

PLANNING DECISION

**TULLEKA TRADING UNLIMITED,
GRAIGUE,
BALLINAKILL,
CO. LAOIS**

2025

Attachment 6.3.1

CURRENT LICENCE REF: P0710-03

Application Ref: LA015950



**COMHAIRLE CHONTAE LAOISE
LAOIS COUNTY COUNCIL**

Áras an Chontae
Portlaoise,
Co Laois
R32 EHP9

PLANNING AND DEVELOPMENT ACT, 2000 AS AMENDED

NOTIFICATION OF DECISION

REGISTERED POST

TO: TULEKA TRADING COMPANY -
Martin O'Looney
Units 3 & 4, Innovation Centre,
South East Technological University,
Green Road, Carlow
R93 W248

Planning Register Number: 24/60311
Valid Application Received: 05/06/2024
Further Information Received Date: 25/09/2024
Date of Decision: 19/11/2024

In pursuance of the powers conferred upon them by the above-mentioned Act, Laois County Council has by Chief Executive's Order dated 19/11/2024 decided to GRANT PERMISSION to the above named for development of land, namely:- extend an existing pig farm consisting of five modern animal house units, three feed silo's, together with all ancillary site works. This application is accompanied by a Natura Impact Statement (NIS) and Environmental Impact Assessment Report (EIAR) at Graigue, Ballinakill, County Laois in accordance with the documents received by the Planning Authority, subject to the **16 conditions** set out in the attached schedule. The Planning Authority have had regard to any submissions, objections or representations made on this file.

Signed on behalf of Laois County Council


ADMINISTRATIVE OFFICER, PLANNING

DATE: 19/11/2024

Please arrange to remove the site notice forthwith.

THIS NOTICE IS NOT A GRANT OF PERMISSION AND WORK SHOULD NOT COMMENCE UNTIL FINAL GRANT OF PLANNING PERMISSION IS ISSUED.

Provided there is no appeal against this DECISION a Final Grant of planning permission will issue following the expiration of four weeks.

See footnote at the end of this document for details of appeal procedures.

The applicant is advised that unless the development as described above is carried out within five (5) years from the date of Final GRANT, planning permission will cease to have effect. See Section 40 of the Planning & Development Act, 2000 as amended.

Contact the Planning Section:
Phone: 057 866 4039 – Email: planning@laoiscoco.ie



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LAOIS COUNTY COUNCIL

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Footnote:

An appeal against a decision of a Planning Authority under the Planning and Development Act 2000 (as amended) may be made to An Bord Pleanála, 64 Marlborough Street, Dublin 1, D01 V902. (Tel. (01) 8588100) during office hours.

1. You have four weeks beginning on the date the Planning Authority makes its decision which was (19/11/2024). This is a strict time limit.
2. You must put your appeal in writing (either typed or handwritten).
3. You must clearly state your own name and address. If someone is acting for you, they must clearly state their own name and address as well as your name and address.
4. You must give enough details to allow An Bord Pleanála to identify the application you wish to appeal.
5. You must provide your planning grounds of appeal (reasons and arguments) for your appeal and any items you wish to support your grounds of appeal.
6. If you are a third party, you must include the written acknowledgement given to you by the Planning Authority to confirm it received your submission at planning application stage.
7. You must pay the correct fee.

For more information on how to make an appeal see www.pleanala.ie

SCHEDULE 1

Having regard to the provisions of the Laois County Development Plan 2021 – 2027, it is considered that, subject to compliance with the conditions set out in the Second Schedule, the proposed development would not seriously injure the amenities of the area, would not be prejudicial to public health, would be acceptable in terms of traffic safety and would be in accordance with the proper planning and sustainable development of the area.

Laois County Council Planning Authority, Viewing Purposes Only!

CONDITIONS

1. The development shall be carried out in accordance with plans and particulars received by the Planning Authority on 05/06/2024, the further information received on the 25/09/2024 except where conditions hereunder specify otherwise.

