

**CORK COUNTY COUNCIL**

**Local Government (Planning & Development) Act 2000 - 2002**

**To: MARTIN O'DONOVAN**  
C/o Michael Sweeney,  
M.S. Farm Services,  
Mooresfort, Lattin,  
Co. Tipperary

**Planning**  
**Register No: 03/4251**

**Application by: MARTIN O'DONOVAN**

**Of: C/o Michael Sweeney, M.S. Farm Services,**  
Mooresfort, Lattin Co. Tipperary

**On: 25/08/2003**

**For: Feedmill with 6 feedbins, shed, 3 o/ground storage tanks, engineered storage basin & assoc.**  
works incorporating a digester to process pig manure

**At: COOLIGBOY,**

Further to Notice dated the 05/02/04 Cork County Council hereby conveys a grant of **PERMISSION** for the application described above subject to the conditions set out in the schedule (if any) attached to the said Notice dated 05/02/04 of its intention to grant **PERMISSION**.

Signed in behalf of Cork County Council

Planning Dept.,  
Model Business Park,  
Model Farm Road, Cork.

**DATE: 12/03/2004**

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**NOTE FOR GUIDANCE OF DEVELOPERS**

**A grant of Planning Permission or Permission Consequent on the grant of Outline Permission does NOT of itself empower a person to carry out a development unless that person is otherwise legally entitled to do so. Unless otherwise stated or unless it is revoked a Permission or Permission Consequent on the Grant of Outline Permission is valid for a period of five years.**

**Any development which takes place prior to the payment of a financial contribution required by any of the conditions attached to a Permission or Permission Consequent on the grant of Outline Permission will be unauthorised until compliance with the condition or conditions.**

**Please note that there is an onus on developers to ensure that there is no danger to the public as a result of the proposed development.**

## **FIRST SCHEDULE**

**Planning Ref. No. 03/4251**

**It is considered that, subject to compliance with the conditions of the Second schedule attached herein, the proposed development would not injure the amenities of the area & would be in accordance with the proper planning & sustainable development of the area.**

<p>1. Within a period of one month prior to the date of commencement of the development, but no later than such date, the developer shall pay to Cork County Council a sum of Euro5,000, updated in accordance with the Consumer Price Index from the date of grant of Permission to the value pertaining at the time of payment, as a contribution towards the expenditure proposed to be incurred by the Council in the provision of road improvement works which will facilitate the proposed development. The payment of the said contribution shall be subject to the following:- (a) Where the proposed works are, within a period of 7 years from the date of payment of the full contribution or final instalment payment thereof, not commenced, the return of the contribution or the instalments thereof, paid during that period.</p> <p>(b) Where the proposed works are, within a period of 7 years from the date of payment of the full contribution or final instalment payment thereof, carried out in part only, or in such a manner as to facilitate the proposed development to a lesser extent, the return of a proportionate part of the contribution or the instalments thereof paid during that period.</p> <p>(c) Payment of interest at the prevailing interest rate payable by the Council's Treasurer on the Council's General Account on the contribution or any instalments thereof that have been paid, so long as and in so far as it is or they are retained unexpended by the Council.</p> <p>No development shall take place until the monies have been paid to the Council.</p>	<p>It is considered appropriate that the developer should contribute towards the expenditure to be incurred by the Council in respect of these works which will facilitate the proposed development.</p>
<p>2. All construction work shall be carried out in accordance with current Department of Agriculture and Food specifications.</p>	<p>In the interests of safety.</p>
<p>3. A stock proof and childproof fence. 1.8m high, shall be provided around the engineered storage basin, with suitably constructed gates according to Department of Agriculture and Food "Minimum Specification for Geomembranelined Slurry/Effluent Stores and Ancillary Works (126)".</p>	<p>In the interests of safety.</p>
<p>4. Before development commences, the developer shall acquire the relevant IPC licence from the Environmental Protection Agency and shall comply with all</p>	<p>In the interests of proper planning and sustainable development.</p>

