

**LAOIS COUNTY COUNCIL
PLANNING DEPARTMENT**

PLANNING REPORT

PLANNING REF: 24/60311



Applicant Name:	Tuleka Trading Company
Development Description:	The development will consist of the extension to an existing pig farm consisting of five modern animal house units, three feed silo's, together with all ancillary site works.
Development Address:	Graigue Ballinakill County Laois R32 FX31
Type of Permission:	Permission
Date of Site Inspection:	25/07/2024
Decision Due Date:	19/11/2024
Recommendation:	Grant Permission

Introduction

This planning report considers the proposed development of the extension to an existing pig farm consisting of five modern animal house units, three feed silo's, together with all ancillary site works at Graigue Ballinakill County Laois R32 FX31.

It is structured as follows:

- Planning Application Submission
- Site Location/ Context
- Background and Proposed Development
- Submissions/ Observations / Representations
- Pre-planning
- Planning History
- Referrals
- Policy and Objectives
- Summary of Key Planning Issues and Assessment

Planning Application Submission

The planning application includes the following information, which, where necessary is cross referred to in this report:

- Planning Application Form
- Planning Application Drawings
- Environmental Impact Assessment Report including a Non-Technical Summary and 13no. Chapters

- Natura Impact Statement

Environmental Impact Assessment Report (EIAR)

The proposed development is of a class referenced in Parts 1 and 2 of Schedule 5 of the Planning and Development Regulations 2001 as amended.

- Class 17 of Part 1 refers to:
 - Installations for the intensive rearing of poultry or pigs with more than-
 - (a) 85,000 places for broilers, 60,000 places for hens,
 - (b) 3,000 places for production pigs (over 30 kilograms), or
 - (c) 900 places for sows.
- Class 1 [e] [ii] of Part 2 refers inter alia to installations for intensive rearing of pigs not included in Part 1 of this Schedule which would have more than **2,000 places** for production pigs [over 30 kgs] in a finishing unit, more than 400 places for sows in a breeding unit or more than 200 places for sows in an integrated unit.

The applicant states that the current animal numbers housed at the site include 650 sow places and 4,800 places for production pigs (growers and finishers).

An Environmental Impact Assessment (EIA) has been completed and an Environmental Impact Assessment Report (EIAR) has been submitted with the planning application.

Laois County Council has reviewed EIAR in order to confirm :

- If it has adequately addressed the environmental impacts of the proposed scheme;
- If it has included detailed mitigation measures which are appropriate and will reduce the environmental impacts to an acceptable level;
- If the implementation of additional mitigation measures by condition is required, with such conditions very clearly stated and listed; and/or
- Whether clarification or further information is required to allow Laois County Council to complete the EIA as the competent authority.

EPA Licensing

First Schedule of Environmental Protection Agency Act 1992 as amended identifies that those activities which exceed the following thresholds are required to hold an Integrated Pollution Prevention and Control (IPPC) licence:

These include:

- Class 6.2: The rearing of pigs in an installation, whether within the same complex or within 100 metres of the same complex, where the capacity exceeds—

2,000 places for production pigs.

In this paragraph, a production pig means any pig over 30kg in weight which is being fattened for slaughter.

The facility holds an Industrial Emissions License as issued by the Environmental Protection Agency, reference IE PO710-03.

It is understood that if planning permission is granted, the applicant will be required to amend or review the IE licence to incorporate the new houses into the existing licence boundary.

Site Location/ Context

The application site is located in the townland of Graigue. It lies approximately 4.5 kms south-east of Abbeyleix town centre, 5.5 kms south-east of Ballyroan and 2.8 kms north-west of Ballinakill. The overall site measures 2.7 hectares, which includes both the existing site and proposed extension to the east side of the established pig farm. The total floor area of the existing buildings is stated to be 7,664 square metres. Access is from the south, via the L930 (Local Primary Road).

The boundaries of the application site comprises mature hedgerow and trees to the east and west, mature trees and vegetation, including an agricultural gate to the south and a mature hedgerow to the north. The site comprises an agricultural field, which includes hedgerow in the central / western part of the site. It also includes what appears to be a telephone or power line within the site, over which are a number of overhead lines.

