

Office of Licensing, Climate and Resource Use,  
Environmental Protection Agency,  
P.O. Box 3000,  
Johnstown Castle Estate,  
Co. Wexford

24<sup>th</sup> September 2024

**Re: O'Connell Poultry Farms Ltd. ~ Licence Application P1183-01**

Dear Sir/Madam,

**1. Conflicting information has been provided in the application on the number of proposed bird places and whether the installation will be operated as a free-range broiler installation or not:**

**a) Confirm if the installation is to be operated as a free-range broiler installation, a conventional broiler installation or both;**

**A licence is sought to operate the development as both a free range and a traditional broiler rearing activity.**

**b) Confirm whether the existing farm is currently operated as a free-range broiler installation or a conventional broiler installation;**

**The development is currently operating as a free range activity.**

**c) Confirm the maximum number of birds currently housed on-site;**

**76,000 free range birds.**

**d) Confirm the maximum number of birds that will be housed on-site if operated as a free-range broiler installation;**

**76,000**

**e) Confirm the maximum number of birds that will be housed on-site if operated as a conventional broiler installation; and**

**76,000**

**f) Very little detail has been provided in the application on the free-range aspect of the installation. If the installation is to be operated as a free-range broiler installation:**

**i. Update all relevant sections of the application including the Environmental Impact Assessment Report; and**

## **EIA / IE Licence Application Addendum to address Free Range Activity**

The farming system currently proposed for the licensable development is based on a;

- free range farming cycle of c. 10 weeks with approximately 5 cycles per annum. This cycle is outlined below.
- traditional farming cycle of c. 7-8 weeks with approximately 6-7 cycles per annum.

### **Existing / Proposed Free Range Production cycle**

- **Weeks 1 – 4** *Day old chicks are held indoors for this four week period until they are able to survive outdoors.*
- **Weeks 5 – 8** *Chickens have access to the outdoor “range” area during daylight hours, but are closed in at night. At the end of week eight the chickens are removed off-site and the house prepared for cleanout.*
- **Weeks 8 – 10** *House cleanout occurs, i.e. all litter and bedding material is removed, and the house is disinfected and rested.*
- **Week 10** *The house is bedded with fresh bedding material, ready for the next batch of day old chicks, and the cycle starts again at week one.*

(The traditional farming system follows a similar cycle and processes albeit over a shorted growing cycle and the birds do not range outside.)

*The requirements for free range production are clearly defined in Irish and E.U. Legislation. In addition to these legal requirements, this proposed enterprise would be subject to,*

- *Licensing from the Department of Agriculture, Food and Marine, under E.U. Regulations*
- *IE licensing from the Environmental Protection Agency.*
- *Bord Bia Approval, under the Poultry Products Quality Assurance Scheme. This involves conforming to Bord Bia standard, EN 45011.*
- *Audits and certification from the major retailers.*
- *Compliance with Western Brand Code of Standards for Growing Broilers.*

*All of the stated regulatory requirements and schemes involve strict compliance with all relevant legislation regarding matters such as animal welfare, environmental protection, rodent control, odour control etc. As part of these requirements this site would be subject to comprehensive monitoring, record keeping and on-going external monitoring.*

*Some of the legislative requirements for free range chicken production include,*

- *Stocking rates not to exceed 13 birds/m<sup>2</sup>, (in house).*
- *Stocking rates not to exceed 27.5 kg/m<sup>2</sup>, (in house).*
- *Birds must have access to 1m<sup>2</sup> per bird, open air run covered mainly by vegetation.*

*Stock numbers per houses as detailed in point No. 3 above.*

*High health status will be a priority on this farm as it is of critical importance to maintain this for the overall viability of the enterprise. An overall animal health and welfare policy in accordance with Bord Bia requirements, will be developed to cover this additional development. Hygiene routines will be carefully planned and monitored. The houses will be carefully cleaned down between flocks.*

*The poultry manure from this farm is/will be removed off site by an authorised contractor, MJ Kehoe Transport Ltd., on behalf of the applicant. The contractor provides the machinery and labour necessary for cleaning out the houses and is responsible for cleaning of the houses, arranging transport and making arrangements for the receipt of this material. MJ Kehoe Transport Ltd. carry out this function for a number of poultry farmers so as to provide a consistent, reliable service to all farmers and to provide a consistent supply of manure to the compost yards/recipient farmers. The estimated manure production as a result of the proposed development will be a total of c. 600-750 tonnes / annum.*

