

SCMD

Obs Wed 22/9
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✓ P1194/21 ai
P321/22 ✓

PLANNING APPLICATION CONTROL FORM

Application Reference No.: 21/471 Decision due by 13/10/2021

Previous Ref. Nos.: 20153 19/440 17/622 14/4/22

Date of Receipt of Application: 19/08/2021 18/2/22

Applicant: Sammy Wilkin

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

Location of

Development: Cornwall Rockcorry Co. Monaghan

2x Poultry
upgrade access

Description : permission to construct 2 no. poultry houses together with all ancillary structures (to include meal bins and soiled water/ancillary storage tanks) and site works (to include new/upgraded site entrance, and re-contouring (incl. with imported soil and stone) of the site etc.) associated with the above development on, or adjacent to an existing poultry farm. 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. Significant information advertised and received on 18.02.2022.

EIAR

VALIDATION

Validated by: _____

Date of Validation: _____

SITE NOTICE

1x SN

Was Notice published on site

Yes

No

Inspected by: AK

Date of Inspection: 6/9/21

Refer file for reports to:

Municipal District

Heritage Officer

E.H.O.

S.E.E. Roads

S.E.E. Water Services

Report 2019

S.E.E. Environment

Irish Water

S.E. Planner

NRA/TII

Housing

DoECLG

No obj 16/3
Cons

Fire Officer

An Taisce

AI 22/9

I.F.I.

Roisin Moore

Flooding Section

Build Heritage

OPW

AA not required

EIAR Appendix 19 AA - NOT within 10km Natura 2000 sites

Brownfield site 1

Greenfield site 2 - Proposed 2x poultry units

Notes

**MONAGHAN COUNTY COUNCIL
PLANNING AND DEVELOPMENT REPORT**

File Ref: 21/471 (Grant Permission)

Applicant: Sammy Wilkin

Development: permission to construct 2 no. poultry houses together with all ancillary structures (to include meal bins and soiled water/ancillary storage tanks) and site works (to include new/upgraded site entrance, and re-contouring (incl. with imported soil and stone) of the site etc.) associated with the above development on, or adjacent to an existing poultry farm. 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: Cornawall, Rockcorry, Co. Monaghan

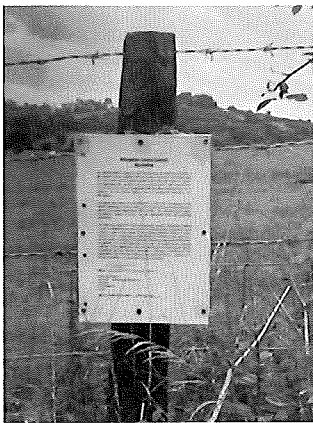
Initial Assessment

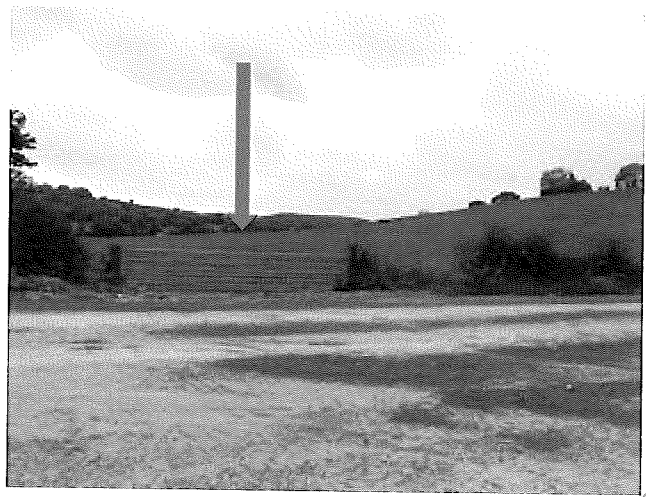
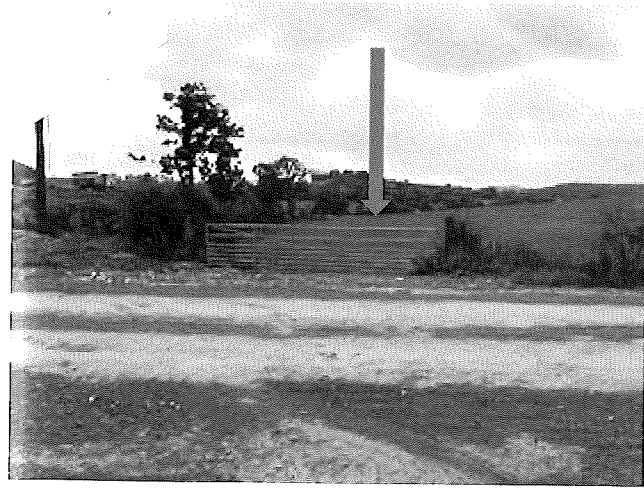
1. Date of Site Inspection

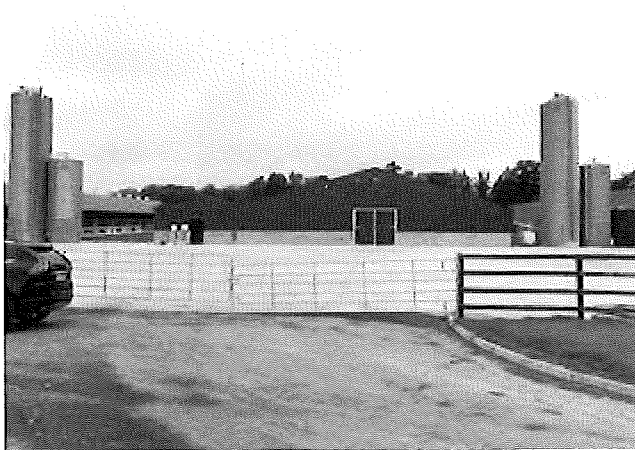
9-10-2019

2 Site Notice & Photos

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 12.457Ha.
- Four subject site boundaries clearly defined
- undulating nature of the surrounding landscape, the proposed units will be located within a valley i.e low-lying site
- Brownfield site with two poultry units and ancillary structures, granted under 17/622, 19/440, 20/153, located on opposite side of Local Tertiary Road, all within applicant's ownership
- Agricultural buildings located on adjacent site to the east (22m separation distance from subject site boundary), also within applicants ownership, granted under 20/84
- In excess of 100m from nearest dwelling house (155m)
- Not within 15km of Natura 2000 sites
- No OPW flooding concerns



Site boundary of 17/622, 19/440, 20/153



Subject site boundary of 21/471

6. Proposed Development

This is an application for permission for:

- 2 x poultry houses together with meal bins and soiled water/ancillary storage tanks
- site works include:
 - new/upgraded site entrance
 - re-contouring of the site with imported soil and stone

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.) is submitted with this planning application.

7. Site Planning History

As per Application Form

Previous Valid Planning Applications: 17/622, 19/440, 20/153

Subject of Appeal: No

Site Flooded: No
Previous Uses: No
Statutory Notices: No

Planning Authority's iPlan Record

17/622: Permission to construct (1) free range poultry unit (2) underground washings storage tank (3) upgrade existing agricultural entrance (4) complete all ancillary site works and associated site structures. Significant Further Information has been received in relation to revised site boundaries and provision of improved access and traffic movement measures along and from the existing adjacent local tertiary road LT23313. Granted.

19/440: permission for a development consisting of construction of (1) free range poultry unit and associated works (2) infill of existing low-lying portion of lands to allow construction of poultry unit and surrounding area (3) complete all ancillary site works and associated site structures together with the retention of (a) amendments and alterations to poultry unit during construction (b) detached storage shed (c) amended site layout from that previously granted under reference number 17/622. Significant further information relates to the submission of nutrient management plan and amended site layout plan. Granted.

20/153: permission for a development consisting of (1) installation of hygiene and sanitary facilities in existing detached storage building, (2) installation of proprietary wastewater treatment unit and percolation area, (3) alteration to the capacity of development(s) approved under planning Ref; 19/440 and 17/622 to permit an intensification of use (increase in bird numbers), (4) completion of all ancillary site works and associated site structures. 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. Granted.

Applicants Agricultural Buildings on adjacent site to the east

20/84: Permission and retention permission to consist of (1) construction of agricultural slatted shed incorporating slatted areas, feed passage and underground slurry storage tanks, (2) construction of loose bedded shed incorporating bedded areas and isolation pens, (3) infill of existing low-lying portion of lands to allow construction of loose bedded and slatted shed with surrounding yard areas, (4) demolition of existing cubicle shed, (5) construction of extension to existing agricultural slatted shed to incorporate new walled silage slab and existing wall silage slab, (6) completion of all ancillary site works and associated site structures together with the retention of extension to existing agricultural slatted shed incorporating cattle handling areas from that previously granted under reference number 07/1365. Significant further information relates to the closing up of an existing entrance to the public road to the north west of the site together with the now proposed utilisation of an existing entrance and access laneway to the north east of the site and the retention of amendments and alternations to same entrance. Granted.

8. Observations

The last date for observations was 22-9-2021. No submission was received.