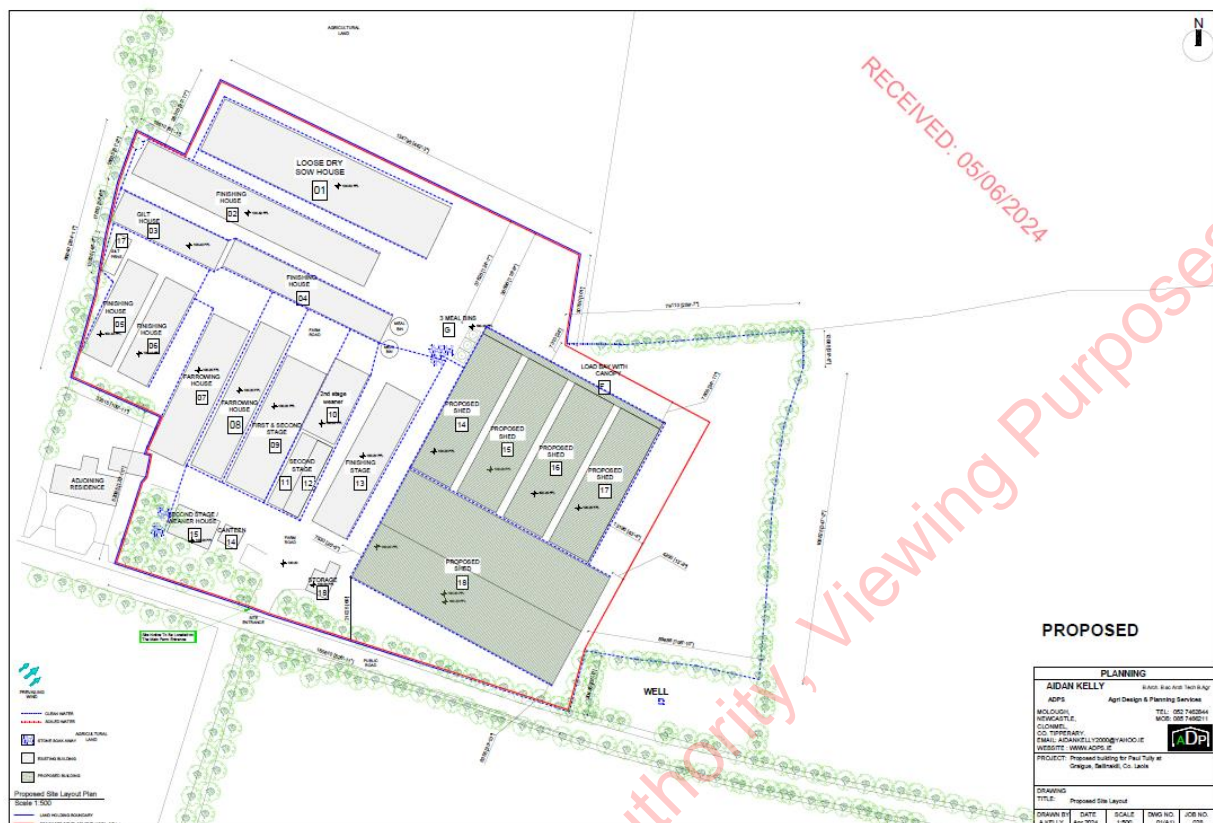


To the west of the application site are a large number of existing pig houses and associated feed silos, catering for each stage of the production cycle from birth, through weaning and finally fattening and export off-site.

Adjoining land uses are primarily agricultural with a number of one-off houses present as well in the vicinity including one located in the south-west part of the overall site. There is also a working quarry on lands due south.

Proposed Development

The development will consist of the extension to an existing pig farm consisting of five modern animal house units, three feed silo's, together with all ancillary site works.



The applicant states that it is **not proposed to increase the number of pigs** as permitted by the granted Industrial Emissions (IE) Licence (P0710-03) from the EPA. The extension of the farm would allow for an increase in the live weight of pigs at sale and an increase in animal welfare and production efficiency to sustain the financial viability of this pig rearing enterprise.

The proposed new structures will allow greater scope to manage disease by increasing the accommodation on the site for separating piglet litters and providing additional welfare space for pigs with undocked tails, providing for best practice under Welfare of Farmed Animals Regulations (S.I. 311 of 2010).

Pre-planning

None referred to by the applicant.

Planning History

A number of planning applications for similar type agricultural developments on this site have been approved and withdrawn under PI Refs 20/315, 06/918, 05/568 and 04/886.

A summary is provided as follows:

20/315 construct two finishing houses with underground manure storage and all associated site works. Application withdrawn

06/918	replace existing service house with a new finishing house and 2 no. meal bin silos such that the capacity of the unit shall accommodate all progeny of the existing 620 sow herd to slaughter. The pig unit comprises an activity in relation to which a licence under part IV of the Environmental Agency Act 1992 is required. Permission granted
05/568	construct an additional loose dry sow house, such that the capacity of the pig unit is 620 sows plus progeny for slaughter at existing pig unit
04/886	Retain second stage Weaner houses, one first stage and one second stage Weaner house, one dry sow house, one dry sow house/finishing house, one service house, three finishing houses, one farrowing house, one gilt house, one overground manure storage tank, one storage house for straw and permission to erect a new loose dry sow house and an office/canteen plus ancillary facilities (including septic tank and percolation area) at existing piggery. Permission granted

Submissions, Observations, Representations

1no. received by Peter Sweetman. The issues referred include:

- 1) Assess the planning merits of Application in accordance with the **Planning and Development Act 2000** (as amended)
- 2) Form and record a view as to the environmental impacts of the development, considering the **EIA Report (EIAR)** if furnished by the Applicant, the views of the public concerned and applying its own expertise or to screen the development for Environmental Impact Assessment.
- 3) The Planning Authority is the competent authority having responsibilities under the **Habitats Directive**.
- 4) The development must be assessed under the Water Framework Directive

Referrals

Internal Reports

This application was referred to the following, reports received as indicated below. Please refer to the specific report on file should further details be required.

- Water Services: No response received.
- Municipal District Engineer: No response received.
- Environment: No response received.
- Waste: No response received.
- Chief Fire Officer: Did not assess the application.

Prescribed Bodies/External Reports

This application was referred to the following, reports received as indicated below. Please refer to the specific report on file should further details be required.

- HSE – No response received.
- Uisce Eireann – No response received.
- DOCHG - No response received.

Policy and Objectives

- Guidelines for Planning Authorities and An Bord Pleanála on carrying out Environmental Impact Assessment
- Appropriate Assessment of Plans and Projects in Ireland Guidance for Planning Authorities
- Laois County Development Plan 2021-2027
 - Section 9.2

The Council recognises the importance of agriculture for sustaining, enhancing and maintaining a viable rural economy. The Council will support and facilitate agricultural restructuring and diversification within the framework of the 2020 Strategy (Department of Agriculture 2010), in order to integrate the sector more closely with rural development, in pursuit of environmental and social objectives. This approach accords with national policy as set out in the National Sustainable Development Strategy.

The Council supports the emphasis in the National Development Plan on investment, on measures for improving farm structures, including farm waste management, animal welfare, food quality and environmental protection, complementing the substantial investment in REPS. The optimum and environmentally sensitive use of land no longer required for agriculture will be a key issue over the Plan period. Where appropriate Laois County Council will support the production of energy crops on set aside land throughout the County.

Commonage and other rough grazing land should be regarded primarily as an important recreational, environmental and amenity resource.

- Section 9.6 (Commercial Developments in Rural Areas)

Rural businesses and enterprises are an important source of local employment in the County. Many examples of fine rural businesses exist throughout the county. This includes agricultural, equine, engineering/manufacturing, recreational, tourism, energy/renewable energy, and rural resource based enterprises. Whilst this Plan supports such enterprises and the diversification of the rural economy, it is also recognised that a balance is required between supporting rural based enterprises and projects and protecting the local environment.

In the first instance, new employment related developments are directed to settlements where services are available and lands have been identified for employment uses.

It is also recognised that there are instances where a development can be more readily accommodated or is more appropriate to a rural area. This can be due to a locational specific, or resourced based development, or a development of regional or national importance.