<b>requirements and conditions of said licence.</b>	
<p><b>5. Before development commences, the developer shall submit to this Planning Authority for approval a revised site layout plan, minimum scale 1/200, which clearly shows the locations and numbers of all tree planting located to the south of the proposed development. The proposed planting indicated should be sufficient to adequately screen the proposed development works when viewed from the south and shall consist of a minimum of 3 no. staggered rows of native species trees.</b></p>	<p>In order to safeguard the visual amenities of the area.</p>
<p><b>6. Before commencing any development the developer shall provide, to the satisfaction of the Planning Authority, security for the ensuring of all required planting as outlined in the conditions of planning herein.. The security shall be a Bond in a form and to the amount of Euro3,000 provided by a Bank or Insurance Company acceptable to the Planning Authority.</b></p>	<p>To ensure that these parts of the development are constructed and completed to a satisfactory standard.</p>

3rd February, 2004

### **1. General Details**

<i>Application Number</i>	03/4251
<i>Applicant's Name</i>	Martin O'Donovan
<i>Development Description</i>	SEE APPLICATION
<i>Location</i>	Cooligboy, Timoleague

### **2. Service Department Reports**

SEE recommends permission with conditions.

Environmental Officer recommends permission with conditions.

### **3. External Reports**

None.

### **4. Submissions from the public**

None.

### **5. Public Representative submissions**

None.

### **6. Assessment**

It is proposed to landscape a large area of land to the south of the proposed development. While specific details have not be given (i.e locations and numbers), this is acceptable and shall be confirmed by condition.

The Engineering and Environmental issues are resolved, subject to conditions.

### **7. Recommendation**

PERMISSION is recommended, subject to the following conditions:

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Pio Condon, B.A (Hons) Town and Country Planning,  
Executive Planner.

**Note: As per the Senior Executive Scientist report of 14/10/2003, This Authority should notify the EPA of any grant of planning permission issued with regard to this proposed development.**

### Conditions

1. Condition no. 1 – as marked - of the SEE report of 19/01/2004.
2. Condition no.'s 1 and 2 of the Senior Executive Scientist report of 14/10/2003.

Condition	Reason
3. Before development commences, the developer shall acquire the relevant IPC licence from the Environmental Protection Agency and shall comply with all requirements and conditions of said licence.	In the interests of proper planning and sustainable development.
4. Before development commences, the developer shall submit to this Planning Authority for approval a revised site layout plan, minimum scale 1/200, which clearly shows the locations and numbers of all tree planting located to the south of the proposed development. The proposed planting indicated should be sufficient to adequately screen the proposed development works when viewed from the south and shall consist of a minimum of 3 no. staggered rows of native species trees.	In order to safeguard the visual amenities of the area.
5. Before commencing any development the developer shall provide, to the satisfaction of the Planning Authority, security for the ensuring of all required planting as outlined in the conditions of planning herein.. The security shall be a Bond in a form and to the amount of Euro3,000 provided by a Bank or Insurance Company acceptable to the Planning Authority.	To ensure that these parts of the development are constructed and completed to a satisfactory standard.

This site is located to the north of Timoleague on very elevated lands. The existing farm structures are well screened by an existing tree line.

It is proposed to construct a number of associated farm buildings, including feedbins, shed, storage tanks/basin and digester to process pig manure.

A recent application under 03/1852 was invalidated due to an incorrect site notice being displayed. This application would appear to represent the resubmission, although the development works are described somewhat differently. (File not available).

Permission was recently granted under 03/0647 for additional farmyard structures - as indicated on site layout map submitted.

This application proposes to intensify the usage of these lands in relation to its current use. The explanation of the proposed development, as submitted by the applicant, states that this process shall have environmental benefits and shall reduce odour emissions.

While these lands are close to Timoleague Village, they are located within an agricultural area.

I have no objections in principle, subject to a detailed and comprehensive landscaping plan being agreed before development commences. This shall be most important along the southern boundary / aspect in order to safeguard the scenic amenities of the area. It is appropriate that a bond be put in place to guarantee this.

The Area engineer requires clarification on surface water run-off as well as additional wastes to be dealt with in the digester.

I recommend DEFERRAL for 1 and 2 - as marked - of the SEE's report. Please also include any requirements of the Env. Officer:

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Pio Condon,  
Area Planner,  
26/09/2003.

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