*As outlined above in the production cycle these birds are confined to the houses for the first 4 weeks after arriving on the farm. Subsequent to this they are allowed access to the range area during daylight hours only. Due to the fact that c. 21% of the feed used by the birds is used during the first four weeks and 79% in the second four weeks, it is anticipated that approximately 21% of the manure produced by the birds is produced in the first 4 weeks with the remaining 79% produced in the second four weeks.*

*In addition to the above the following must also be taken into account,*

- 1. that the birds only have access to the range area for an average of 8 hours/day, (i.e 33% of the time, this will increase during the summer and decrease during the winter).*
- 2. That, although they are free to leave the houses, < 20% of the birds will be out at any one time during this period.*

*The above figures have been calculated on the basis of information provided by the applicant, with regard to the habits of the birds as seen on their existing free range chicken house(s), and experience gained elsewhere. In order to ensure that the application of nutrients to the range areas by the birds is accurately determined it is recommended that a reduction in the nutrients deposited by the birds on the range area is applied for the reasons as outlined above.*

*In order to ensure that the time spent outdoors by the birds has been accurately calculated it is recommended that the total nutrient excretion by the birds during the four weeks that they are allowed out is reduced to;*

- = **0.79\*.33\* < .20**
- = **approximately <5 % of total production, with the remaining 95% to be moved off by the appointed registered contractor.**

**(In the traditional farming system the birds will not range outside.)**

**As previously detailed the manure management proposals will ensure that the management of manure/organic fertiliser on the site will be in compliance with S.I. 113 of 2022, as amended, i.e. the regulations that have given effect to the Nitrates Directive in Ireland. Additional details provided by the contractor have been included as part of this response.**

**Soiled water from the existing, and proposed development where applicable, will be collected in dedicated soiled water collection tank(s), located at the end of the houses. This soiled water will then be applied to farmland in line with S.I. 113 of 2022, as amended, as detailed later in this correspondence.**

**To minimise the risk of personnel bringing infection into the poultry farm all visitors are banned with the exception of essential personnel such as veterinarians and servicemen. All visitors must sign a register and use appropriate disinfectant procedures. Designated lorries are used to deliver feed to the farm. A vital part of maintaining health within the unit is the necessity to fully clean out after each flock is removed. This avoids the build up of bacteria and viruses which challenge the incoming stock and which may affect their production efficiency. Once litter has been removed by the designated contractor all internal surfaces are washed down using a power washing system and then disinfected.**

**The applicant has been approved under the Bord Bia approval system, as per the Poultry Products Quality Assurance Scheme (PPQAS). As part of this approval the daily procedure will follow the Bord Bia Poultry Products Quality Assurance Standard Producer Requirements.**

- **Effect on Land and Soil**

**Within the Development /Range Area (Only applicable to the operation of the farm as a Free Range activity, not applicable if operated as traditional production):**

**This site forms part of an overall farmed area of c. 118 Ha. As part of the operation of this Free Range Poultry Farm the birds will be allowed access to an outside range area at a stocking rate of 10,000 birds/ha. As a result of the existing and planned developments (76,000 bird free range enterprise) a c. 7.6 Ha block of land (as outlined on the site plan as submitted) will be dedicated to free range production.**



**For the purposes of the Nitrates Directive the stocking rate of animals/birds/hectare of agricultural area is calculated as kg Organic N/Ha. and under the Nitrates directive (without derogation) not more than 170 Kg Organic N (i.e. N from animal/poultry manure) can be applied /ha of net area, in this case the range area available to the birds. This Organic N allocation is averaged over the area available to the birds.**

**In order to determine the impact of the above we must first determine the amount of nutrients to be produced. The manure and nutrients produced will be allocated between the litter internally within the houses, and the range area available to the birds outside the houses. As outlined previously, during the farming cycle these birds are confined to the houses for the first 4 weeks after arriving on the farm. Subsequent to this they are allowed access to the range area during daylight hours only. Although they are free to leave the houses, only <20% of the birds will be out at any one time during this period. The above figures have been calculated on the basis of information provided by the applicant, with regard to the habits of the birds as seen on their existing free range chicken house(s), and experience gained elsewhere.**