In relation to the expansion of an existing rural enterprise, consideration will be given to the scale of the existing and proposed development, the capacity

of local infrastructure to accommodate the expansion, and the compatibility of the development with the surrounding area

It is the policy of the Council to:

- RL4: Support the expansion, diversification and intensification of **agriculture** and the agri-food sector by facilitating appropriate related development subject to environmental and planning considerations.
- RL18: Protect rural amenities, natural archaeological and natural heritage, visual amenities, eco-systems, conservation areas, landscape and scenic views from adverse impacts of agricultural practices and development particularly in high amenity areas and ensure that it is appropriate in nature and scale, and ensure it does not have an undue negative impact on the visual/scenic amenity of the countryside and identify mitigating measures where required. Integrate into the landscape, including the minimal use of signage
- RL 21: Laois County Council will implement the objectives and targets at county level of the EU 'A Farm to Fork strategy', published in May 2020. The Council will also implement the targets of the 14 point EU Nature Restoration Plan in the 'EU Biodiversity Strategy for 2030 - Bringing nature back into our lives'. Agricultural development proposals must demonstrate compliance with the targets and policies of both strategies, with those agricultural installations below the Industrial Emissions Directive thresholds for EPA licencing will be subject to appropriate assessment screening and that assessment of these impacts should follow EPA Guidance published in May 2021¹

1 <https://www.epa.ie/publications/licensing--permitting/industrial/ied/Assessment-of-Impact-of--Ammonia-and-Nitrogen-on-Natura-sites-from-Intensive-Agriculture-Installations.pdf>

Development Management Standards

DM RL1: General Consideration for Agricultural Buildings

Agricultural developments have the potential to impact on the environment and the landscape. The traditional form of agricultural buildings is disappearing with the onset of advanced construction methods and wider range of materials. Some new farm buildings have the appearance of industrial buildings and due to their scale and mass can have serious major visual impacts.

In dealing with applications for agricultural developments the Planning Authority will have regard to the following:

- 1) Require that buildings be sited as unobtrusively as possible and that the finishes and colour used will blend the development into its surroundings.
- 2) The proposed developments shall meet with the requirements of the Department of Agriculture with regard to storage and disposal of waste.
- 3) The Council accepts the need for agricultural buildings and associated works (walls, fences, gates, entrances, yards) to be functional but they will be required to be sympathetic to their surroundings in scale, material and finishes.

- 4) Buildings should relate to the landscape. Traditionally this was achieved through having the roof a darker colour than the walls.
- 5) Appropriate roof colours are dark grey, dark reddish brown or a very dark green. Where cladding is used on the exterior of the farm buildings dark colours should be used.
- 6) Location and impacts on the road network and other associated uses
- 7) Ensure it does not have an undue negative impact on the visual/scenic amenity of the countryside and identify mitigating measures where required

All agricultural buildings should be located an adequate distance from any watercourse to reduce the risk of contamination

Summary of Key Planning Issues and Assessment

I refer to the Planner Report, dated 25/07/24, which recommended further information be requested on the follows:

1. Environmental Impact Assessment Report (EIAR)

The content of the submitted Environmental Impact Assessment Report (EIAR) has been considered and the following is noted therein:

a. Proposed Development

The description of the proposed development in Section 2.3 of the EIAR and in Section 4.1 of the NIS is different to that referred to in Section 2.4.3 of the EIAR and the details of the site layout plan and associated plans and elevations of the proposed sheds. The applicant is to confirm:

- i. The proposed development in detail to ensure there is consistency in the submitted documentation; and*
- ii. Where necessary, the applicant, shall undertake and update the assessment of the proposed development in the EIAR, and submit it to the Planning Authority for consideration.*

b. Site Works

The applicant shall confirm the nature and extent of tree removal and hedgerow removal to facilitate the proposed development and comment on the impacts of such removal.

c. Bat Survey

The Planning Authority notes that a site assessment was undertaken on the 3rd November 2023 to examine the ecological context of the proposed development.

The Planning Authority refers to the inconsistency in referencing to the removal of mature trees, hedgerows or treelines. The Planning Authority requests that the applicant revisits the assessment of bats, including undertaking a survey of bats during the optimal survey season.

The conclusion of that assessment, and an assessment of the potential impact on bats with the proposed tree / hedgerow removal shall be submitted.

d. Construction Period and Hours

- i. *The Planning Authority notes that the EIAR refers to a construction period of 6 months. However, Section 6.4.1.1 of the EIAR states that a typical construction programme for such a development would take approximately 10 to 12 months. The applicant shall confirm the construction period.*
- ii. *Section 6.6 (Noise Mitigation) states that all construction activities would take place between 7:00am and 19:00pm, Monday to Friday, and 7:00am to 13:00pm on Saturdays.*

However, Section 8.4 of the EIAR states that the hours of operation are from 7am to 7pm Monday to Friday, and 8am to 2pm on Saturdays in Summer months. However, when daylight hours are limited (October – March) construction works would commence one hour after sunrise (dawn) and stop one hour before sunset (dusk).

The applicant shall confirm the anticipated construction phase and hours of construction, and, where necessary, amend the relevant sections of the EIAR, to assess the “worst case scenario”.

2. Natura Impact Statement

The description of the proposed development in Section 2.3 of the EIAR and in Section 4.1 of the NIS is different to that referred to in Section 2.4.3 of the EIAR, which correspond with the Site Layout Plans.

The applicant is to confirm:

- i. *the proposed development in detail to ensure there is consistency in the submitted documentation; and*
- ii. *Where necessary, the applicant, shall undertake an updated assessment of the proposed development in the NIS, and submit it to the Planning Authority for consideration.*

3. Construction and Environmental Management Plan

A Construction and Environmental Management Plan is required to demonstrate how the proposed development would be adequately managed during the construction phase.

4. Third Party Submission

The applicant is advised that 1 no. third-party submission has been received by the Planning Authority in relation to this proposal. The applicant is invited to comment on same.