9. Referrals Reports

MCC Internal

Environment Waste: Report dated 5-10-2021. Additional Information
Environment Water: Report dated 5-10-2021. No objection subject to conditions
Heritage Officer: No response
Water/IW: Report dated 29-9-2021. No objection. No Conditions
No other Referrals for internal reports on Planning Application Control Form

Consultees

DoECLG: no response
AN Taisce: Report dated 22-9-2021. Additional Information

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 6.7 Natura 2000 Sites and Appropriate Assessment
- Revised Guidelines for Planning Authorities and An Bord Pleanála on carrying out Environmental Impact Assessment, August 2018

EPA Guidance

- EPA Research Report No347 (2020) Assessment of the Impact Ammonia Emissions from Intensive Agriculture Installations on SACs and SPAs
- EPA Guidance Note on Licence Application dated 18/6/2021 and Guidance Document on how applicants should assess the predicted impact on air emissions on Natura sites

The Planning Authority notes the following from the aforementioned documents:

- EPA key finding was that Sliabh Beagh SPA and Kilroosky Lough SAC exceed their respective critical level for ammonia and critical load for nutrient nitrogen over part or all of the designated sites as a result of the cumulative impact on ammonia emissions
- Any increase in emissions, impacting on Natura 2000 Sites, cannot at this time be authorized within 10km

11. Planning Assessment

Application Information

Landowner Farm Area:	76.27 Ha.
Site Area:	12.457Ha.
Existing Floor Area:	4500sqm
Proposed Floor Area:	4000sqm

Assessment

Applicants Submission:

- EIAR dated August 2021, as prepared by CLW
- Statement of Compliance with Policy AGP 1 and AGP2 of Section 15.15 of MCDP 2019-2025, as per Section 3 of EIAR
- Appropriate Assessment Screening Report, dated April 2021, prepared by Noreen McLoughlin (Appendix 19 of EIAR)
- Supplementary Planning Application Form for Agricultural Development
- Letter dated 19-8-2021 from Drumgole GWS

The Supplementary Planning Application Form for Agricultural Development is summarised as follows:

- farm Area: 76.27Ha.
- >100m from nearest third-party dwelling house (c138m)
- 4000sqm footprint
- 170,000 broilers post development (an additional 85,000 proposed)
- underground soiled water storage tank capacity: 72.86m³
- within 100m of an existing poultry production

EIS/Poultry Thresholds

- Most recent application 20/153: Total capacity of 85,000 bird places to standard production (not free range) in 2no. existing poultry units

(20/153 EIAR states that the applicant will still be in a position to revert to the previously approved free range production if the market demands require it)

- Current Application: total capacity of 170,000 conventional birds post development (85,000 in 2 units + 85,000 in 2 units) **OR** 105,000 birds if operated as a free range enterprise
- 170,000 birds exceeds the threshold required for the preparation of EIAR (in excess of 40,000 places)
- In accordance with Schedule 5, Part 1, 17 and Schedule 5 Part 2, 1(e)(i) of the Planning and Development Regulations, the proposed development requires an EIS

EIAR Summary

The Planning Authority will consider the requirements of Directive 2014/52/EU (application was received after the 15th May 2017) and the content of the submitted Environmental Impact Assessment Report (EIAR), dated August 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.

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 August 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, methods of reducing/eliminating undesirable impacts

Section 3 Description of Reasonable Alternatives

Alternative Site

- Current site deemed most suitable due to the status of the site, distance from neighbours, site access available lands to facilitate a free range enterprise and integration of the proposed development with the existing structures on the farm
- Sets out a compliance statement with Policy AGP 1 and AGP 2 of MCDP 2019-2025
- the proposed site:
 - i. Is the most suitable site in terms of minimising the level of excavation/groundwork's required and is adjacent to the existing poultry house

- ii. Is not an elevated site in terms of the wider landscape and will not be visually detrimental
- iii. Proposed development will be integrated and maintain existing bio-security measures on the farm
- iv. Is in excess of c300m from any third party dwellings
- v. The site 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 E.I.A.R states that no other alternative sites, layouts and/or designs were deemed satisfactory and/or appropriate as the proposed development:
 1. Complies with the requirements of SI 605 of 2017
 2. Satisfies the applicants need for efficiencies of scale while not requiring significant additional lands
 3. Is in line with BAT requirements
 4. Will be well integrated into the landscape with the use of similar construction techniques, natural/dark coloured finishes as proposed and additional landscaping where required
 5. Is not located in an area with any significant environmental and/or other constraints
 6. Complies with the County Development Plan

Alternative Size

The proposed development has been designed and scaled to take into account the:

- Physical restraints/parameters of the site
- Capacity of structures in line with Bord Bia and DAFm requirements
- Economies of scale
- Requirements of Western Brand

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

Alternative Processes Considered

As this an existing poultry farm site, the applicant looked at a number of alternative processes including but not limited to:

- Layer Housing
- Free Range Layer
- Free Range Broiler Houses

The EIAR states that the proposed development offers the best fit between the proposed and existing enterprise on the farm, both from a labour, capital investment and efficiency viewpoint and to ensure that all activities are carried out in an environmentally and economically sustainable manner.

All chickens from the proposed farm expansion are to be sent to Western Brand.

Section 4 Environmental Assessment

4.1 Description of proposed development

- Existing entrance onto public road to be upgraded
- Maintain existing hedgerow, if possible, additional landscaping/hedgerows
- Registered contractor to remove manure off site
- Proposed house: 91.8m x 21.3m x 6.5m high
- Underground water storage tank
- Existing hedgerows/landscaping
- Additional fill material (clean soil and stone) to re-contour site

4.2 Description of the production processes

- Bird, dead bird, soiled wash water management

4.3 Effects

4.3.1 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 regard to construction works, supply of construction materials, and the installation of the required housing, water, feed and ventilation systems thus helping to stabilise the population of the local area
- No inhabited third-party dwellings within c200-225m of the poultry houses
- 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.

4.3.2 Effects on biodiversity (flora and fauna)

- Applicants existing poultry farm site, proposed development will have no adverse impact outside the boundary of the site
- the site is part of applicants bovine farming enterprise
- flora and fauna around the site have developed in the context of applicant’s bovine farm
- surrounding area is agricultural grassland
- ground works and land profiling will be kept to a minimum outside the footprint of the proposed site
- 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 Kilrooskly Lough SAC 14km away)
- proposed development is located in the Erne Hydrometric Area and Catchment, the Dromore Sub-Catchment and Sub-Basin. Clean water from the site will be directly to local drains which flow towards Rockcorry Stream, which is a tributary of the Dromore River, which is a tributary of River Annalee.
- 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

4.3.3 Land and Soil

- proposed re-contouring of the site will be required and contained within the site boundary
- structures will be constructed on a greenfield area within the site boundary
- no significant potential for any effect on soil outside of the development area, and any land take required to facilitate the proposed development will be minor in terms of the applicant’s family landholding and the wider agricultural area
- 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

4.3.4 Geological and Geomorphological heritage of the area

- proposed development will be constructed on an existing landholding/proposed site
- proposed site is greenfield located adjacent to the existing poultry farm, and separated by the public road
- no significant potential for any effect outside the development area
- proposed development will be integrated into the existing site due to the land topography and the existing/proposed landscaping, the proposed development will not have any adverse impact on the landscape and/or the geomorphological heritage of the area

4.3.5 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 will be carried out on an 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/concrete apron, 5-7/8 times per annum
- volume of water needed for the proposed development once the proposed development has been completed will be supplied from the group water scheme, 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 Dromore River and/or ground
- 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

4.3.6 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 7-8 times a year
- management practices which will be implemented so as to minimise potential odour emissions from the proposed development
- SCAIL model was run for 170,000 birds (both site areas) as the EPA Licence will cover both site areas
- Ammonia emissions on Kilroosky Lough SAC: 1ug/m3 Critical Load
- Nitrogen Load on Kilroosky Lough SAC: 15kg N/ha/yr (alkaline fen) and 15-30 kgN/ha/yr (calcareous fens)

4.3.7 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
- no significant adverse effect on climate

4.3.8 Effect on Visual Aspects and Landscape

- subject site is located in an area referred to as the Ballybay/Castleblayney Lakelands (LCA 7) and Drumlin Foothills (LCT 3) in the Monaghan Landscape Character Assessment
- Areas of Secondary Amenity Value include PA2, SA8, SA9, SA10, SA11
- Views from Scenic Routes SV15-SV17
- 6no. Proposed NHA's
- 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

4.3.9 Archaeological and Cultural Heritage

- no visual evidence of any archaeological features on the subject/adjoining sites
- no recorded sites within 0.35km of the subject site as per the Archaeological Survey Database
- closest Record Protected Structure is a Ringfort/Rath located c350-480m east of the subject site

4.3.10 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 will be completed adjacent to existing poultry farm site that is currently farmed by the applicant
- 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 c225m of the site
- The development will have no impact on adjoining property values if for no other reason than there this is an agricultural development in an agricultural area and as such agricultural development is not alone expected in, but also appropriate to this area

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

- The proposed development will be accommodated adjacent to/opposite the existing poultry farm; there will be no adverse impact outside of the development area
- The development will involve the use of a limited amount of construction material (including quarry products and other construction materials), however the extent of the development is limited in nature and the amount of resources required in the construction of the house and potential adverse impact of same is negligible when sourced from authorised sources
- The operation of the farm will 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.

