



Electronic Copy

Mr. Michael Sweeney

On behalf of Harvest Lodge Pigs Limited

11 July 2022

Reg. No.: P0412-02

Regulation 10(2)(b)(ii) of the EPA (Industrial Emissions) (Licensing) Regulations 2013 (as amended), in respect of a licence review from Harvest Lodge Pigs Limited for an installation located at Gortnamuc, Kilcormac, County Offaly, R42V079.

Dear Mr. Sweeney,

I refer to the application for a licence review received by the EPA on 18 September 2020, the Agency's EIA Screening Determination dated 02 December 2020 to the effect that full EIA is required for the activity, and the information provided by Harvest Lodge Pigs Limited to the Agency, received 30 August 2021 and 10 December 2021, in respect of the Agency's Request for Further Information dated 03 June 2021.

Having examined the documentation submitted, I am to advise that the Agency is of the view that the documentation does not comply with the requirements of Regulation 9 of the EPA (Industrial Emissions) (Licensing) Regulations 2013 (as amended).

Where an application is made to the Agency in respect of an activity that involves development or proposed development for which planning permission is required the applicant shall furnish to the Agency either confirmation of the application for planning permission (and a copy of the EIAR or confirmation that no EIAR is required) or a copy of the grant of planning permission (and again a copy of the EIAR or confirmation that no EIAR is required), in accordance with the provisions of S.87(1B) of the EPA Act 1992 (as amended).

You are therefore requested, in accordance with Regulation 10(2)(b)(ii) of the EPA (Industrial Emissions) (Licensing) Regulations 2013 (as amended), to supply the information detailed below.

1. The Agency is satisfied that planning permissions exist for existing farm structures as follows:

Structure	Planning Reference
1, 2	80/605
9, 10, 11	07/474

However, a number of planning matters remain outstanding in relation to this application. The licensee is therefore required to submit the outstanding information detailed below:

- a) Supply a copy of planning permission ref. 07/466 from Offaly County Council to satisfy the requirement for structure 23.
- b) The licensee has not supplied satisfactory evidence of an application for or grant of planning permission in respect of the remaining 21 structures (3, 4, 5, 6, 7, 8, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 24, 25, 26 and 27). Supply evidence of an application for or grant of planning permission for these 21 structures. In this regard, the Agency will consider a declaration by the planning authority or An Bord Pleanála under section 5 of the Planning and Development Act 2000 (as amended) that all or any of these 21 structures were considered exempted development at the time that they were constructed.
- c) Provide evidence as to whether or not the increase in pig numbers from 1,400 pigs in a breeding unit to 6,400 pigs in an integrated unit is considered a material change of use by Offaly County Council. This evidence can be provided as a declaration by the planning authority or An Bord Pleanála under section 5 of the Planning and Development Act 2000 (as amended).

In addition to the above, please also provide an updated non-technical summary (Application Form, and EIS where applicable) to reflect the information provided in your reply, insofar as that information impinges on the non-technical summary.

We draw your attention to the provisions of section 87(1C) of the EPA Act 1992 (as amended) may apply to the licensee's application, as follows:

(1C) Where an application for a licence is made to the Agency in respect of an activity that involves development or proposed development for which a grant of permission is required but the applicant does not comply with subsection (1B), the Agency shall refuse to consider the application and shall inform the applicant accordingly.

The requested information should be submitted to the Agency within *eight weeks* of the date of this notice, in order to allow the Agency to examine whether your application complies with the requirements of Regulation 9 of the EPA (Industrial Emissions) (Licensing) Regulations 2013 (as amended).

It should be noted that the eight-week period within which the Agency is to decide the proposed determination will commence on the day on which this notice has been complied with. If you have any further queries please contact licensing@epa.ie.

In the case where any drawings already submitted are subject to revision consequent on this request, a revised drawing should be prepared in each case. It is not sufficient to annotate the original drawing with a textual correction. Where such revised drawings are submitted, provide a list of drawing titles, drawing numbers and revision status, which correlates the revised drawings with the superseded versions.

Your response to this request is to be submitted via EDEN. Guidance on how to use this portal is available on the EPA website at [IE Licence application guidance | Environmental Protection Agency \(epa.ie\)](#).

Please direct any queries to licensing@epa.ie.

Yours faithfully,

Máire Buckley
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