Response and Assessment

*For completeness I have included the applicant's response to the matters relating to the Environmental Impact Assessment together. The text of the further information request is in *italics*, with the applicant's response in *blue italics*. My commentary and assessment of that response is made thereafter.*

Environmental Impact Assessment

Part X of the Planning and Development Act 2000 (as amended) requires that an EIAR be submitted with planning applications for development proposals of a certain scale and nature.

Schedule 5, of the Planning and Development Regulations refers to development for the purposes of Part 10 (Environmental Impact Assessment Report) of the planning regulations.

“An EIAR is required to accompany a planning application for development of a class set out in Schedule 5 of the Planning and Development Regulations which exceeds a limit, quantity or threshold set for that class of development. An EIAR will also be required by the planning authority in respect of sub-threshold development where the authority considers that the development would be likely to have significant effects on the environment (article 103)”.

The schedule sets out the prescribed classes of development that require an EIAR document. The following sections of schedule 5 are applicable to the proposed development.

Schedule 5, Part 1:

17. Installations for the intensive rearing of poultry or pigs with more than:

- (a) 85,000 places for broilers, 60,000 places for hens,
- (b) 3,000 places for production pigs (over 30 kilograms)
- (c) 900 places for sows

Schedule 5, Part 2:

Agriculture, Silviculture and Aquaculture

(e) (ii) Installations for intensive rearing of pigs not included in Part 1 of this Schedule which would have more than 2,000 places for production pigs (over 30 kilograms) in a finishing unit, more than 400 places for sows in a breeding unit or more than 200 places for sows in an integrated unit.

An Environmental Impact Assessment Report (EIAR) has been submitted to the Planning Authority with the application, prepared by Panther Environmental Solutions Ltd.

This Environmental Impact Assessment has been carried out by Laois County Council in relation to the proposed pig farm extension at Tulleke, Graigue, Ballinakill, Co.Laois..

The aim of this EIA is to identify and assess the effects of the proposed development on various environmental factors, in order to assist in considering whether it is consistent with the proper planning and sustainable development of the area.

An assessment of the adequacy of the information contained in the planning application and Environmental Impact Assessment Report (EIAR) is therefore required.

The content of a number of chapters of the EIAR are more pertinent to the competent internal departments of the Planning Authority. This EIA has therefore also been informed by reports received from the Planning Authority's internal departments. Submissions received from prescribed bodies and third parties have also been taken into account.

In the interest of clarity and legibility for the reader it is proposed to structure this EIA in line with the sequencing of the information contained in the EIAR. It is not the intention of this EIA Report to summarise the content of the EIAR, but rather to address the information contained therein in a direct and succinct manner.

The submitted EIAR includes information under the following chapter headings:

1. Introduction, Brief for Consultancy and Scope of EIAR
2. Description of the Proposed Development
3. Alternatives
4. Population and Human Health
5. Air Quality, Odour and Climate
6. Noise Environment
7. Landscape and Visual
8. Biodiversity
9. Land – Soils, Geology and Hydrology
10. Material Assets – Utilities and Traffic
11. Material Assets – Natural and Other Resources
12. Archaeological, Architectural and Cultural Heritage
13. Interactions and Inter-Relationships

The assessment below considers each of matters in detail and subsequently concludes on the adequacy of the EIAR including the Further Information Response on matters raised in the Further Information Request relating to the EIAR report.

Chapter 1 - Introduction

The content of this section of the EIAR has been considered. The legislation does not include any specific requirements regarding the content of an EIAR's Introduction.

I note the EIAR has been prepared in accordance with the requirements of the European Communities (Environmental Impact Assessment) Regulation, 1989 to 2017, the Planning and Development Act 2000 and the Planning and Development Regulations 2001, as amended.

The existing pig farm includes 650 sow places and 4,800 places for production pigs (growers and finishers). It is not proposed to increase the number of pigs as permitted by the granted Industrial Emissions (IE) Licence (P0710-03) from the EPA. The applicant has submitted an EIAR in cognisance of the scale of the development and sensitivities of the existing environment.

The EIAR outlines all legislative and guidance documents at National, Regional and Local levels which have been consulted as part of the preparation of the document.

Section 1.3 includes the Screening and Scoping process of the EIAR, whilst Section 1.5 includes an identification of the likely significant impacts. Section 1.7 includes an overview of the competent expertise, the details of which are considered acceptable.

Overall, it is considered that the EIAR project team engaged to prepare the various chapters contained in the EIAR are appropriate competent experts as is required under Section 172(1B) of the Planning and Development Act, as amended.

Chapter 2 - Description of the Proposed Development

A detailed description of the existing site and proposed development is included in Chapter 2 of the EIAR. The development will consist of the extension to an existing pig farm consisting of five modern animal house units, three feed silo's, together with all ancillary site works.

The construction phase would be c 6months. It is intended that all of the soil would be stockpiled on site and none is intended to be removed from the site.

Proposed Pig Houses

The sheds would be constructed from pre-cast concrete with 80mm dark green insulated panels and roofs and would comprise of insulated cement fibre sheeting. The interior would include a ventilation system, suspended ceiling, heating system, insulated internal walls and stainless steel / PVC finishes.

The dimensions of the pig houses referred in the submitted EIAR was as follows:

- Sheds 14, 15, 16 and 17: Each building would measure c. 51.0m in length, 15.0m in width and 8.5m in height at highest point. The floor area of each of the proposed shed would be 765m².
- Shed 18 - The building would measure c. 76.8m in length, 41.0m in width and 7.7m in height at highest point. The floor area of the proposed shed would be 3148 m².

The slurry tanks beneath sheds 14,15,16 and 17 would be constructed from reinforced mass concrete with manure storage for 42 weeks from animal houses on site, and slurry tanks would have a freeboard of 200mm.

Slurry Generation and Storage

Slurry would be collected and stored within shallow put slurry storage tanks beneath the houses. All soiled water is diverted to the nearest slurry tank. There would be no discharge of any soiled water or effluent from the site to any watercourse or groundwater.

Production Process and Management

Section 2.5 outlines the production process and management within the site. The applicant currently operates an integrated pig unit, housing 650 sows and 120 maiden gilts. The term "breeding" refers to the production of pigs from birth up to weaner weight (c. 30kg) after which they are sent to finisher housing. The term "finishing" refers to the production of pigs from weaner weight to slaughter weight (c. 110kg).