Section 4 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 development

- Impact on the landscape will be neutral in relation to location, landscaping, proposed external finish, existing natural and built landscape and existing/previously approved structures
- 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, the operational traffic associated with same would be:
 - a) feed delivery 8-10 loads per batch (x7 per annum)
 - b) manure transport 3-4 loads per batch (x7 per annum)
 - c) bird deliveries/collections, gas and shavings deliveries 15 loads per batch (x7 per annum)
 - d) fortnightly waste collection and collection of mortalities 1 per week
- 30 weekly movements (in addition to similar amount accessing the existing poultry farm)
- Traffic to and from the site will be minimised by optimising load sizes
- Traffic movement will not adversely impact on the local road network

Natural Resources

- No impact on land, soil and/or biodiversity outside of the site area, as same is an existing poultry farm site
- 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 increase 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 SI605 of 2017
- No significant adverse impact on the local environment

Cumulative and Transboundary Effects

- No transboundary effect due to this distance from any international boundary (c12.5km from NI border)
- 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:

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

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

Positive impacts:

- Impacts of land/soil on human health/population
- 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

Neutral impacts:

- Impacts of land/soil on water, landscape and visual and biodiversity (Flora and Fauna)
- Impacts of water on bio-diversity (Flora and Fauna)

- (iii) Impacts of air and climate/climate change on biodiversity (Flora and Fauna) and human health/population

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 management plan involving maintaining an organic fertiliser register and visual inspection of storm water outlets, and any requirements as governed by the EPA, SI605 of 2017 as amended

Section 7 Summary

The EIAR Summary states the following (summarised):

- The proposed development 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 August 2021, as prepared by CLW Environmental Planners.

The Planning Authority is 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 accepts the Applicants the content of the EIAR that significant impacts on the above factors are not anticipated.

Current Proposal

This is an application for permission for:

- 2 x poultry houses (1998sqm each, dimensions 91.8m x 21.3m x 6.3m high)
- 4 x meal bins (9.1m high)
- Bin store 17sqm
- Generator room 17sqm
- soiled water/ancillary storage tanks
- site works include:
 - new/upgraded site entrance
 - re-contouring of the site with imported soil and stone

Fill Area

- The Applicant has applied for Permission to re-contour the site with imported soil and stone

- Fill Area of 4750m³ shaded red as per Site Plan
- Fill Area (existing low-lying portion of lands) as per Site Section A-A and C-C, up to 3m fill, to facilitate House 1 with FFL 101.00
- Excavated Area as per Site Section A-A and C-C, up to 4.5m cut to facilitate House 2 with FFL 102.50
- Landscape Soil Bank 4m x 2.5m denoted on submitted plans
- Environment Waste Report requests Additional Information

Access and sightlines

The submitted plans demonstrate the following:

- 60m sightlines demonstrated in each direction onto the local tertiary road
- 60m hedge removal to the west required to facilitate sightlines
- 50m sightlines required
- Complies with Table 15.5 of Section 15.27 of MCDP 2019-2025
- 9.6m wide entrance for HGV access with 11.5m setback from road edge
- 10.5m HGV turning radius tracking shown

Policies for Agricultural Development

The Planning Application is accompanied by the following documents, as required:

- Statement of Compliance with Policy AGP 1 and AGP2 of Section 15.15 of MCDP 2019-2025, as per Section 3 of EIAR
- Supplementary Planning Application Form for Agricultural Development

The Applicants Compliance Statement is summarised as follows:

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, Specifically designed poultry house necessary to achieve the levels of performance, bio-security, internal environmental conditions required for the profitable operations of the enterprise</p> <p>b) The appearance, character and scale are appropriate to its location, Proposed 2no. poultry houses, on/adjacent to an existing poultry site, is integrated into the landscape, is in keeping with the scale, nature and finish of poultry houses in the County</p> <p>c) The proposal visually integrates into the local landscape and additional landscaping is provided where necessary, Will integrate into the site and will not be visually detrimental Ground levels will be appropriately graded to facilitate free range development</p> <p>d) The proposal will not have an adverse impact on the natural or built heritage, No impact on any such features</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. No inhabited third party house within 200-225m of subject site</p> <p>f) The proposal will not result in a pollution threat to sources of potable water, water courses, aquifers or ground water, Compliance with DAFM and SI No. 605 of 2017 Environment Water Report states no objection</p> <p>g) Proper provision for disposal of liquid and solid waste is provided. Registered Contractors</p>

	<p>All excavated stone and soil will be used on site and complemented by 4500-5000m3 imported natural soil and stone</p> <p>Environment Water Report states no objection</p> <p>h) The proposal will not result in a traffic hazard.</p> <p>60m sightlines onto local tertiary road indicated on submitted plans</p> <p>50m sightlines complies with MCDP 2019-2025</p> <p>No resultant traffic hazard</p> <p><u>Where a new building is proposed applicants must also provide the following information:</u></p> <p>i) Outline why there is no suitable existing building on the holding that cannot be used.</p> <p>No unused suitable houses elsewhere on the applicants landholding</p> <p>Allow applicant expand the poultry farming enterprise</p> <p>j) Design, scale and materials which are sympathetic to the locality and adjacent buildings.</p> <p>appropriate design and materials for poultry unit</p> <p>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.</p> <p>Existing/proposed development is designed to facilitate both free range and traditional poultry farming practices</p> <p>Pop Holes on proposed units noted</p> <p>2 x 5.2Ha. range area with unobstructed access</p> <p>Clarify that there is no road underpass proposed and that free range birds do not cross the local tertiary road- Additional Information</p> <p>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.</p> <p>Agricultural in form, design, finish and operation</p> <p>Finished in materials and colours that integrate with the landscape</p> <p>m) Where possible, the development is grouped with existing buildings in order to reduce their overall impact in the interests of amenity.</p> <p>Existing/proposed development is designed to facilitate both free range and traditional poultry farming practices</p> <p>Unobstructed range area will comply with DAFM and Bord Bia requirements</p>
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Policy for Intensive Agriculture /Poultry and Pig Farming	
AGP 2	<p>In addition to the information required under AGP 1 the following additional information will be required for assessing applications for <u>intensive poultry units</u> or similar specialised agri-developments the Council:</p> <p>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.</p> <p>EIAR/AA submitted</p> <p>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.</p> <p>Existing poultry units on the farm and in the area</p> <p>No reason to believe that the proposed development assessed individually and/or cumulatively with other existing poultry units in the area will cause a significant adverse cumulative impact</p> <p>Units must operate in accordance with SI 605 of 2017</p> <p>Sustainable farm diversification, free range in nature, replacing existing farming activities on the site</p> <p>c) Methods for waste management including frequency and location of disposal relative to the proposed unit.</p> <p>Registered Contractors</p>

	<p>d) Details of air pollution arising from the units and effluent storage, transportation and spreading. No adverse impact by gaseous emissions from the proposed development Wash water can be accommodated on the applicant's land outside of any designated area</p> <p>e) Proximity of development to aquifers and water courses and its impact on them. Operated in line with DAFM and SI 605 of 2017</p> <p>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. No inhabited third party house within 200-225m of subject site</p> <p>g) Details of associated activities such as cleaning, ventilation and heating. Addressed in the EIAR</p> <p>h) A comprehensive landscaping plan Existing hedgerows and additional landscaping proposed to screen</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. Deemed appropriate to comply with DAFM, Bord Bia and MCC Close to the applicants farm</p> <p>j) Traffic management plans and traffic assessment associated with the proposed development may be required for large proposals. Not required</p>
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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 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 is summarised as follows:

- No Natura 2000 Site within 10km of the application site
- 3 x Natura 2000 Sites within 15km of the application site- Kilroosky Lough Cluster SAC 14km, Magheraveely Marl Lough SAC UK 15km, Upper Lough Erne 15km
- Emissions Impact Assessment (summarised):
 - Construction/operation will not result in any direct emissions to the identified Natura 2000 Sites
 - SCAIL model was run for 170,000 birds based on natural ventilation
 - SCAIL data as per Appendix 1
 - SCAIL model predicted that the deposition of ammonia and nitrogen would be de-minus
 - No significant effects on the designated sites
 - Prevailing wind in Ireland blows towards the north-east which means that much of the atmospheric emissions from the facility will be blown away from the closest ecological receptors of the Natura 2000 Sites identified
- It examined the proposed development in context of a number of factors and concludes that the proposed development, whether individually or in combination with other plans, will not have a significant effect on the Natura 2000 network and a Stage 2 Appropriate Assessment is not required.

The Planning Authority notes the following:

- Greenfield subject site
- Not located within 10km of Natura 2000 sites
- 3 x Natura 2000 Sites within 15km
- SCAIL model predictions
- In excess of 100m of the nearest third party dwelling house
- EPA Guidance Note (not applicable in this instance as the subject site is in excess of 10km and therefore an NIS is not required)
- An Taisce submission stating the following (summarised):
 - The consideration of ammonia while referring to any relevant proximity of Natura 2000 sites does not address the fact that Ireland has exceeded the EU emissions Ceiling limit for ammonia since 2016
 - This has an adverse human health and biodiversity impact and it is the subject of legal infringement to the European Commission
 - The situation is worsened by the cumulative impact of the high level of ammonia emissions from industrial farming in Northern Ireland
 - The relevant Section of the EIAR submitted by CLW Environmental Planners Ltd does not provide any data on ammonia in the receiving environment of the local area of the planning application or of the cumulative impact
 - Further Information should be requested as follows:
 - a) Specific data on ammonia levels in the local receiving environment of the local area of the planning application
 - b) Impact on any woodland or peatland areas in the application site area
 - c) The cumulative impact with other existing or proposed industrial farming facilities including transboundary with Northern Ireland.

