

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. Std. insert 1 28/12/17, 20/06/18 and 24/08/18.

~~2. Std. insert 3.~~

2 Archaeological monitoring by a qualified archaeologist shall be in place for all ground disturbance associated with the development. The name of the archaeologist shall be submitted to the Planning Authority four weeks in advance of the commencement of any site works. Should archaeological material be found during the course of monitoring, the archaeologist may have work on the site stopped, pending a decision as to how best to deal with the archaeology. The Department of the Culture, Heritage, and the Gaeltacht and the Planning Authority Archaeologist shall be informed. The developer shall be prepared to be advised by the Department of the Culture, Heritage and the Gaeltacht with regard to any

necessary mitigating action and shall facilitate the archaeologist in recording any material found. On completion, a satisfactory archaeological report detailing the works shall be submitted to the Planning Authority and the Department of the Culture, Heritage and the Gaeltacht. *Reason - Archaeological*

- ~~3~~ Std. insert 45.
- ~~4~~ Std. insert 52.
- ~~5~~ Std. insert 54.
- ~~6~~ The existing front mature hedgerow boundary to the site both north and south will be reduced in height to 0.80m to achieve 160m sightlines. This hedgerow boundary shall be maintained at this height at all times.

Reason: In the interest of pedestrian and traffic safety.

- ~~7~~ Std. insert 167 (a, b, c).
- ~~8~~ Std. insert 168.
- ~~9~~ Std. insert 171.
- ~~10~~ Std. insert 172.
- ~~11~~ Std. insert 173.
- ~~12~~ Std. insert 174.
- ~~13~~ Std. insert 175. No land-spreading of poultry litter on lands.
- ~~14~~ Std. insert 176.
- ~~15~~ Std. insert 177.
- ~~16~~ Std. insert 178.

Note to Applicant: A pre-planning meeting was held on the 26/09/17. A number of items were discussed and agreed as being relevant to the planning application at pre-planning stage. This information was not received with the planning application. This has delayed the process for the Applicant and created additional workload for the Planning Authority.

Assistant Planner	Lisa Ruttle	Date: 18 th September 2018
Signature:	<i>Lisa Ruttle</i>	
Senior Executive Planner		

For Office Use Only

Section 47 Y/N

Part V Y/N

Please prepare Managers Order for my signature Y/N _____

Compliance

PLANNING REF: 17/1235

APPLICATION: PERMISSION for construction of a poultry house, site entrance and access road and carry out all associated site works

LOCATION: Appletown, Feohanagh, Co. Limerick.

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