There would be no alterations to the structures or management of the farm. A brief description of the main processes carried out at the rear site is provided, describing the sow cycles, to weaner production.

Access / Traffic

Section 2.5.2 describes the site access and traffic. It notes there would be an increase in vehicle movements during the construction phase, however this would only be for a limited period. There would be no significant alteration to existing operation traffic numbers, with the average daily traffic generated by the pig unit in full production being 10 vehicles.

Management of Slurry and Soiled Water

Pig slurry is an animal by-product by reference to the Animal By-products Regulations (S.I. 252 of 2008 and Regulation EC/1069/2009). The spreading of by-product pig slurry on land to supply fertiliser nutrients is provided for and is controlled under the European Union (Good Agricultural Practice for Protection of Waters) Regulations (S.I. No. 113 of 2022), as amended, and Directive 91/676/EEC), a.k.a. the Nitrates Regulations.

The use of pig slurry from this installation on lands owned by other farmers is required to be in accordance with the terms prescribed in the Fertilisers and Soil Improvers Order (S.I. 253 of 2008) and the Nitrates Regulations (S.I. 113 of 2022).

The applicant states that there is significant local demand for pig slurry which would continue to be distributed to local farmers in response to their demand and for their use on their farmland.

Drainage and Monitoring

Stormwater from the existing farm is directed to stone soakways, and is also directed to a soil percolation area adjacent to the north western corner. There is one surface water monitoring point at the farm.

Energy

The sites electricity is currently supplied by Eirgrid and the proposed new buildings would be wired into the existing infrastructure and also be supplied by Eirgrid. A back-up silent diesel generator is located on the site.

Lighting in the proposed buildings would be light emitting diodes (LEDs); a less energy intensive and longer lived technology

Heating / Ventilation / Water Provision

An electric heating system provides a temperature of > 30 degrees Celsius, and weaker pigs may receive extra and beneficial heat from an infrared lamp, hung over them. Ventilation are naturally and mechanically operated, which controls the temperature in the pig houses.

Water needs for the piggery would continue to be supplied from the local group water scheme. It is not expected that water consumption would increase on site as a result of the proposed development.

Feed Silos

Three new meal bins are proposed to be installed within the site, north west of the proposed fattening house 14.

Management of Waste Arising from Operation

Waste generated would be managed in order of priority in accordance with Section 21A of the Waste Management Act, 1996, as amended.

I noted that the original EIAR and NIS included different descriptions of the proposed development. Therefore, consequently the following item of further information sought from the applicant in relation to the proposed development is as follows:

1) Proposed Development

- a. *The description of the proposed development in Section 2.3 of the EIAR and in Section 4.1 of the NIS different to that referred to in Section 2.4.3 of the EIAR, which correspond with the Site Layout Plans. Whilst it is likely to be a drafting error, further information is recommended to allow the applicant to clarify the point.*

The applicant shall confirm the nature and extent of tree removal and hedgerow removal to facilitate the proposed development and comment on the impacts of such removal.

- b. **Site Works**

The applicant shall confirm the nature and extent of tree removal and hedgerow removal to facilitate the proposed development and comment on the impacts of such removal.

The applicant has submitted an amended EIAR, including the following description in Section 2.3 of the EIAR:

Four of the proposed houses would be used as fattening units and would have the dimensions 51.0m length and 15.0m width. The fifth new shed would be used as farrowing unit and would have the dimensions 76.8m length and 41.0m width. These would be added to the existing thirteen sheds currently in operation at the site. The extension would add 6,208.8m² to the pig house accommodation area.

Three new meal bins will be installed within the site north-west of proposed fattening house 14. These will be approximately 4.0m wide, 4.0m long and 11.225m high.

It is proposed to remove c. 30 m of hedgerow located between storage unit 18 and the proposed farrowing house 18,

The response by the applicant above is acceptable. I also note that the amount of excavation required has been amended from 8,900 to 12,600 tonnes to 8,940 to 12,670 tonnes.

I am now satisfied with the description of development, set out in Chapter 2 of the EIAR, as amended, and this is consistent with the dimensions referred for the respective sheds and meal bins referred.

Chapter 3 – Alternatives

Annex IV of the 2014 Directive which was transposed into Irish Law by the European Union (Planning and Development) (Environmental Impact Assessment) Regulations 2018 (S.I. No. 296 of 2018) refers to the information to be included in an EIAR. This includes the following extract:

“A description of the reasonable alternatives (for example in terms of project design, technology, location, size and scale) studied by the person or persons who prepared the EIAR, which are relevant to the proposed development and its specific characteristics, and an indication of the main reasons for selecting the chosen option, including a comparison of the environmental effects”.

The section describes the reasonable alternatives to the proposed development that were considered, including site location, layout and design, alternative processes, alternative management of slurry by-product and do nothing.

The main matters arising are as follows:

- Alternative Site

A review of the available lands within the applicant's holding reveals that the proposed site is the most appropriate. The new buildings are proposed to be integrated into the existing farm, and farmyard operated by the applicant. Acquiring property was discounted for the following reasons:

- Additional costs / economies of scale
- A new site would require the construction of new feeding, watering and heating systems, whereas the proposed site would only require that the existing systems be extended to accommodate the new buildings
- The applicant is established in the area

Therefore the most practical site is adjacent to existing buildings so access, services and controls can be shared. The site also operates under Industrial Emission Licence issued by the EPA. The environmental controls required under that licence would apply to operations at the proposed development. This mean that existing environmental management systems, mitigation and controls can be availed for the proposed new structures.

- Alternative Layout and Design

The layout and design of the proposed buildings have been based upon feasibility, environmental impacts, animal welfare (S.I. 311 of 2010) and the

efficiency of the pig rearing process. The minimising of operational costs was also a key factor in deciding the layout and design of the proposed buildings

The proposed design of the new buildings incorporates the most up to date concepts in modern pig farming in relation to animal welfare and environmental control. The design of the proposed development incorporates “low emission housing” design elements in order to minimise the potential for significant environmental impacts at the site.