Additional Information

AI was requested as a response was submitted on 28-2-2022.

The last date for observations on the Significant Further Information was 24-3-2022. No submissions or observations were received.

The SFI was referred for comment as follows:

- An Taisce: No response
- DHLGH : Report dated 16-3-2022. No objection subject to Conditions
- Environment: report dated 23-2-2022. No objection subject to Conditions

The AI request was as follows:

1. The Applicant shall note the content of An Taisce submission on the subject application, summarised as follows:
 - The consideration of ammonia while referring to any relevant proximity of Natura 2000 sites does not address the fact that Ireland has exceeded the EU emissions Ceiling limit for ammonia since 2016
 - This has an adverse human health and biodiversity impact and it is the subject of legal infringement to the European Commission
 - The situation is worsened by the cumulative impact of the high level of ammonia emissions from industrial farming in Northern Ireland
 - The relevant Section of the EIAR submitted by CLW Environmental Planners Ltd does not provide any data on ammonia in the receiving environment of the local area of the planning application or of the cumulative impact

In this regard, that Applicant shall:

- a) Submit specific data on ammonia levels in the local receiving environment of the local area of the planning application
- b) Address concerns on potential impact on any woodland or peatland areas in the application site area

- c) Address the cumulative impact concerns with other existing or proposed industrial farming facilities including transboundary with Northern Ireland.

The Planning Authority is satisfied with the Applicants response as outlined in Planning Statement dated 26-1-2022, as prepared by CLW, that:

- (a) the application as submitted has completed the ammonia impact assessment in line with EPA Guidance
- (b) The installation will emit c0.3% of the poultry sector total of ammonia emissions, and as such the potential impact of the proposed development is negligible
- (c) In line with DAFM requirements

2. The Applicant has applied for Permission to re-contour the site with imported soil and stone.

In this regard, the Applicant shall:

- a) clarify the type of authorisation that will be obtained for the importation of infill material onto the site
- b) Submit details on the maximum quantity (tonnes) of infill material required and the EWC code of the material (It has been noted that supplementary fill in the form of soil and stone only will be imported onto the site)
- c) Submit Revised Site Plan and Site Services Plan (scale 1:500) demonstrating a minimum buffer zone of 5 metres between the area for infill and all onsite and adjacent drains/waterbodies. Infilling shall be contoured at a 45° angle from the 5m mark
- d) Submit details of appropriate mitigation measures to protect groundwater and surface water during the stripping of topsoil and infilling phase e.g. silt traps, silt fences etc.

The Planning Authority is satisfied with the Applicants response as outlined in Planning Statement dated 26-1-2022, as prepared by CLW, that

- (a) a Certificate of Registration is required for the fill importation
- (b) Max fill is 4735.7m³
- (c) 5m buffer and 45degree contour from the 5m mark
- (d) silt fence or earth bund will prevent silt run-off into the watercourse

3. The current application states a total capacity of 170,000 conventional birds post development (85,000 in 2 units + 85,000 in 2 units) **OR** 105,000 birds if operated as a free range enterprise. The submitted Site Location Map denotes the proposed paddock area in blue and a "5.2HA. range area (x2) with unobstructed access". The Planning Authority notes that the existing/proposed development is designed to facilitate both free range and traditional poultry farming practices.

In this regard, the Applicant shall:

- a) Clarify which system of operation will be operated at the subject site
If the free range option is to be carried out, the paddock areas shall be clearly identified within the red outline of the site
- b) Clarify that there is no road underpass proposed and that free range birds do not cross the local tertiary road

The applicant is advised that in the event of a grant of planning permission, a condition is likely to be attached stating that any alteration to the operation, capacity, or change to the system of operation approved shall be the subject of a separate planning application.

The Planning Authority is satisfied with the Applicants response as outlined in Planning Statement dated 26-1-2022, as prepared by CLW, that

- (a) 170,000 bird broiler farm
- (b) revised site area of 9.2Ha. to facilitate a free-range farm of 92,000 birds (if consumer market changes)
- (c) no paddock on opposite side of tertiary road, no underpass, no bird crossing the road
- (d) EPA license required

The Planning Authority notes the fluid system of operation as proposed. The Planning Authority will Condition this proposal for 85,000 broilers in the proposed development (2no. poultry units) and any change to system will be the subject of a separate planning application, as previously advised.

Appropriate Assessment post AI

An AA screening exercise was carried out for this proposed development and it was concluded that the proposal would not have the potential to impact adversely on the Natura 2000 network. The Planning Authority notes the additional information submitted on the 18-2-2022. The response to AI does not alter this previous assessment and the Planning Authority remains of the opinion that the development for which permission is sought is not of a nature or scale to have any significant effects on the integrity of the Natura 2000 network and therefore a Stage 2 Appropriate Assessment is not required.

Development Contribution

Development Contribution will be calculated in accordance with MCC General Development Contribution Scheme effective 1-1-2022.

Proposed Poultry House:	4000sqm
4no. silos:	24sqm
Bin Store:	17sqm
Generator Shed:	17sqm
Total Floor Area:	4058sqm

Conclusion

The Additional Information request relating to:

- An Taisce Submission- No response to AI submission
- Environment Waste Report- No objections subject to Conditions
- Clarify system of operation and access to paddock area

The Planning Authority is satisfied that the Applicant has adequately addressed the AI request as per AI submission on 28-1-2022.

The Planning Authority is satisfied with the proposed development for the following reasons:

- Part brownfield, part greenfield site
- proposed site is not within 10km of Natura 2000 Sites
- No objection from Environment Section (Waste Team) or (Water Team), subject to Conditions
- No objection from DHLGH, subject to Conditions

The proposed development complies with Section 15.15 of MCDP 2019-2025 and the proper planning and sustainable development of the area.

A Grant of Permission is recommended subject to Conditions.

Recommendation

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. (a) The developer shall pay to Monaghan County Council a sum of €8046.00 in accordance with the General Development Contribution Scheme 2021-2026, made by the Council under Section 48 of the Planning and Development Act 2000 (as amended), towards expenditure incurred or proposed to be incurred by the Council in the provision of community, recreation and amenity public infrastructure and facilities in the area.

(b) The sum attached to this condition shall be revised from the date of the grant of planning permission to the value pertaining at the time of payment in accordance with the Wholesale Price Index for Building and Construction (Materials and Wages).

(c) No works shall commence until payment of the development contribution is made in full, or until Monaghan County Council has agreed in writing to a schedule of phased payments of the sum.

Reason: It is considered appropriate that the developer should contribute towards the expenditure incurred or proposed to be incurred by the Council in the provision of community, recreation and amenity infrastructure and facilities in the area.

2. This Permission hereby permitted shall be for a total capacity of 85,000 bird broilers in the proposed development (2no. poultry units). 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

3. Terms and Conditions of previous permissions 17/622, 19/440, 20/153 and 20/84 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

4.

- a) Prior to any other works commencing, visibility splays of 50metres, measured to the nearside road edge in each direction, shall be provided from a point in the centre of the entrance 2.4 metres from the road edge at a height of 1.05 metre to 2.0 metres above ground level to an object height of 1.05 metres to 2.0 metres above ground level in both directions. The visibility splays shall be retained and kept clear thereafter.
- b) The entrance/access road shall be surfaced with concrete, bituminous or other suitable materials for a minimum of 5 metres from the edge of the public road. It shall be graded back so that the level at 3.0 metres from the edge of the carriageway is a minimum of 100 mm below road level. The gradient of the access road shall be not greater than [1:20 (5.0%) for the first 5 metres/1:25 (4.0%) for the first 10 metres] from the boundary and no less than 1:10 (10.0%) thereafter.
- c) A french drain, consisting of concrete/twinwall pipes no less than 225mm in diameter and backfilled to ground level with suitable granular filter material shall be placed along the entire site frontage and discharge to the nearest appropriate watercourse or drainage pipeline. Suitable gullies shall be placed at the start, end, and intersection of other drains and at not greater than 40 metres intervals. If a road opening licence is required a separate application shall be made to Monaghan County Council and no works shall commence until a licence is granted. (This condition shall only apply to rural accesses onto the public road).
- d) [Cattlegrid/ACO Drain/Gullies] shall be installed at the proposed entrance and constructed in such a manner as to prevent water flowing from the entrance onto the public road. The discharge from the above drainage shall be piped to an appropriate drainage pipeline or watercourse.

- e) Surface water from the site shall not drain onto the public road or otherwise interfere with the existing public road drainage system. The discharge of surface water from the public road onto the site through road surface drainage and road subsoil drainage shall remain unimpeded.
- f) The site development works and construction works shall be carried out in such a manner as to ensure that the adjoining public road is kept clear of debris, soil and other material and if the need arises for cleaning works to be carried out on the adjoining public roads, the said cleaning works shall be carried out at the developers expense.
- g) All site works required in respect of conditions (b), (c), (d) and (e) above shall be carried out prior to the [occupation of the development/commencement of operations] hereby approved and shall be permanently retained thereafter.
- h) Before any work is commenced on this development a security, by way of a cash deposit, to the sum of €2250, shall be paid to the planning authority by the developer to ensure that works are carried out in accordance with the approved plans and conditions (a) to (g) above. Failure to carry out these works to the satisfaction of the Planning authority will result in forfeiture of all of the cash security.