Reason: In the interest of the proper planning and sustainable development of the area.

2.

(a) The development shall be carried out, completed and maintained in accordance with undertakings for measures to mitigate its impacts as outlined in the Environmental Impact Assessment Report received by the Planning Authority on 05/06/2024 and the updated Environmental Impact Assessment Report received by the Planning Authority on 25/09/2024, except where altered or amended by conditions in this permission.

(b) The development shall be carried out, completed and maintained in accordance with undertakings for measures to mitigate its impacts as outlined in the Natura Impact Statement received by the Planning Authority on 05/06/2024 and the updated Natura Impact Statement received by the Planning Authority on 25/09/2024, except where altered or amended by conditions in this permission.

Reason: To enable the Planning Authority to check the proposed development when completed, by reference to approved particulars and to restrict and minimise any adverse environmental impacts resulting from the development.

3. The development shall be carried out in accordance with the Construction Environmental Management Plan, received by the Planning Authority on 25/09/2024.

Reason: In the interests of the reduction and best practice management of construction waste from the proposed development, public health, pollution control and traffic safety.

4. The developer shall facilitate the archaeological appraisal of the site and shall provide for the preservation, recording and protection of archaeological materials or features which may exist within the site. In this regard, the undertaker shall:

(a) Notify the Planning Authority in writing at least 4 weeks **prior to the commencement of any site works** (including hydrological and geotechnical investigations);

(b) **Prior to the commencement of development** employ a suitably qualified Archaeologist to assess the site and monitor all site development works. The assessment shall address the following:

CONDITIONS

- (i) The nature and location of archaeological material on the site;
- (ii) The impact of the proposed development on such archaeological material.

A report containing the results of the assessment shall be submitted to the Planning Authority and arising from this assessment the developer shall agree in writing with the Planning Authority full details regarding any further archaeological requirements (including if necessary archaeological excavation) prior to the commencement of construction works.

Reason: To ensure the continued preservation (either *in situ* or by record) of places, caves, sites, features or other objects of archaeological interest.

5. The roof and external wall and door cladding of the proposed building shall be in dark green. External walls shall be finished in nap or dark plaster.

Reason: In the interests of visual amenity.

6.

Any construction and demolition waste or excess soil generated during the construction phase which cannot be reused on site shall be disposed of at a permitted facility in accordance with the requirements of the Waste Management Act 1996, as amended. Facilities shall be provided for the collection and segregation of recyclable waste. Waste shall be collected for recycling/reuse whenever feasible or otherwise disposed of in accordance with the Waste Management Act 1996, as amended. 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.

Reason: In the interest of sustainable waste management

7. The developer shall take adequate precautions to ensure that waste disposal does not cause pollution to any stream, ditch, or watercourse, or contamination to any source of potable water. The developer shall also take reasonable steps to preserve the amenity of adjacent residential properties, and shall ensure, as far as possible that injury to amenity is not caused by odour, or in any other way.

Reason: In the interests of amenity, public health and pollution control.

CONDITIONS

8. Uncontaminated surface water run-off from roofs and clean paved areas within the farmyard shall be collected separately from farmyard materials (slurry, silage, effluent and contaminated surface water) and shall be disposed of directly in a sealed system to adequate stone filled soakpits designed in accordance with BRE Digest 365 – Soakway Design. A monitoring chamber (manhole) shall be provided for the monitoring of uncontaminated surface/roof water prior to such water entering any soakway.

Reason: In the interest of environmental protection and in particular to protect against the pollution of surface waters.

9. Organic fertiliser shall only be transported over the public road network in approved leak-proof transporters. The organic fertiliser shall only be taken offsite by contractor/haulers who are registered with the Department of Agriculture, Food and Marine and the organic fertiliser shall be utilised in accordance with the requirements of the European Union (Good Agricultural Practice for Protection of Waters) Regulations 2022, as amended.

Reason: In the interest of environmental protection and to protect public health.