**In order to ensure that the time spent outdoors by the birds has been accurately calculated the total nutrient excretion by the birds during the four weeks that they are allowed out is reduced to;**

$$= 0.79 * .33 * <.20 = c. <5 \% \text{ of total production.}$$

Therefore > 95% of the nutrients are removed in the litter. The litter produced equates to c. 75 tonnes per 10,000 birds per annum with a nutrient content of 28kg N and 6kg P/tonne, equivalent to 2,100 kg N and 450 kg P/10'000 birds/annum. Therefore the estimated nutrients to be deposited by the birds onto the range area is calculated as 110.5kg N and 23.7kg P/10,000 birds/annum, or 110.5kg N and 23.7kg P/ha/annum. *It should be noted that it is not proposed to apply any additional fertilisers (organic and/or inorganic) to the range area, and that c.2-3 cuts of silage/round bales will be removed from this area annually.*

***Range Area Nitrogen and Phosphorous Balance /ha***

No. of birds	10,000
Total N excreted while grazing per annum (@ 5%)*	110.5Kg
Total P excreted while grazing per annum (@ 5%)*	23.7Kg
Range Area	1 ha
Organic N deposited /Ha	110.5Kg**
P Deposited/Ha	23.7Kg

\* The birds deposit c. 5% of the total manure production outside as outlined above.

\*\* This is significantly below the permitted stocking rate (170-220 kg organic N/ha as provided for by S.I. 113 of 2022, as amended) on the land.

**Cropping Routine**

The proposed stocking rate when equated in terms of the amount of organic N deposited per Ha by the livestock (Broilers) proposed, is significantly less than that permitted by S.I. 113 of 2022.

Also introduced under the Nitrates directive were restrictions on the amount of Phosphorous to be applied to land. Based on a stocking rate of 10,000 birds per hectare this would provide a Phosphorous allocation of c. 23.7 kg/Ha. Assuming the lands in question are at Index 3 for P (as per Article 16(2)(a) of SI 113 of 2022, as amended) the required allocation for the proposed first cut silage is 20kg/ha in accordance with Table 15 of Nitrates Directive, with an additional 10kgP for each cut thereafter. Therefore the proposed P allocation of 23.7 kgP/ha/annum, in conjunction with Soil Index 3, is below the required level of P to achieve the optimum yield of 2 cut of silage/annum. Due to the farming system whereby birds are not on the range area for periods of 6 weeks at a time (i.e. 2 weeks empty and first 4 weeks after stocking each batch) multiple silage cuts are easily scheduled during the year.

Due to the low stocking rate and management practices proposed there will be no significant emissions to air, ground and/or water and the development will not pose an adverse risk to same.

- **Effect on Climate / Climate Change**

Climate information is useful for predicting the likely impacts that the farm operation and the application of manure in the area will have upon the residents. Wind direction at the site is critical to odour movements and rainfall is critical factor in the application of manure.

Large livestock populations and nitrogen inputs to soil generate approximately one-third of all greenhouse gases in Ireland. The amount of *methane* emitted by livestock is a lot higher for ruminants such as cattle and sheep versus non-ruminants such as poultry/pigs. This is as a result of the different digestive systems.  $N_2O$  emissions can be divided into three areas,

- Direct from agricultural soils and from agricultural production systems.
- Indirect emissions which take place after nitrogen is lost from the field
- Emissions resulting from agricultural burning.

Organic fertiliser from this farm will be used in compost production or by customer farmers. The fact that the customer farmers utilising organic fertiliser from this farm will allocate it in accordance with the provisions of S.I. 113 of 2022, as amended, particularly with regard to amounts applied, weather and ground conditions at the time of spreading, and even application, etc., should ensure that emissions generated are kept to an absolute minimum. Dry manures will spread more evenly, and modern rear emptying muck spreaders are likely to be more precise than side discharging machines.

All customer farmers will be advised that in order to minimise any potential adverse environmental impact including odour/emissions, and to ensure that they get maximum fertiliser benefit from the organic fertiliser, that all manure from this farm should be stored, managed and applied in accordance with S.I. 113 of 2022, as amended and where possible incorporated/ploughed into the soil as soon as practicable after application.

All practicable steps, such as landscaping, management routines etc., will be planned for and will be taken so as to minimise odour from the site. Its rural setting and location distance from local residences will ensure no effect on human beings. The existing poultry farm operated by the applicant has operated with no adverse environmental impact.