Reason: In the interest of traffic safety and to ensure a satisfactory standard of development.

5.

- a) Prior to commencement of any proposed activity on site the applicant shall complete either of the following:
 - i. Applicant shall utilise EPA Article 27 notification in moving soil infill material from one site to another. Official correspondence from the EPA granting approval shall be submitted to the Planning Authority prior to commencement of development.
 - OR**
 - ii. Apply to Environmental Services, Monaghan County Council for a waste permit in accordance with the Waste Management (Facility Permit and Registration) Regulations 2007 as amended. The permit must be issued by Monaghan County Council prior to commencement of development.
- b) Developer shall implement mitigation measures to protect surface water/groundwater during the infilling stage including the installation of a silt fence, earth bund etc
- c) The developer shall ensure that adequate measures are in place for the construction phase to ensure there is no discharge of polluting matter/sediment laden waters to any watercourse. These measures shall take account of the Guidance produced by Inland Fisheries Ireland titled "Guidelines on Protection of Fisheries during Construction Works in and Adjacent to Waters 2016". This document is available to download at <https://www.fisheriesireland.ie/documents/624-guidelines-on-protection-of-fisheries-during-construction-works-in-and-adjacent-to-waters/file.html>
- d) Buffer zones of minimum 5m shall be maintained on all drains and watercourses. Infilling shall be contoured at a 45° angle from the 5m buffer zone
- e) Infilling activities onsite shall cease during periods of heavy rainfall
- f) Dust suppression during infilling activities shall be undertaken onsite as required
- g) Prior to acceptance of fill, visual markings such as posts shall indicate area to be filled. Buffer zone exclusion shall also be highlighted to protect any watercourse
- h) Soil from sites containing any invasive species such as Japanese knotweed shall not be used as fill material on this development
- i) An emergency response kit shall be maintained on site at all times in the event of an accidental spill
- j) Plant & Machinery – Infilling stage
 - i. Plant maintenance shall not be carried out in the vicinity of the development site. Any malfunctioning equipment shall be removed and fixed offsite.
 - ii. Emergency Spill kits shall be maintained onsite at all times in the event of an accidental spill.

- iii. Refuelling of plant machinery and the addition of hydraulic oils/lubricants shall be completed offsite.
- k) Any necessary cutting or removal of hedgerows/scrub shall not take place during the bird nesting period from the 1st March to 31st August each year
- l) Applicant/developer shall take all necessary precautions to prevent any risk of flooding or pollution occurring to roadways and adjoining properties/lands during all construction works/site works associated with this development/site and on completion of all works
- m) The site shall be managed in a manner which prevents the discharge of polluting matter/sediment laden waters to any watercourse
- n) 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
- o)
 - i. All hazardous liquid waste or oil/fuel storage containers, temporary or otherwise, shall be bunded
 - ii. All bunds will be designed to contain 110 % of the capacity of the largest storage container located within the bund
 - iii. 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
- p) 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.

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

6.

- a) The development/facility hereby approved shall be operated in accordance with the European Union (Good Agricultural Practice for Protection of Waters) Regulations 2017
- b) There shall be 2 cuts of silage per annum removed from the paddock area
- c) 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
- d) 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
- e) 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
- f) All uncontaminated yard water from all concrete yard areas shall discharge to an appropriately sized silt trap followed by a soak pit
- g) All uncontaminated roof water to discharge to a soakpit or directly to surface water
- h) An inspection manhole shall be installed for sampling and inspection purposes and shall be located prior to outfall
- i) All drainage works shall be carried out in accordance with these agreed details.
- j) 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
- k) All organic fertiliser generated by the proposed development shall be disposed of in accordance with the details submitted to the Planning Authority on 19-8-2021 and in accordance with the European Union (Good Agricultural Practice for Protection of Waters) Regulations 2017
- l) 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. The proposed activity shall not become operational except under IED license

- m) 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
- n) 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
- o) All hazardous liquid waste or oil/fuel storage containers, temporary or otherwise, shall be bunded
- p) All bunds will be designed to contain 110 % of the capacity of the largest storage container located within the bund
- q) 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
- r) 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.
- s) 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
- t) 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
- u) 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.

7.

- a) The applicant shall engage the services of a suitably qualified archaeologist (licensed under the National Monuments Acts 1930–2004) to carry out pre-development testing at the site. No sub-surface work shall be undertaken in the absence of the archaeologist without his/her express consent
- b) The archaeologist shall notify the Department of Culture, Heritage and the Gaeltacht in writing at least four weeks prior to the commencement of site preparations. This will allow the archaeologist sufficient time to obtain a licence to carry out the work
- c) The archaeologist shall carry out any relevant documentary research and may excavate test trenches at locations chosen by the archaeologist, having consulted the proposed development plans
- d) Having completed the work, the archaeologist shall submit a written report to the Planning Authority and to the Department of Culture, Heritage and the Gaeltacht
- e) Where archaeological material is shown to be present, avoidance, preservation in situ, preservation by record (excavation) and/or monitoring may be required, the Department of Culture, Heritage and the Gaeltacht will advise the Applicant/Developer with regard to these matters
- f) No site preparation or construction work shall be carried out until after the archaeologist's report has been submitted and permission to proceed has been received in writing from the Planning Authority in consultation with the Department of Culture, Heritage and the Gaeltacht.

Reason: To ensure the continued preservation (either *in situ* or by record) of places, caves, sites, features or other objects of archaeological interest.

8.

- (a) The planting details and associated site works as indicated on plans as submitted to the Planning Authority on 19-8-2021, as amended by Additional Information on 18-2-2022, 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 19-8-2021, as amended by Additional Information on 18-2-2022, 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.

9. (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

10. The development shall be carried out in accordance with plans and documentation submitted on 19-8-2021, as amended by Additional Information on 18-2-2022, 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 30/3/22

Aisling King McKenna

Planner

Date 30-3-2022

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.

Adrian Hughes
Senior Planner

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MCC Development Contributions Calculations, effective 1-1-2022

Ref No. 21-471

Category	Dev Type	Rate	Floor Area / Number	Calculation	Contributions Due (€)
3(g) Comm, Rec, Amenity	Buildings/ Structures for Agri	Up to 300 m ² (3229 sq ft) Exempt Over 300 m ² €530 plus €2 per m ² over 300 m ² Extensions €2 per m ²	Proposed Poultry House: 4000sqm 4no. silos: 24sqm Bin Store: 17sqm Generator Shed: 17sqm Total Floor Area: 4058sqm	€530 + €7516 (3758sqm x €2) = €8046.00	€8046.00
Contributions Due (€)					€8046.00
Exemptions / Reductions under Part 18 of Development Contribution Scheme (if applicable)					
Category (a) – (m)	Dev Type	% Reduction	Calculations	Exemption / Reduction (€)	
				N/A	
Total Amount Due					Total Due (€)
Contributions Due – Discount					€8046.00
Checked / Date					
AP / EP		AO		SEP	
Alachlenna 30/3/2022		PP J. Alachlenna 30/03/2022			

**MONAGHAN COUNTY COUNCIL
PLANNING AND DEVELOPMENT REPORT**

File Ref: 21/471

Applicant: Sammy Wilkin

Development: permission to construct 2 no. poultry houses together with all ancillary structures (to include meal bins and soiled water/ancillary storage tanks) and site works (to include new/upgraded site entrance, and re-contouring (incl. with imported soil and stone) of the site etc.) associated with the above development on, or adjacent to an existing poultry farm. 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.

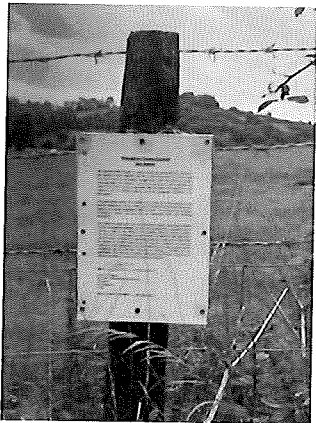
Location: Cornawall, Rockcorry, Co. Monaghan