10. All effluent, slurry, soiled water and solid waste shall be disposed of by land spreading in accordance with the European Union (Good Agricultural Practice for Protection of Waters) Regulations 2022 as amended. The location, rate and time of spreading (including prohibited times for spreading) and the buffer zones to be applied shall be in accordance with these Regulations. They shall be spread only in accordance with the usage of the land and the capacity of the land to retain, neutralise and decompose them. They shall not be transported over public roads except in approved leak proof transporters.

Reason: In the interest of environmental protection and in particular to protect against the pollution of surface and ground waters.

11. During the construction phase and operational phase of the development, the developer shall immediately inform the Planning Authority of any accidental spillage of wastewater, organic fertiliser, fuel, machine oil or any other substance which may threaten the quality of any watercourse or groundwater body.

Reason: In the interest of environmental protection and in particular to protect against the pollution of surface and ground waters.

CONDITIONS

12. All storage facilities shall:

[a] Be designed, sited, constructed, maintained and managed so as to prevent run-off or seepage directly or indirectly into groundwater or surface water of any effluent produced; and

[b] Comply with such construction specifications for those facilities as may be approved by the Minister for Agriculture, Food and the Marine.

Reason: In the interest of environmental protection and in particular to protect against the pollution of surface and ground waters.

13. [a] All soiled water, effluent and waste from the existing and proposed developments shall be discharged properly to the proposed/existing effluent storage tanks. The tanks shall be of suitable capacity, design and construction and shall be properly sealed to prevent any loss of leachate into the ground under or adjacent to it. There shall be no permitted discharges to ground or surface water resources of agricultural effluent or any polluting substances from the development site. The tanks shall be in accordance with the recommendations of the European Union (Good Agricultural Practice for the Protection of Waters) Regulations 2022 (S.I. No. 113 of 2022) or any subsequent amendments to those regulations and shall be of such capacity that no overflow occurs between emptying operations.

[b] The development shall at all times [including for when landspreading is being carried out] comply with the provisions of the European Union (Good Agricultural Practice for the Protection of Waters) Regulations 2022 (S.I. No. 113 of 2022) and to any such amendments as may be made to those regulations or to such new Regulations in this area as may be made from time to time.

Reason: In the interests of pollution control, aquatic amenity and public health.

14 (a) During the construction stage of the proposed development, the developer shall comply with the document titled "Best Practice Guidelines for the Preparation of Resource & Waste Management Plans for Construction and Demolition Projects" published by the Environmental Protection Agency.

(b) During the development works, the developer is not to permit any material from the site to be spread or deposited along the public roadway. The developer shall be responsible for maintaining the adjoining public thoroughfare and properties in a neat, tidy and safe condition.

Reason: In the interests of the reduction and best practice management of construction waste from the proposed development, public health, pollution control and traffic safety.

CONDITIONS

15. [a] Developer is required to consult with ESB regarding any overhead power line prior to the commencement of any work on this development.

[b] Any external lighting shall be cowled and directed away from the public roadway and adjoining properties.

Reason: In the interests of traffic safety and residential amenity.

16. Prior to commencement of development, a contribution shall be payable to Laois County Council, in accordance with the Council's Development Contribution Scheme 2023-2029 and in respect of public infrastructure and facilities benefiting development in the area of the Planning Authority, and that is provided or that it is intended will be provided by, or on behalf of, the Council.

The amount of the development contribution is set out below and is subject to annual revision with reference to the Wholesale Price Index (Building and Construction), and penalty interest for late payment, in accordance with the terms of the Council's Development Contribution Scheme:-

Agricultural Buildings in excess of a 500 m² size threshold

Class of Infrastructure	Size	Rate of Charge	Total Development Contribution
C3 Agricultural	5709 sq.m	€3 per square metre	€17,127

Reason: It is considered reasonable that the developer should contribute towards the expenditure incurred or proposed to be incurred by Laois County Council in respect of the provision/improvement of public services/infrastructure benefiting development in the area of the planning authority.