This development will have no significant adverse effect on climate.

2. **Conflicting information has been provided on the size of the range area. Confirm the size of the proposed range area and update the site plan accordingly.**

**The range area required is 7.6 HA. Please refer to revised site plan enclosed**



**3. With regards to the planning status for the proposed installation:**

- a) The most recent planning permission granted (planning permission ref. 21/469) permits a maximum number of 76,000 free-range bird places only and does not include permission for the installation to be operated as a non-free range farm at 76,000 or at a higher number of bird places. Planning permission ref. 18/25 permitted 112,000 non-free-range bird places but was superseded by planning permission ref. 21/469. You are advised that the Agency cannot agree to anything other than 76,000 free-range bird places unless the planning authority provides supporting written confirmation;

**Application to progress on basis of a maximum 76,000 birds**

- b) Conflicting information has been provided with regards to the number of existing and proposed poultry houses and the corresponding planning permissions. Planning permission references 18/25 and 21/469 appear to relate to poultry houses no. 3 and no.4. Details of the planning permissions for poultry houses no. 1 and no. 2 were not submitted with the application. Provide a copy of Limerick City and County Council's final grant of planning permission(s) for poultry houses no. 1 and no. 2;

**The applicant has confirmed that Poultry houses 1 and 2 were completed prior to agricultural structures coming within the remit of the Planning and Development Regulations, and therefore did not require planning permission at the time of construction.**

c) With regards to all planning permissions relating to the proposed installation:

- i. Confirm the current status of the development works (for each poultry house);

**Development works are currently complete.**

- ii. In each case where construction has been completed for a poultry house, confirm whether the poultry house is operational and if operational the associated maximum animal numbers per poultry house; and
- iii.

**All 4 houses are currently operational with stock numbers of c. 12, 14, 22 and 28 thousand birds respectively.**

- iv. Where the development works have not yet been completed, provide a proposed development schedule for construction works on site.

**N/A**



In order to assist you in compiling this information, a table has been provided. Complete Table A in full.

**Table A**

Poultry House Reference:	No. 1	No. 2	No. 3	No. 4
Maximum Poultry numbers (free-range)	Existing: <b>12,000</b> Proposed: <b>12,000</b>	Existing: <b>14,000</b> Proposed: <b>14,000</b>	Existing: <b>22,000</b> Proposed: <b>22,000</b>	Existing: <b>28,000</b> Proposed: <b>28,000</b>
Maximum Poultry numbers (conventional)	Existing:  Proposed: <b>12,000</b>	Existing:  Proposed: <b>14,000</b>	Existing:  Proposed: <b>22,000</b>	Existing:  Proposed: <b>28,000</b>
Built (Yes/No)	<b>Yes</b>	<b>Yes</b>	<b>Yes</b>	<b>Yes</b>
Operational (Yes/No)	<b>Yes</b>	<b>Yes</b>	<b>Yes</b>	<b>Yes</b>
Planning Permission Reference	<b>Pre-Planning</b>	<b>Pre-Planning</b>	<b>18/25</b>	<b>21/469</b>

- d) It is noted that planning permission ref. 21/469 expired on the 17 October 2023. Confirm whether an extension of duration was applied for and granted and if so, provide a copy; and

**An extension of duration is not applicable as this development has been completed.**

- e) With regards to planning permission ref. 21/469 and the planning permission(s) for poultry houses no. 1 and no. 2, provide written confirmation from the planning authority as to whether or not an EIA was required, by or under the Planning and Development Act 2000, as amended.

**Please see attached correspondence from Limerick Co. Co. As house 1 and 2 pre-date the EIA regulations EIA was not applicable at the time of construction.**

**4. Organic Fertiliser:**

- a) In relation to poultry litter produced by the activity, provide a copy of the Record 3 form (as required under Article 23 of the European Union (Good Agricultural Practice for Protection of Waters) Regulations 2017 as amended, for the previous year (2022);
- b) Provide a letter from the contractor who will remove the litter from the installation confirming their agreement with the applicant. This letter should include the following:
  - i. The contractor's DAFM registration details;
  - ii. The destination/use of the poultry litter having regard to a) above;
  - iii. The quantity of poultry litter to be removed from the installation by the contractor per annum;
  - iv. Confirmation that the contractor will remove all poultry litter from the installation at maximum capacity; and
  - v. Assurance that the transport of poultry litter will be in accordance with the Animal By-product Regulations.

