



Comhairle Contae Mhuineacháin Monaghan County Council

26/11/2018

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

File Number - 18/199

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

Monaghan County Council has by order dated 22/10/2018 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 bin(s), adjoining store and soiled water tank(s)) and ancillary site works (to include a new site entrance) associated with the above development. 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 (EIAR) will be submitted with this application. Significant Further Information has been submitted in regards to this application, at Crossnacaldoo, Tydavnet, Co. Monaghan, subject to the 7 condition(s) set out in the Schedule attached.

Signed on behalf of MONAGHAN COUNTY COUNCIL


ADMINISTRATIVE OFFICER

26.11.18
DATE

It should be noted that an outline permission is a permission subject to the subsequent approval of the Planning Authority and that until such approval has been obtained to detailed plans of the development proposed, the development is **NOT AUTHORISED**.

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

Fáilteann an tUdarás Áitiúil roimh chomhfhreagras i nGaeilge.

Comhairle Contae Mhuineacháin, Oifigí an Chontae, An Gleann, Muineachán, Éire.
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P 18/199 Kieran McKenna, Crossnacalduo, Tydavnet, Co Monaghan

- 1
 - a. The developer shall pay to Monaghan County Council a sum of **€10958.00** in accordance with the General Development Contribution Scheme 2013-2019 (as revised), 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.

- 2
 - a. Prior to commencement of development, or as otherwise agreed in writing with the Planning Authority, developer shall obtain an Industrial Emissions (IE) License from the EPA as the proposed development comprises or is for the purpose of an activity for which an Industrial Emissions (IE) License is required.
 - b. 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 "*Requirements for the Protection of Fisheries Habitat during Construction and Development Works at River Sites*". 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>
 - c. All proposed surface water drainage systems shall be designed to ensure that no polluting matter enters the surface water collection system.
 - d. A silt trap shall be installed to service surface water as per the application. The silt trap shall be adequately maintained.
 - e. There shall be no change in poultry type, change in system which results in change in Dry Matter content of the manure or increase in the number of poultry proposed without prior written consent from the planning authority.
 - f. There shall be no increase in livestock numbers as stated on the application form except in accordance with an approved Farm Waste and Nutrient Management Plan and without the prior written consent from the Planning Authority.
 - g. Developer shall ensure run-off from soiled yard areas is kept to a minimum, collected in suitably constructed tanks and landspread in accordance with the European Union (Good Agricultural Practice for Protection of Waters) Regulations 2017.

- h. All structures and buildings shall be designed and constructed to the relevant Department of Agriculture specifications and in accordance with requirements of the European Union (Good Agricultural Practice for Protection of Waters) Regulations 2017.
- i. All soiled waters generated from cleaning or other operations shall be collected and stored in a suitable watertight tank and disposed of on lands in the townland of Raflacony as per information submitted to the Planning authority on the 31st August 2018, in accordance with the European Union (Good Agricultural Practice for Protection of Waters) Regulations 2017.
- j. All manure/organic fertilisers arising from the development shall be collected in leak proof/suitably constructed tanks and stored in accordance with the European Union (Good Agricultural Practice for Protection of Waters) Regulations 2017.
- k. Manure/ Organic fertilisers taken off site shall conform with the Department of Agriculture Food and the Marine requirements and guidance under Animal By Products legislation and local authority guidance on the protection of sensitive waters including water supply sources.
- l. Manure shall be taken off site as per details submitted with the application by a contractor registered with the Department of Agriculture Food and Marine shall be utilised in accordance with the European Union (Good Agricultural Practice for Protection of Waters) Regulations 2017.
- m. Receipts for manure collection and removal must be submitted to the Environment Section by the 31st of December each year or at a time agreed in writing with the Planning Authority. Receipts to include tonnages and dates of movement.
- n. Records of manure movement's offsite shall be recorded on Record 3 forms (as prescribed by the Department of Agriculture Food and Marine). These forms shall be maintained on site at all times and submitted to the Environmental Services Section of Monaghan County Council on request. Records maintained shall comply with requirements of Article 23 of the European Union (Good Agricultural Practice for Protection of Waters) Regulations 2017 and as a minimum shall include:
 - i. Name and address of Contractor/Haulier
 - ii. Date of each disposal operation
 - iii. Quantity (weight and volume) disposed of
 - iv. The name of receiving premises.
 - v. Any other information as may be required by the Planning Authority
 - vi. Any intention to change haulier or intention to utilise any manure shall be agreed in writing with the Planning Authority.
- o. If at any time Monaghan County Council is satisfied that this development is causing environmental pollution the operator shall submit a remediation action plan to address the identified issues within a specified timeframe.

- p. 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 Local Government (Waste Management) Act 1996 as amended.
- 3
- 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.
- 4.
- The proposed development will be carried out in accordance with recommendations of the Bat Survey carried out by Bat Eco Services and submitted to the Planning Authority on the 31st August 2018.
- 5.
- a. The planting details and associated site works as indicated on plans as submitted to the Planning Authority on the 31st August 2018 shall be fully implemented prior to any occupancy of the development 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 the 31st August 2018 shall be permanently retained thereafter being planted. Any plant which fails in the first planting season shall be replaced.
 - c. Only that portion of the roadside hedgerow, which must be lowered or uprooted to provide adequate sight distances to be removed. All other trees and hedgerows bounding this site shall be permanently retained in this development, shall be reinforced with additional planting in accordance with plans submitted to the Planning Authority on the 31st August 2018 and shall be protected from damage at all times, particularly during building operations.
 - d. The line of the recessed entrance shall be planted with a double staggered row of trees (at maximum 3 metre centres) and a hedgerow of species native to the area to form a naturalised hedgerow similar to existing hedgerows in the vicinity. Species shall include thorn, beech, ash, oak, hazel, sycamore and holly.
- 6.
- a. Prior to any works commencing, visibility splays of **150** metres, measured to the nearside road edge in each direction, shall be provided from a point in the centre of the entrance 3.0 metres from the road edge at a height of between 1.05 metre and 2.0 metres above ground level to an object height of between 0.26 metre and 2.0 metres above ground level in both directions. The area within the visibility splays shall be cleared to provide a level surface no higher than 250 mm above the level of the adjoining carriageway and shall be retained and kept clear thereafter.
 - b. Where it is necessary to remove hedges, fences, embankments or other obstructions in order to achieve the required visibility splays, they shall be reinstated behind the visibility splays. Any new trees or shrubs shall be planted back from the visibility splays to allow for future growth and some species will require additional set back. All existing planting shall be kept trimmed behind visibility splays.

