



# Comhairle Contae Mhuineacháin Monaghan County Council

23/05/2022

Acmhainní Daonna  
Human Resources  
047 30586

Airgeadas  
Finance  
047 30589

Na Bóithre  
Roads  
047 30597

Clár na dToghthóirí  
Register of Electors  
047 30551

Comhshaol  
Environment  
042 9661240

Na hEalaíona  
Arts  
047 38162

Íasachtaí /Deontais Tithíochta  
Housing Loans/Grants  
047 30527

Leabharlann an Chontae  
County Library  
047 74700

Mótarcháin  
Motor Tax  
047 81175

Músaem an Chontae  
County Museum  
047 82928

Pleanáil  
Planning  
047 30532

Pobal  
Community  
047 73719

Rialú Dóiteáin/Foirgnimh  
Fire/Building Control  
047 30521

Oifig Fiontair Áitiúil  
Local Enterprise Office  
047 71818

Seirbhísí Uisce  
Water Services  
047 30504/30571

To: Sammy Wilkin  
C.L.W Environment Planners Ltd  
The Mews  
23 Farnham St  
Cavan

File Number - 21/471

Planning and Development Act 2000 (as amended)  
**NOTIFICATION OF FINAL GRANT**

Monaghan County Council has by order dated 14/04/2022 granted the above named, for the development of land namely for:- 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. , at Cornawall, Rockcorry, Co. Monaghan, subject to the 10 condition(s) set out in the Schedule attached.

Signed on behalf of MONAGHAN COUNTY COUNCIL.

  
ADMINISTRATIVE OFFICER

23/5/22  
DATE

I refer you to the Health and Safety Authority website [www.hsa.ie](http://www.hsa.ie) for new responsibilities for homeowners under Safety, Health and Welfare at Work (Construction) Regulations 2013.

Fáilteonn an tUdarás Áitiúil roimh chomhfhreagras i nGaeilge.

Comhairle Contae Mhuineacháin, Oifig an Chontae, An Gleann, Muineachán, Éire.  
Monaghan County Council, Council Offices, The Glen, Monaghan, Ireland.

☎ 00353 47 30500 📠 00353 47 82739 🌐 [www.monaghan.ie](http://www.monaghan.ie)

✉ [eolas@monaghancoco.ie](mailto:eolas@monaghancoco.ie) [info@monaghancoco.ie](mailto:info@monaghancoco.ie)

21/471

**Sammy Wilkin, Cornawall, Rockcorry, Co Monaghan**

- 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

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 45o 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 banded
- 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 matter 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/hauler 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.**



## BUILDING CONTROL ADVICE NOTE

Before Any Building Works Commence - Things you should check!

1. Building Control Legal Requirements - Commencement Notice & Fire Safety Certificates (FSC);

In accordance with the Building Regulations you are obliged to submit a Commencement Notice prior to commencement of a development and it must be submitted not less than 14 days and not more than 28 days before you wish to commence. The Commencement Notice must be submitted to the Local Authority via the online national portal BCMS. Applicants are advised to register on this website in advance of submitting a commencement notice via the attached link: [www.localgov.ie/en/bcms](http://www.localgov.ie/en/bcms)

As the type of Commencement Notice required will vary depending on your proposed development, you are advised to seek advice from your agent or architect on what type of commencement notice is relevant to your proposed works. Alternatively please feel free to contact Monaghan Fire & Building Control Authority for advice at 047-30521 or email: [bcms@monaghancoco.ie](mailto:bcms@monaghancoco.ie)

Please be advised that works can not begin until the applicant has received a valid commencement notice from the Building Control Authority, and that it is an offence under the Building Control Act 1990 to proceed with the works without a valid commencement notice and/or a valid FSC (if required for works/development).

2. Pre-Development Conditions;

If there are any Pre-Development conditions on the schedule of conditions attached to your permission you should give your immediate attention to them prior to the commencement of your development.

N.B. All conditions must be complied with in full as failure to do so will render your permission invalid and may result in the initiation of enforcement proceedings for compliance with same.

3. Construction Products Regulations (SI No 225 of 2013);

You need to ensure that you, your builder, your designer/assigned certifier and your suppliers are familiar with the requirements of the Construction Products Regulations.

For more information, please see link provided below.

<https://monaghan.ie/firebuildingcontrol/building-control-construction-products-regulation/>

4. Responsibilities under the Safety, Health and Welfare at Work (Construction) Regulations 2013;

The regulations are to ensure that there is a safe working environment for all involved in the construction works, including dwellings.

For more information;

[http://www.hsa.ie/eng/Publications\\_and\\_Forms/Publications/Construction/Guide\\_for\\_Homeowners.html](http://www.hsa.ie/eng/Publications_and_Forms/Publications/Construction/Guide_for_Homeowners.html)