**Please refer to enclosed correspondence.**

**5. Wash water:**

- a) Confirm the number and capacity of wash water tanks (total capacity minus the freeboard);
- b) Clarify how the 26 weeks' storage capacity requirement will be met;
- c) If the storage capacity is to be supplemented by off-site storage, identify the type, capacity and location of the off-site storage; and

In order to assist you in compiling this information, a table has been provided. Complete Table B appropriately.

**Table B:**

Wash water	Existing Farm	Proposed Activity
Number of wash water tanks	<b>4</b>	<b>4</b>
Capacity of <u>each</u> wash water tank (m <sup>3</sup> ) (total capacity minus the freeboard)	<b>1* 36m3 (net 33m3)</b> <b>2*27.27m3 (net 50 m3)</b> <b>1*13.63m3 (net 12.5 m3)</b>	<b>1* 36m3 (net 33m3)</b> <b>2*27.27m3 (net 50 m3)</b> <b>1*13.63m3 (net 12.5 m3)</b>
Total capacity of wash water storage (m <sup>3</sup> ) (total capacity minus the freeboard)	<b>Total net Storage = 95.5 m5)</b>	<b>Total net Storage = 95.5 m5)</b>
Number of weeks of wash water storage available	<b>&gt;26 weeks</b>	<b>&gt;26 weeks</b>

- d) With regards to the landspreading of wash water:  
i) Confirm the owner of the spreadlands;

**Pat O Connell**

- ii) Confirm the total area of land (in hectares) available for the receipt of wash water (excluding the site of the proposed activity and any other unsuitable lands); and

**Soiled water to be applied to range area 7.6 HA.**

- iii) Demonstrate that the lands identified have the capacity to accept the wash water generated.

- Existing stocking rate = 110.5 Kg Organic N/Ha on 7.6 Ha as per section 1.
- 115 m<sup>3</sup> soiled water at 1 kg organic N/Ha = 115 kg organic N or 15.13 Kg organic N/HA
- Total = 125.653 kg organic N/Ha, well inside the 170 Kg Organic N/Ha Limit.

6. Update the Environmental Impact Assessment Report (EIAR), in accordance with the requirements of the 2014 Directive, to include the following:  
a) The impacts of the installation on climate; and  
b) An assessment of the installation operated as a free-range broiler farm. The current EIAR only addresses the impacts from a conventional broiler farm.

**Same is addressed under point No. 1.**

7. Storm water:  
a) Confirm the mitigation measures proposed for each stormwater discharge point, e.g. silt traps; and  
b) Confirm the number of stormwater discharge points and update the application form and map as required.

**An inspection point is to be located at each discharge point. 3 storm water discharge points are proposed as per the enclosed site plan.**

8. Waste:  
a) In relation to waste types to be produced by the activity, update section 8.1 of the application form completing all columns for all waste types, including but not limited to the following: List of Wastes (LoW) code (including hazardous waste), estimated quantities to be generated and a description of storage / disposal (for example spent fluorescent bulbs, veterinary waste); and

**Revised Section 8.1 enclosed**

- b) In relation to vermin/pest control at the installation, provide the following:
- i. Confirm if the pest/rodent control programme onsite is and will be in line with Bord Bia and Department of Agriculture, Food and The Marine requirements;
  - ii. Provide details regarding storage of waste associated with vermin/pest control; and
  - iii. Provide details of any proposed transporter of vermin/pest control waste.

**Rodent Control Programme (incl. waste storage /disposal) is and will be in accordance with DAFM / Bord Bia requirements.**

**9. Water Supply:**

Conflicting information has been provided in relation to water supply for the installation:

- a) Clarify the proposed source(s) of water to be used for the activity and the quantity of water usage expected per annum from each source;
- b) Provide the name of the public water supply, if applicable; and
- c) If applicable, update Attachment 4.6.1 and Section 4.6 of the application form.

**Water is to be supplied from 2 No. wells as detailed on the site plan.**

**10. Update the site plan taking account of points 1 to 8 above.**

**Please refer to enclosed site plan.**

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

If you require any additional information please contact this office.

Yours Sincerely,

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Paraic Fay B.Agr.Sc.