- c. Where the existing roadside hedge/embankment is to be removed, the roadside verge shall be widened (by grading back or infilling where necessary using appropriate inert material) to include the entire area within the visibility splays, top soiled, and grassed to the satisfaction of the planning authority.
 - d. The new entrance shall form a bellmouth of a minimum of 6 metres radius with edge of new boundary. Entrance gates shall be set back at least 17 metres from the public road to contain a stationary vehicle off the public road. Entrance gates shall open inwards only.
 - e. Entrance/access road shall be surfaced with concrete or bitmac from edge of public road for a minimum of 5 metres and the surface shall be graded back so that its level at 3.0 metres from the edge of the carriageway is a minimum of 100 mm below road level. Gradient of access road shall be not greater than 1:20 (5.0%) for the first 5 metres from boundary and 1:10 (10.0%) thereafter.
 - f. French drain consisting of 300mm diameter concrete pipes backfilled to ground level with suitable granular filter material shall be placed along full site frontage. Drain shall discharge to the nearest appropriate watercourse or drainage pipeline. Suitable gullies shall be placed at start, end, and intersection of other drains and at not greater than 40 metres intervals. (Separate application shall be made to Monaghan County Council if this requires a road opening licence).
 - g. Cattlegrid/ACO Drain/Gullies shall be installed at proposed entrance and constructed in such a manner as to prevent water from the entrance flowing onto the public road. Similarly, measures shall be taken to prevent road surface water from flowing onto the entrance. The discharge from the above drainage shall be piped to an appropriate drainage pipeline or watercourse.
 - h. Provision shall be made within the site for surface water drainage and no surface water shall be allowed flow onto the public roadway. The discharge of surface water from the public road onto the site through road surface drainage and road subsoil drainage shall remain unimpeded.
 - i. No development exempt or otherwise shall be erected over the public sewer, drain or water-main, unless otherwise agreed in writing with the planning authority.
 - j. Before any work is commenced on this development a security, by way of a cash deposit, in the sum of **€2250**, shall be paid to the planning authority by the developer to ensure the satisfactory completion of all surface water drainage/boundary work within and abutting the site area, to prevent runoff of surface water onto the public roadway and to ensure that no damage is caused to public roadway and any such damage is repaired satisfactorily. Failure to carry out all entrance works to a standard to the satisfaction of the planning authority will result in forfeiture of part or all of the cash security.
7. The development shall be carried out in accordance with plans and documentation submitted on 11th May 2018 as amended by plans and documentation submitted on the 31st August 2018 except as may otherwise be required in order to comply with the above conditions.

The reason for the imposition of the above conditions are:-

- 1. 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. In the interest of environmental protection.**
- 3. In the interest of visual amenity.**
- 4. In the interest of orderly development.**
- 5. In the interest of visual amenity.**
- 6. In the interest of road safety.**
- 7. In the interest of orderly development and to prevent unauthorised development.**

Changes for Commencement Notices applications system for owners of new dwellings and extensions from September 1st 2015.

Alternative process- Opt out of Statutory Certification

The most recent amendment to the Building Control Regulations 1997 to 2015 provides owners of new single dwellings and domestic extensions with an alternative process to that outlined above. This alternative process is explained in the detailed Table below.

These changes take effect from September 1st 2015

Comparison of requirements relating to Statutory Certification of compliance for Building Control purposes and the alternative process for owners who opt out of Statutory Certification.

Statutory Certification of compliance for Building Control purposes	Alternative process for owners opting out of requirements for Statutory Compliance
Commencement Notice	Commencement Notice
	Declaration of intention to opt out of statutory certification (this new form is to be signed by the owner; who must also accept their role as owner as normal)
Compliance Documentation (plans, calculations, specifications etc. to include i. General arrangement drawings ii. A schedule of compliance documents as currently designed or to be prepared at a later date iii. Online assessment on the BCMS iv. Preliminary inspection plan prepared by the assigned certifier	Compliance Documentation (plans, calculations, specifications etc. to include i. General arrangement drawings ii. A schedule of compliance documents as currently designed or to be prepared at a later date iii. Online assessment on the BCMS <i>Note no inspection plan required</i>
Design cert signed by registered construction professional	Not required (Designer will have to accept their role)
Notice of assignment of Assigned Certifier	Not required
Undertaking by Assigned Certifier	Not required
Notice of assignment of builder	Notice of assignment of builder (Builder will have to accept their role)
Undertaking by builder	Not required
Completion Cert signed by builder (Part A) and registered construction professional (Part B) and accompanied by up-to-date schedule of compliance documents and the inspection plan as implemented	Not required

If the owner is in any doubt about the long term implications of their decision to opt out of Statutory Certification it may be advisable to consult with a solicitor and their financial institution prior to making their decision.