- **Alternative Processes**

The activities at the site would not change. The production process would be industry standard and identical to that already in place at the farm (i.e. the rearing and finishing of pigs).

- **Management of Slurry By-Product**

Land spreading is a practical and economic means of utilising the nutrients in pig slurry. The applicant has an existing customer base of local farmers who obtain organic fertilisers from the enterprise

Overall, I am satisfied that the issue of reasonable alternatives, specially relating to site location, design, processes and management of slurry has been adequately addressed in the EIAR.

Chapter 4 - Population and Human Health

Chapter 4 describes the population distribution in the vicinity of the proposed development and assesses the impacts of the proposed development on the population and human health.

This study comprised a review of available information with regards to population and dynamics, economic activity, employment, land use and residential amenity. Information was obtained from the Central Statistics Office (CSO) and the Laois County Development Plan 2021 – 2027.

Section 4.3 includes an analysis of the receiving environment. Figure 4.3 of the EIAR includes the address point of buildings for properties within 1km of the site, which is included below:

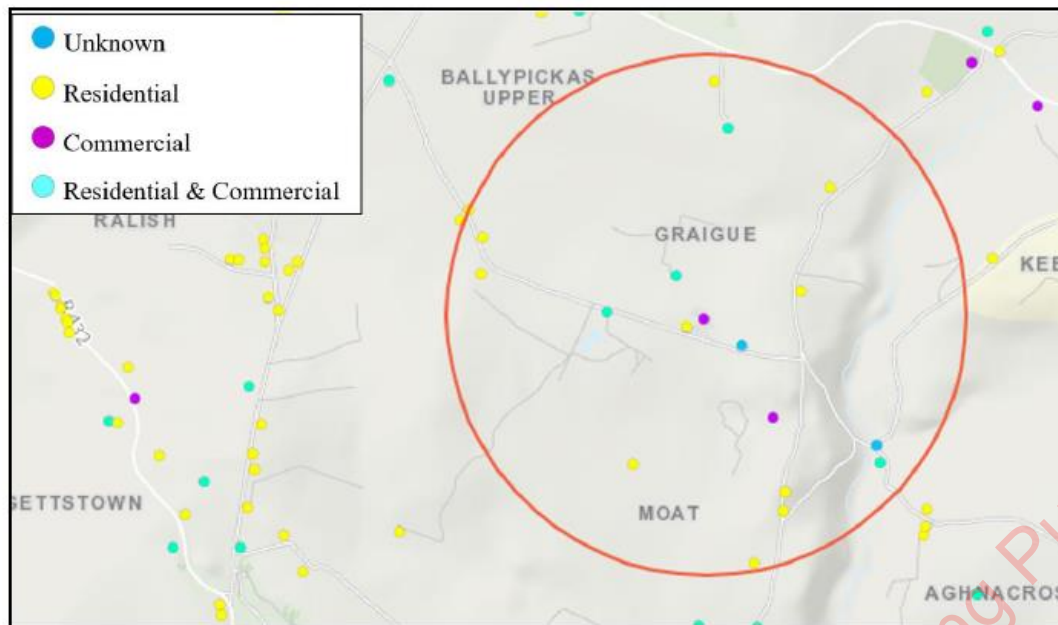


Figure 4.3: Address Points by Buildings for Properties within 1km of the Site

Figure 4.3 shows that there are 11no. residential properties, 4no. residential / commercial, 2no. commercial and 2no. unknown properties within 1km of the site. It is noted that overall, the area is sparsely populated, with a number of large farmsteads, as well as a commercial development (concrete product supplier) are also located within the area.

Impacts

Section 1.2 of the EIAR describes the impact on human beings during the construction and operational phases is outlined.

In terms of impact the following is noted:

- Employment
 - Creation of jobs at the construction phase
 - The proposed development would not increase the number of full time staff at the operational phase, which is currently 6 full time staff
 - The proposed development would also provide a proportional increase in indirect employment during the operational phase, for example, via haulier contractors and other services required. Agriculture is the predominant enterprise in the region and provides employment to a relatively large number of people in the area.
- Air, Dust, Odour
 - It is not considered that the proposed development would pose a significant risk to air quality, there would be a potential nuisance impact upon human beings with regards to the generation of dust during the construction phase and odour during the operational phase
 - The potential for dust generation during construction works is unlikely to impact upon third party residences in the locality, as the closest property is over 200m from the site boundary. Dust control measures would be implemented throughout the construction phase to reduce the potential

impact. Standard working practices and mitigation measures for dust control are outlined in **Section 5.7** of the EIAR.

- During the operational phase of the proposed development, as outlined in further detail in **Section 5.6 of the EIAR**, it is anticipated that odour from the proposed expansion of this piggery operation would not cause a significant environmental impact in the region or nuisance to sensitive locations.
- Noise
 - During the construction phase, it would be anticipated that there would be no significant impact on local residences within close proximity to the proposed development.
 - No significant additional noise impact would be anticipated during the operational phase of the proposed development in combination with existing operations.
 - The proposed development is unlikely to generate noise levels that will significantly impair amenity beyond the site boundary.
- Traffic
 - There would be increased vehicle movements during the construction phase of the development, however, this would be for a limited period of time only and would be minimal.
 - During the operational phase of the project, traffic movements to and from the site are expected to be similar to current movements.
- Visual Amenity
 - It is anticipated that there would be a permanent slight to no significant impact upon the visual amenity at locations surrounding the site.
- Water
 - Groundwater at the site could be contaminated due to potential “spills” at the site, especially during excavation works where the overburden is removed. However, water quality would be protected by the implementation of mitigation measures outlined in Section 9.5 of the EIAR.
 - It is not anticipated that the proposed development would have the potential to adversely impact water quality during the operational phase. Stormwater from roofs and clean yards would be directed to the stormwater drainage system. All soiled water would be diverted to the nearest pig slurry tank. All existing and proposed stormwater discharges are via soakaway or soil percolation areas. There is no surface field drainage within the vicinity of the site. There would be no process effluent emissions from the site.
 - All slurry / wash water mix would be land spread by customer farmers in accordance with the *European Union (Good Agricultural Practice for the Protection of Waters) Regulations 2022, as amended*.