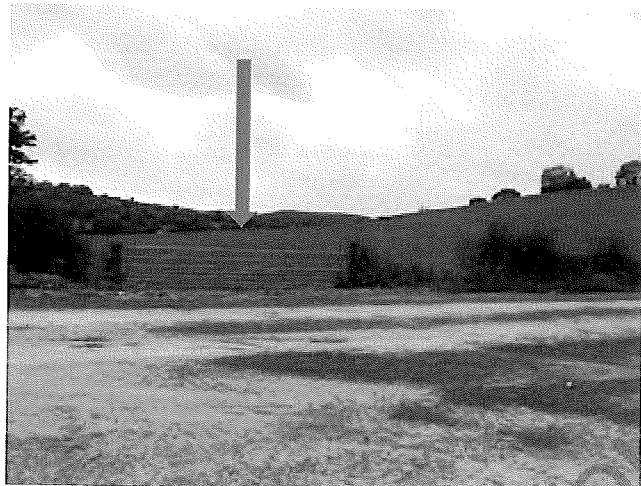
1. Date of Site Inspection

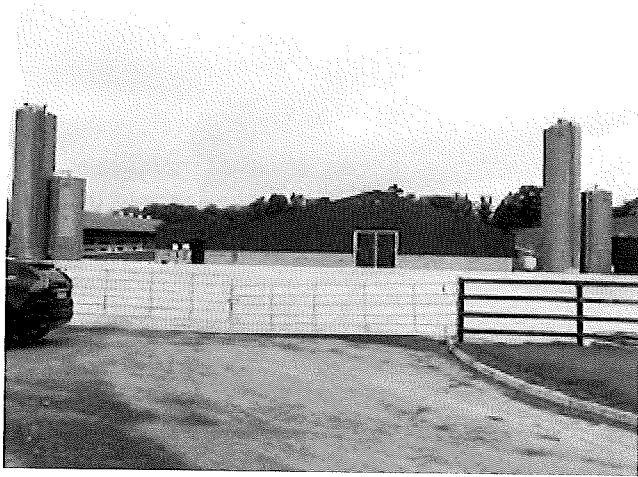
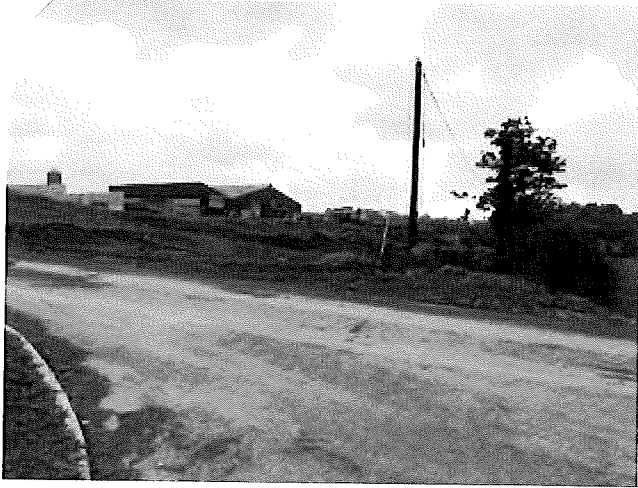
9-10-2019

2 Site Notice & Photos

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 12.457Ha.
- Four subject site boundaries clearly defined
- undulating nature of the surrounding landscape, the proposed units will be located within a valley i.e low-lying site
- Brownfield site with two poultry units and ancillary structures, granted under 17/622, 19/440, 20/153, located on opposite side of Local Tertiary Road, all within applicant's ownership
- Agricultural buildings located on adjacent site to the east (22m separation distance from subject site boundary), also within applicants ownership, granted under 20/84
- In excess of 100m from nearest dwelling house (155m)
- Not within 15km of Natura 2000 sites
- No OPW flooding concerns



Site boundary of 17/622, 19/440, 20/153



Subject site boundary of 21/471

6. Proposed Development

This is an application for permission for:

- 2 x poultry houses together with meal bins and soiled water/ancillary storage tanks
- site works include:
 - new/upgraded site entrance
 - re-contouring of the site with imported soil and stone

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.) is submitted with this planning application.

7. Site Planning History

As per Application Form

Previous Valid Planning Applications: 17/622, 19/440, 20/153
Subject of Appeal: No
Site Flooded: No
Previous Uses: No
Statutory Notices: No

Planning Authority's iPlan Record

17/622: Permission to construct (1) free range poultry unit (2) underground washings storage tank (3) upgrade existing agricultural entrance (4) complete all ancillary site works and associated site structures. Significant Further Information has been received in relation to revised site boundaries and provision of improved access and traffic movement measures along and from the existing adjacent local tertiary road LT23313. Granted.

19/440: permission for a development consisting of construction of (1) free range poultry unit and associated works (2) infill of existing low-lying portion of lands to allow construction of poultry unit and surrounding area (3) complete all ancillary site works and associated site structures together with the retention of (a) amendments and alterations to poultry unit during construction (b) detached storage shed (c) amended site layout from that previously granted under reference number 17/622. Significant further information relates to the submission of nutrient management plan and amended site layout plan. Granted.

20/153: permission for a development consisting of (1) installation of hygiene and sanitary facilities in existing detached storage building, (2) installation of proprietary wastewater treatment unit and percolation area, (3) alteration to the capacity of development(s) approved under planning Ref; 19/440 and 17/622 to permit an intensification of use (increase in bird numbers), (4) completion of all ancillary site works and associated site structures. 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. Granted.

Applicants Agricultural Buildings on adjacent site to the east

20/84: Permission and retention permission to consist of (1) construction of agricultural slatted shed incorporating slatted areas, feed passage and underground slurry storage tanks, (2) construction of loose bedded shed incorporating bedded areas and isolation pens, (3) infill of existing low-lying portion of lands to allow construction of loose bedded and slatted shed with surrounding yard areas, (4) demolition of existing cubicle shed, (5) construction of extension to existing agricultural slatted shed to incorporate new walled silage slab and existing wall silage slab, (6) completion of all ancillary site works and associated site structures together with the retention of extension to existing agricultural slatted shed incorporating cattle handling areas from that previously granted under reference number 07/1365. Significant further information relates to the closing up of an existing entrance to the public road to the north west of the site together with the now proposed utilisation of an existing entrance and access laneway to the north east of the site and the retention of amendments and alternations to same entrance. Granted.

8. Observations

The last date for observations was 22-9-2021. No submission was received.

9. Referrals Reports

MCC Internal

Environment Waste: Report dated 5-10-2021. Additional Information
Environment Water: Report dated 5-10-2021. No objection subject to conditions
Heritage Officer: No response
Water/IW: Report dated 29-9-2021. No objection. No Conditions
No other Referrals for internal reports on Planning Application Control Form

Consultees

DoECLG: no response
AN Taisce: Report dated 22-9-2021. Additional Information

10. Development Plan Policy/Ministerial Guidelines

Monaghan County Development Plan 2019-2025

- Section 15.15 Agricultural Development- Policies AGP1 and AGP2
- 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

EPA Guidance

- EPA Research Report No347 (2020) Assessment of the Impact Ammonia Emissions from Intensive Agriculture Installations on SACs and SPAs
- EPA Guidance Note on Licence Application dated 18/6/2021 and Guidance Document on how applicants should assess the predicted impact on air emissions on Natura sites

The Planning Authority notes the following from the aforementioned documents:

- EPA key finding was that Sliabh Beagh SPA and Kilroosky Lough SAC exceed their respective critical level for ammonia and critical load for nutrient nitrogen over part or all of the designated sites as a result of the cumulative impact on ammonia emissions
- Any increase in emissions, impacting on Natura 2000 Sites, cannot at this time be authorized within 10km

11. Planning Assessment

Application Information

Landowner Farm Area:	76.27 Ha.
Site Area:	12.457Ha.
Existing Floor Area:	4500sqm
Proposed Floor Area:	4000sqm

Assessment

Applicants Submission:

- EIAR dated August 2021, as prepared by CLW
- Statement of Compliance with Policy AGP 1 and AGP2 of Section 15.15 of MCDP 2019-2025, as per Section 3 of EIAR
- Appropriate Assessment Screening Report, dated April 2021, prepared by Noreen McLoughlin (Appendix 19 of EIAR)
- Supplementary Planning Application Form for Agricultural Development
- Letter dated 19-8-2021 from Drumgole GWS

The Supplementary Planning Application Form for Agricultural Development is summarised as follows:

- farm Area: 76.27Ha.
- >100m from nearest third-party dwelling house (c138m)
- 4000sqm footprint
- 170,000 broilers post development (an additional 85,000 proposed)
- underground soiled water storage tank capacity: 72.86m³
- within 100m of an existing poultry production

EIS/Poultry Thresholds

- Most recent application 20/153: Total capacity of 85,000 bird places to standard production (not free range) in 2no. existing poultry units
(20/153 EIAR states that the applicant will still be in a position to revert to the previously approved free range production if the market demands require it)
- Current Application: total capacity of 170,000 conventional birds post development (85,000 in 2 units + 85,000 in 2 units) **OR** 105,000 birds if operated as a free range enterprise

- 170,000 birds exceeds the threshold required for the preparation of EIAR (in excess of 40,000 places)
- In accordance with Schedule 5, Part 1, 17 and Schedule 5 Part 2, 1(e)(i) of the Planning and Development Regulations, the proposed development requires an EIS

EIAR Summary

The Planning Authority will consider the requirements of Directive 2014/52/EU (application was received after the 15th May 2017) and the content of the submitted Environmental Impact Assessment Report (EIAR), dated August 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.

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 August 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, methods of reducing/eliminating undesirable impacts

Section 3 Description of Reasonable Alternatives

Alternative Site

- Current site deemed most suitable due to the status of the site, distance from neighbours, site access available lands to facilitate a free range enterprise and integration of the proposed development with the existing structures on the farm
- Sets out a compliance statement with Policy AGP 1 and AGP 2 of MCDP 2019-2025
- the proposed site:
 - i. Is the most suitable site in terms of minimising the level of excavation/groundwork's required and is adjacent to the existing poultry house
 - ii. Is not an elevated site in terms of the wider landscape and will not be visually detrimental
 - iii. Proposed development will be integrated and maintain existing bio-security measures on the farm
 - iv. Is in excess of c300m from any third party dwellings
 - v. The site 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 E.I.A.R states that no other alternative sites, layouts and/or designs were deemed satisfactory and/or appropriate as the proposed development:
 1. Complies with the requirements of SI 605 of 2017
 2. Satisfies the applicants need for efficiencies of scale while not requiring significant additional lands
 3. Is in line with BAT requirements
 4. Will be well integrated into the landscape with the use of similar construction techniques, natural/dark coloured finishes as proposed and additional landscaping where required
 5. Is not located in an area with any significant environmental and/or other constraints
 6. Complies with the County Development Plan

Alternative Size

The proposed development has been designed and scaled to take into account the:

- Physical restraints/parameters of the site
- Capacity of structures in line with Bord Bia and DAFm requirements
- Economies of scale
- Requirements of Western Brand

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

Alternative Processes Considered

As this an existing poultry farm site, the applicant looked at a number of alternative processes including but not limited to:

- Layer Housing
- Free Range Layer
- Free Range Broiler Houses

The EIAR states that the proposed development offers the best fit between the proposed and existing enterprise on the farm, both from a labour, capital investment and efficiency viewpoint and to ensure that all activities are carried out in an environmentally and economically sustainable manner.

All chickens from the proposed farm expansion are to be sent to Western Brand.

Section 4 Environmental Assessment

4.1 Description of proposed development

- Existing entrance onto public road to be upgraded
- Maintain existing hedgerow, if possible, additional landscaping/hedgerows
- Registered contractor to remove manure off site
- Proposed house: 91.8m x 21.3m x 6.5m high
- Underground water storage tank
- Existing hedgerows/landscaping
- Additional fill material (clean soil and stone) to re-contour site

4.2 Description of the production processes

- Bird, dead bird, soiled wash water management

4.3 Effects

4.3.1 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 regard to construction works, supply of construction materials, and the installation of the required housing, water, feed and ventilation systems thus helping to stabilise the population of the local area
- No inhabited third-party dwellings within c200-225m of the poultry houses
- 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.

4.3.2 Effects on biodiversity (flora and fauna)

- Applicants existing poultry farm site, proposed development will have no adverse impact outside the boundary of the site
- the site is part of applicants bovine farming enterprise
- flora and fauna around the site have developed in the context of applicant’s bovine farm
- surrounding area is agricultural grassland
- ground works and land profiling will be kept to a minimum outside the footprint of the proposed site
- 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 Kilrooskly Lough SAC 14km away)
- proposed development is located in the Erne Hydrometric Area and Catchment, the Dromore Sub-Catchment and Sub-Basin. Clean water from the site will be directly to local drains which flow towards Rockcorry Stream, which is a tributary of the Dromore River, which is a tributary of River Annalee
- 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

4.3.3 Land and Soil

- proposed re-contouring of the site will be required and contained within the site boundary
- structures will be constructed on a greenfield area within the site boundary
- no significant potential for any effect on soil outside of the development area, and any land take required to facilitate the proposed development will be minor in terms of the applicant’s family landholding and the wider agricultural area

- 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

4.3.4 Geological and Geomorphological heritage of the area

- proposed development will be constructed on an existing landholding/proposed site
- proposed site is greenfield located adjacent to the existing poultry farm, and separated by the public road
- no significant potential for any effect outside the development area
- proposed development will be integrated into the existing site due to the land topography and the existing/proposed landscaping, the proposed development will not have any adverse impact on the landscape and/or the geomorphological heritage of the area

4.3.5 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 will be carried out on an 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/concrete apron, 5-7/8 times per annum
- volume of water needed for the proposed development once the proposed development has been completed will be supplied from the group water scheme, 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 Dromore River and/or ground
- 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

4.3.6 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 7-8 times a year
- management practices which will be implemented so as to minimise potential odour emissions from the proposed development
- SCAL model was run for 170,000 birds (both site areas) as the EPA Licence will cover both site areas
 - Ammonia emissions on Killoosky Lough SAC: 1ug/m³ Critical Load
 - Nitrogen Load on Killoosky Lough SAC: 15kg N/ha/yr (alkaline fen) and 15-30 kgN/ha/yr (calcareous fens)

4.3.7 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
- no significant adverse effect on climate

4.3.8 Effect on Visual Aspects and Landscape

- subject site is located in an area referred to as the Ballybay/Castleblayney Lakelands (LCA 7) and Drumlin Foothills (LCT 3) in the Monaghan Landscape Character Assessment

- Areas of Secondary Amenity Value include PA2, SA8, SA9, SA10, SA11
- Views from Scenic Routes SV15-SV17
- 6no. Proposed NHA's
- 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

4.3.9 Archaeological and Cultural Heritage

- no visual evidence of any archaeological features on the subject/adjoining sites
- no recorded sites within 0.35km of the subject site as per the Archaeological Survey Database
- closest Record Protected Structure is a Ringfort/Rath located c350-480m east of the subject site

4.3.10 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 will be completed adjacent to existing poultry farm site that is currently farmed by the applicant
- 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 c225m of the site
- The development will have no impact on adjoining property values if for no other reason than there this is an agricultural development in an agricultural area and as such agricultural development is not alone expected in, but also appropriate to this area

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

- The proposed development will be accommodated adjacent to/opposite the existing poultry farm; there will be no adverse impact outside of the development area
- The development will involve the use of a limited amount of construction material (including quarry products and other construction materials), however the extent of the development is limited in nature and the amount of resources required in the construction of the house and potential adverse impact of same is negligible when sourced from authorised sources
- The operation of the farm will 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.

Section 4 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 development

- Impact on the landscape will be neutral in relation to location, landscaping, proposed external finish, existing natural and built landscape and existing/previously approved structures
- 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, the operational traffic associated with same would be:
 - a) feed delivery 8-10 loads per batch (x7 per annum)
 - b) manure transport 3-4 loads per batch (x7 per annum)
 - c) bird deliveries/collections, gas and shavings deliveries 15 loads per batch (x7 per annum)
 - d) fortnightly waste collection and collection of mortalities 1 per week
- 30 weekly movements (in addition to similar amount accessing the existing poultry farm)
- Traffic to and from the site will be minimised by optimising load sizes
- Traffic movement will not adversely impact on the local road network

Natural Resources

- No impact on land, soil and/or biodiversity outside of the site area, as same is an existing poultry farm site
- 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 increase 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 SI605 of 2017
- No significant adverse impact on the local environment

Cumulative and Transboundary Effects

- No transboundary effect due to this distance from any international boundary (c12.5km from NI border)
- 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:

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

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

Positive impacts:

- Impacts of land/soil on human health/population
- 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

Neutral impacts:

- Impacts of land/soil on water, landscape and visual and biodiversity (Flora and Fauna)
- Impacts of water on bio-diversity (Flora and Fauna)
- Impacts of air and climate/climate change on biodiversity (Flora and Fauna) and human health/population

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

- 11 no. 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 management plan involving maintaining an organic fertiliser register and visual inspection of storm water outlets, and any requirements as governed by the EPA, SI605 of 2017 as amended

Section 7 Summary

The EIAR Summary states the following (summarised):

- The proposed development 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 August 2021, as prepared by CLW Environmental Planners.

The Planning Authority is 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 accepts the Applicants the content of the EIAR that significant impacts on the above factors are not anticipated.

Current Proposal

This is an application for permission for:

- 2 x poultry houses (1998sqm each, dimensions 91.8m x 21.3m x 6.3m high)
- 4 x meal bins (9.1m high)
- Bin store 17sqm
- Generator room 17sqm
- soiled water/ancillary storage tanks
- site works include:
 - new/upgraded site entrance
 - re-contouring of the site with imported soil and stone

Fill Area

- The Applicant has applied for Permission to re-contour the site with imported soil and stone
- Fill Area of 4750m³ shaded red as per Site Plan
- Fill Area (existing low-lying portion of lands) as per Site Section A-A and C-C, up to 3m fill, to facilitate House 1 with FFL 101.00
- Excavated Area as per Site Section A-A and C-C, up to 4.5m cut to facilitate House 2 with FFL 102.50
- Landscape Soil Bank 4m x 2.5m denoted on submitted plans
- Environment Waste Report requests Additional Information

Access and sightlines

The submitted plans demonstrate the following:

- 60m sightlines demonstrated in each direction onto the local tertiary road
- 60m hedge removal to the west required to facilitate sightlines
- 50m sightlines required
- Complies with Table 15.5 of Section 15.27 of MCDP 2019-2025

- 9.6m wide entrance for HGV access with 11.5m setback from road edge
- 10.5m HGV turning radius tracking shown

Policies for Agricultural Development

The Planning Application is accompanied by the following documents, as required:

- Statement of Compliance with Policy AGP 1 and AGP2 of Section 15.15 of MCDP 2019-2025, as per Section 3 of EIAR
- Supplementary Planning Application Form for Agricultural Development

The Applicants Compliance Statement is summarised as follows:

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> <ul style="list-style-type: none"> a) It is necessary for the efficient use of the agricultural holding or enterprise, Specifically designed poultry house necessary to achieve the levels of performance, bio-security, internal environmental conditions required for the profitable operations of the enterprise b) The appearance, character and scale are appropriate to its location, Proposed 2no. poultry houses, on/adjacent to an existing poultry site, is integrated into the landscape, is in keeping with the scale, nature and finish of poultry houses in the County c) The proposal visually integrates into the local landscape and additional landscaping is provided where necessary, Will integrate into the site and will not be visually detrimental Ground levels will be appropriately graded to facilitate free range development d) The proposal will not have an adverse impact on the natural or built heritage, No impact on any such features 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, No inhabited third party house within 200-225m of subject site f) The proposal will not result in a pollution threat to sources of potable water, water courses, aquifers or ground water, Compliance with DAFM and S.No. 605 of 2017 Environment Water Report states no objection g) Proper provision for disposal of liquid and solid waste is provided. Registered Contractors All excavated stone and soil will be used on site and complemented by 4500-5000m³ imported natural soil and stone Environment Water Report states no objection h) The proposal will not result in a traffic hazard. 60m sightlines onto local tertiary road indicated on submitted plans 50m sightlines complies with MCDP 2019-2025 No resultant traffic hazard <p><u>Where a new building is proposed applicants must also provide the following information:</u></p> <ul style="list-style-type: none"> i) Outline why there is no suitable existing building on the holding that cannot be used. No unused suitable houses elsewhere on the applicants landholding Allow applicant expand the poultry farming enterprise j) Design, scale and materials which are sympathetic to the locality and adjacent buildings.