Mitigation Measures

The following sections of this EIAR provide further information on the potential impacts on human beings as a result of the proposed development. Mitigation measures have been proposed to address the potential impacts and are detailed under the following sections:

- Air Quality, Odour & Climate
- Noise
- Landscape and Visual
- Biodiversity
- Land - Soils, Geology and Hydrology
- Material Assets
- Architectural, Archaeological and Cultural Heritage

The principle of development of the use of this site as a pig farm has already been established with the granting of planning permission on earlier applications to the west. This application represents a further expansion of the site.

Overall, I am satisfied that there would be no significant impacts from the proposed development on third party residential receptors.

Chapter 5 - Air Quality, Odour and Climate

Chapter 5 of the EIAR assesses the likely impact on air quality associated with the proposed development.

Methodology

Chapter 5 has been prepared following a desktop review and is supplemented by an Ammonia Impact Assessment and an Odour Impact Assessment to perform a predictive odour, ammonia and depositional nitrogen impact assessment of the existing farm and proposed extension.

Modelling Assessment

The closest sensitive receptor is 82m northwest of the site boundary and 95m northwest of the closest pig housing unit at the site. Other sensitive receptors are located further away to the northeast, east, southeast and west. These sensitive receptors were included in the modelling assessment



Figure 5.2: Nearest sensitive odour receptors to the pig farm (Katestone)

The residential property adjacent to the site is occupied by the former owner of the farm and has been made aware of all future developments at the site and is not considered as a sensitive receptor. This is considered to be acceptable in this instance.

The Odour Impact Assessment (Attachment 5.1) of the EIAR has been reviewed, and it is noted dispersion modelling conducted for five years of meteorological data, demonstrates that the results show that predicted concentrations comply with the odour criterion recommended by EPA for new pig farms of 5.0 ouE/m³ at the five nearest sensitive receptors included in the modelling assessment.

The results below are an extract from the OIA.

Table 8 Predicted ground-level concentrations of odour (1-hour average, 98th percentile) at the nearest sensitive receptors due to the pig farm

Receptor	1-hour 98th Odour Concentrations (ouE/m ³)				
	2016	2017	2018	2019	2020
DR1	3.2	3.7	3.4	3.1	3.2
DR2	4.7	3.6	4.6	4.8	4.3
DR3	3.5	1.3	2.3	2.6	2.5
DR4	0.9	0.3	1.0	0.4	0.7
DR5	0.6	0.6	0.5	0.8	0.5
Odour Criteria (Current)	5.0 ouE/m ³				

The conclusions of the above assessment are also referred to in Section 5.6.1 of the EIAR, which are considered to be acceptable.

Air Quality and Climate

There would be no alteration to the existing pig numbers, and it is not expected that the proposed development would result in a significant increase in the production of slurry at the farm.

The Ammonia Impact Assessment determined that the proposed pig farm complies with the EPA evaluation criteria at all sensitive locations.

This is considered to be acceptable.

Mitigation

Section 5.7.1 of the EIAR states that odours from pig farms can be significantly reduced by implementing good management practices. Emissions from this site are currently minimised using the baseline principles, which are outlined.

The proposed buildings would incorporate a 'low emission' pig housing design features including:

- A reduction in stocking density;
- Altering manure storage practices at eleven (11) of the thirteen (13) existing housing units at the site, which will be changed from deep pit storage tanks to shallow pit storage tanks;
- Altering ventilation points on some of the pig housing units.

It is considered that, as a result of these design and operational mitigation measures, there would not be a significant alteration to the level of odour generated at the facility.

Section 5.7.2 of the EIAR states that during the operational and construction phase of the proposed extension, all efforts would be made to ensure no dusting occurs.

During the construction phase, topsoil and gravel overburden would be used in the levelling off and landscaping of the site, whilst hard surface parts of the farmyard would be swept to remove mud and aggregate materials from their surface.

As with the current operation, it is not considered that dust would be a significant nuisance issue at the proposed site.

Cumulative Impacts and Mitigation

Overall, I am satisfied with the conclusion of Chapter 5 which states that due to the proposed design, management practices and location of the farm, there would be no significant impact upon the amenity value of the area as a result of the proposed development alone.

Chapter 6 - Noise Environment

Chapter 6 of the EIAR describes and assesses the noise impact from the proposed development, in particular, the potential noise impacts on residential locations (noise sensitive receptors) in the vicinity of the proposed development.

4) Construction Period and Hours

- a. The majority of the EIAR refers to a construction period of 6 months. However, Section 6.4.1.1 of the EIAR states that a typical construction programme for such a development would take approximately 10 to 12 months. The applicant shall confirm the construction period.
- b. Section 6.6 (Noise Mitigation) states that all construction activities would take place between 7:00am and 19:00pm, Monday to Friday, and 7:00am to 13:00pm on Saturdays.

However, Section 8.4 of the EIAR states that the hours of operation from 7am to 7pm Monday to Friday, and 8am to 2pm on Saturdays in Summer months. However, when daylight hours are limited (October – March) construction works would commence one hour after sunrise (dawn) and stop one hour before sunset (dusk).

The applicant shall confirm the anticipated construction phase and hours of construction, and, where necessary, amend the relevant sections of the EIAR, to assess the “worst case scenario”

In response the applicant has confirmed that the construction phase of the proposed project would take an estimated 6 months.

The project ecologist and project noise specialist have been consulted and confirmed that the following construction periods would be acceptable and would not alter the assessment of impacts as described within the EIAR:

Period	Months	Times (hh:mm)
Monday to Friday	April – September	07:00 to 19:00
Saturday	April – September	07:00 to 13:00
Sundays & Bank Holidays	All	None
	October – March	Construction works would commence one hour after sunrise (dawn) and stop one hour before sunset (dusk) – Ecological Mitigation

The EIAR has been revised to reflect the estimated construction phase duration and proposed construction activity periods.