	<p>appropriate design and materials for poultry unit</p> <p>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. Existing/proposed development is designed to facilitate both free range and traditional poultry farming practices Pop Holes on proposed units noted 2 x 5.2Ha. range area with unobstructed access Clarify that there is no road underpass proposed and that free range birds do not cross the local tertiary road- Additional Information</p> <p>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. Agricultural in form, design, finish and operation Finished in materials and colours that integrate with the landscape</p> <p>m) Where possible, the development is grouped with existing buildings in order to reduce their overall impact in the interests of amenity. Existing/proposed development is designed to facilitate both free range and traditional poultry farming practices Unobstructed range area will comply with DAFM and Bord Bia requirements</p>
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Policy for Intensive Agriculture /Poultry and Pig Farming	
AGP 2	<p>In addition to the information required under AGP 1 the following additional information will be required for assessing applications for <u>intensive poultry units</u> or similar specialised agri-developments the Council:</p> <p>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. EIAR/AA submitted</p> <p>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. Existing poultry units on the farm and in the area No reason to believe that the proposed development assessed individually and/or cumulatively with other existing poultry units in the area will cause a significant adverse cumulative impact Units must operate in accordance with SI 605 of 2017 Sustainable farm diversification, free range in nature, replacing existing farming activities on the site</p> <p>c) Methods for waste management including frequency and location of disposal relative to the proposed unit. Registered Contractors</p> <p>d) Details of air pollution arising from the units and effluent storage, transportation and spreading. No adverse impact by gaseous emissions from the proposed development Wash water can be accommodated on the applicant's land outside of any designated area</p> <p>e) Proximity of development to aquifers and water courses and its impact on them. Operated in line with DAFM and SI 605 of 2017</p> <p>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.</p>

	<p>No inhabited third party house within 200-225m of subject site</p> <p>g) Details of associated activities such as cleaning, ventilation and heating. Addressed in the EIAR</p> <p>h) A comprehensive landscaping plan Existing hedgerows and additional landscaping proposed to screen</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. Deemed appropriate to comply with DAFM, Bord Bia and MCC Close to the applicants farm</p> <p>j) Traffic management plans and traffic assessment associated with the proposed development may be required for large proposals. Not required</p>
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Development Contribution

A Community, Recreation and Amenity Facilities Development Contribution is calculated as per the separately attached sheet.

Proposed Poultry House:	4000sqm
4no. silos:	24sqm
Bin Store:	17sqm
Generator Shed:	17sqm
Total Floor Area:	4058sqm

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 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 is summarised as follows:

- No Natura 2000 Site within 10km of the application site
- 3 x Natura 2000 Sites within 15km of the application site- Kilroosky Lough Cluster SAC 14km, Magheraveely Marl Lough SAC UK 15km, Upper Lough Erne 15km
- Emissions Impact Assessment (summarised):
 - Construction/operation will not result in any direct emissions to the identified Natura 2000 Sites
 - SCAIL model was run for 170,000 birds based on natural ventilation
 - SCAIL data as per Appendix 1
 - SCAIL model predicted that the deposition of ammonia and nitrogen would be de-minus
 - No significant effects on the designated sites
 - Prevailing wind in Ireland blows towards the north-east which means that much of the atmospheric emissions from the facility will be blown away from the closest ecological receptors of the Natura 2000 Sites identified
- It examined the proposed development in context of a number of factors and concludes that the proposed development, whether individually or in combination with other plans, will not have a significant effect on the Natura 2000 network and a Stage 2 Appropriate Assessment is not required.

The Planning Authority notes the following:

- Greenfield subject site
- Not located within 10km of Natura 2000 sites
- 3 x Natura 2000 Sites within 15km
- SCAIL model predictions
- In excess of 100m of the nearest third party dwelling house
- EPA Guidance Note (not applicable in this instance as the subject site is in excess of 10km and therefore an NIS is not required)
- An Taisce submission stating the following (summarised):
 - The consideration of ammonia while referring to any relevant proximity of Natura 2000 sites does not address the fact that Ireland has exceeded the EU emissions Ceiling limit for ammonia since 2016
 - This has an adverse human health and biodiversity impact and it is the subject of legal infringement to the European Commission
 - The situation is worsened by the cumulative impact of the high level of ammonia emissions from industrial farming in Northern Ireland
 - The relevant Section of the EIAR submitted by CLW Environmental Planners Ltd does not provide any data on ammonia in the receiving environment of the local area of the planning application or of the cumulative impact
 - Further Information should be requested as follows:
 - a) Specific data on ammonia levels in the local receiving environment of the local area of the planning application
 - b) Impact on any woodland or peatland areas in the application site area
 - c) The cumulative impact with other existing or proposed industrial farming facilities including transboundary with Northern Ireland.

Conclusion

Additional Information relating to:

- An Taisce Submission
- Environment Waste Report
- Clarify system of operation and access to paddock area

Recommendation

It is recommended that ADDITIONAL INFORMATION is requested as follows:

1. The Applicant shall note the content of An Taisce submission on the subject application, summarised as follows:
 - The consideration of ammonia while referring to any relevant proximity of Natura 2000 sites does not address the fact that Ireland has exceeded the EU emissions Ceiling limit for ammonia since 2016
 - This has an adverse human health and biodiversity impact and it is the subject of legal infringement to the European Commission
 - The situation is worsened by the cumulative impact of the high level of ammonia emissions from industrial farming in Northern Ireland
 - The relevant Section of the EIAR submitted by CLW Environmental Planners Ltd does not provide any data on ammonia in the receiving environment of the local area of the planning application or of the cumulative impact

In this regard, that Applicant shall:

- a) Submit specific data on ammonia levels in the local receiving environment of the local area of the planning application
- b) Address concerns on potential impact on any woodland or peatland areas in the application site area
- c) Address the cumulative impact concerns with other existing or proposed industrial farming facilities including transboundary with Northern Ireland.

2. The Applicant has applied for Permission to re-contour the site with imported soil and stone.

In this regard, the Applicant shall:

- a) clarify the type of authorisation that will be obtained for the importation of infill material onto the site
- b) Submit details on the maximum quantity (tonnes) of infill material required and the EWC code of the material (It has been noted that supplementary fill in the form of soil and stone only will be imported onto the site)
- c) Submit Revised Site Plan and Site Services Plan (scale 1:500) demonstrating a minimum buffer zone of 5 metres between the area for infill and all onsite and adjacent drains/waterbodies. Infilling shall be contoured at a 45° angle from the 5m mark
- d) Submit details of appropriate mitigation measures to protect groundwater and surface water during the stripping of topsoil and infilling phase e.g. silt traps, silt fences etc.

3. The current application states a total capacity of 170,000 conventional birds post development (85,000 in 2 units + 85,000 in 2 units) **OR** 105,000 birds if operated as a free range enterprise. The submitted Site Location Map denotes the proposed paddock area in blue and a "5.2HA. range area (x2) with unobstructed access". The Planning Authority notes that the existing/proposed development is designed to facilitate both free range and traditional poultry farming practices.


In this regard, the Applicant shall:

- a) Clarify which system of operation will be operated at the subject site
If the free range option is to be carried out, the paddock areas shall be clearly identified within the red outline of the site
- b) Clarify that there is no road underpass proposed and that free range birds do not cross the local tertiary road

The applicant is advised that in the event of a grant of planning permission, a condition is likely to be attached stating that any alteration to the operation, capacity, or change to the system of operation approved shall be the subject of a separate planning application.

The above would constitute Significant Further Information. In accordance with Article 35 of the Planning and Development Regulations 2001 (as amended), the Applicant shall:

- (i) Revise the Site Notice indicating 'Significant Further Information/Revised Plans, as appropriate'
 - (ii) Erect revised Site Notice on site
 - (iii) Revise the Press Notice indicating 'Significant Further Information/Revised Plans, as appropriate'
- Submit a Copy of the Revised Site Notice and Revised Press Notice to the Planning Authority.


Aisling King McKenna
Planner
Date 8-10-2021

PLANNING APPLICATION DECISION FORM

Planning Application
Reference No. 21471

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:

WMO [Signature]
Senior Planner

Date: 14.04.2022

DECISION OF MONAGHAN COUNTY COUNCIL:

Approved with conditions
recommended in

Refused

Planning Officer's Report

Other

WMO [Signature]
Senior Planner

14.04.2022
Date