The chapter includes the legislative context, referring to:

- The Planning and Development Act,
- EPA Act (Noise) Regulations 1994
- EPA “Guidance Note on Noise (NGA4) (2016),
- *BS5228:2014 Code of practice for noise and vibration control on construction and open sites – Part 1: Noise*
- The National Roads Authority (NRA) Guidelines for the Treatment of Noise and Vibration in National Road Schemes (2004)
- EPA Licensing

It is noted that the existing site is licensed by the Environmental Protection Agency, license reference: P0710-03, which sets the environmental noise emission limits for the site:

Licence Condition 4.1 states:

‘Noise from the installation shall not give rise to sound pressure levels (Leq, 30mins) measured at noise sensitive locations of the installation, which exceed the limit value(s) specified in Schedule B.4 Noise Emissions, of this licence.’

Schedule B.4: Noise Emissions	
Daytime L _{Aeq} (30 minutes)	Night-time L _{Aeq} (30 minutes)
55 dB(A) ^{Note 1}	45 dB(A) ^{Note 1}

Note 1: *‘There shall be no clearly audible tonal component or impulsive component in the noise emission from the activity at the boundary’*

Methodology

Section 6.3.1 states that a baseline noise monitoring assessment was carried out. 3no. locations were selected to predict the impact of the construction and operational phases. The locations are shown in Figure 6.2 of the EIAR, which is shown below:



Figure 6.2: Monitoring and Noise Sensitive Locations (Google Earth)

The EIAR summarises that the development would not be located within a “Quiet Area”, as per the EPA NG4 Guidance.

Baseline Noise Assessment – Analysis

Section 6.3.3 of the EIAR states that all monitored Leq noise levels were below or equal to these licence limits, with the exception of the daytime NM3 figures of 56dB and 60dB, which was elevated as a result of non-site related sources, and daytime NM1 figure of 59dB, which was elevated due to the traffic entering / exiting the site. Night time exceedances at NM1 and NM3 were as a result of non-site related sources, comprising of passing traffic and intermittent breezes in the trees.

The L90 noise levels, which would better reflect the continuous noise sources from the farm ranged from 37 to 50 dBA Daytime, 27 to 37 dBA Evening, and 22 to 45 dBA Night-time.

Predictive Noise Assessment

Construction Phase

In order to determine the potential impact of noise from the proposed development during the construction phase, the resultant noise levels at the three defined noise sensitive receptors have been calculated, based on distance from the NSR to the closest area with the potential to contain construction plant operations.

The calculated potential construction noise levels at the closest NSR's would range between -3 & -10 dB below the recommended 65 dB threshold

Precautionary control measures are referred to in Section 6.6 (Mitigation) of the EIAR, which includes that plant and machinery used would comply with EC (Construction Plant and Equipment) Permissible Noise Levels Regulations 1988, as well as limited construction activities to between 7am to 7pm, Monday to Friday and 7am to 1pm on Saturdays.

The applicant states that any expected high noise works which, by necessity, are required to be carried out outside of these times would be notified to the relevant bodies and any potentially effected local residents in good time and prior to specified works commencing.

This is considered to be acceptable, and can be a matter of planning condition if a favourable decision is recommended.

Operational Phase

Maximum worst-case scenario ventilation fan noise would only be expected to occur during the daytime in the summer and only during short periods of these days. Predicted worst-case scenario noise levels at all noise sensitive locations have been determined to be between 6 above and -8dB below the site's existing EPA license daytime limit of 55dB.

The predicted exceedance of recommended noise limits would occur at the residence immediately adjacent to the farm, occupied by the former owner of the site. The EIAR states that the resident has been made aware of all future developments at the site and potential increase in noise.

It is also understood that there is an agreement that, should the house be sold in the future, the applicant / farm operator would have first refusal on the property. Given these circumstances, this is , on balance considered to be acceptable in this instance.

Noise levels at the next closest sensitive receptors fall below the recommended noise limit.

Due to the low predicted resultant noise levels and the infrequency of occurrence, it is predicted that maximum fan noise would have no significant impact upon noise sensitive locations, once the recommended control measures are put in place.

This is includes:

- Plant and machinery used on-site would comply with the EC (Construction Plant and Equipment) Permissible Noise Levels Regulations, 1988 (S.I. No. 320 of 1988). All noise producing equipment would comply with S.I. No 632 of 2001 European Communities (Noise Emission by Equipment for Use Outdoors) Regulations 2001;
- No plant used on site would be permitted to cause an ongoing public nuisance due to noise;

In conclusion, the EIAR states that there would be a moderate impact for a limited period of time on noise sensitive locations as a result of the initial construction phase.

There would be no significant impact on noise sensitive locations, as a result of the operational phase of the proposed development.

On balance, this is considered to be acceptable in this case.

Chapter 7 - Landscape and Visual

Chapter 7 assesses the landscape and visual effects arising from the proposed development. A Landscape and Visual Impact Assessment has been undertaken and submitted as part of the EIAR.

Methodology

This assessment is made with regard to the vulnerability of the landscape to change and to the location of visual receptors relative to the proposed development.

The methodology used in the assessment is based on:

- EPA's "Advice Notes on Current Practice in the preparation of Environmental Impact Statements, 2003" and
- "Guidelines on the information to be contained in Environmental Impact Assessment Reports, 2022".

The visual envelope defines the general area within which the development may be visible. In this case it extends to c. 2km to 3km at its furthest point. Beyond the visual envelope, any visual impacts are considered negligible.

A site survey was carried out on the 19th January 2024, supplemented by a desktop assessment.

Existing Environment

The proposed development site is located within an upland area, which is classified as a medium sensitive landscape area.

I note that Table 11.6 of the Laois County Development Plan 2021-2027 states:

Sensitivity	Landscape Character Area and Special Features	Description
Medium Sensitivity	Rolling Hills and Hills and Upland Areas	Areas with the capacity to accommodate a range of uses without significant adverse effects on the appearance or character of the landscape having regards to localised sensitivity factors

Impact

The assessment of potential visual amenity impacts involved examining the locations of domestic dwellings, views from public roads and the location of the proposed development was undertaken

Construction Phase

The construction phase of the development would be for six months. There would be minor to no significant and temporary visual impact from construction works, given that the building site would be primarily at a low level and screened from surrounding roads by topography, existing vegetation and buildings.

It is concluded that the visual impact would be insignificant.

Operational Phase

7no. visual points were used in the landscape and visual impact assessment which are shown below.

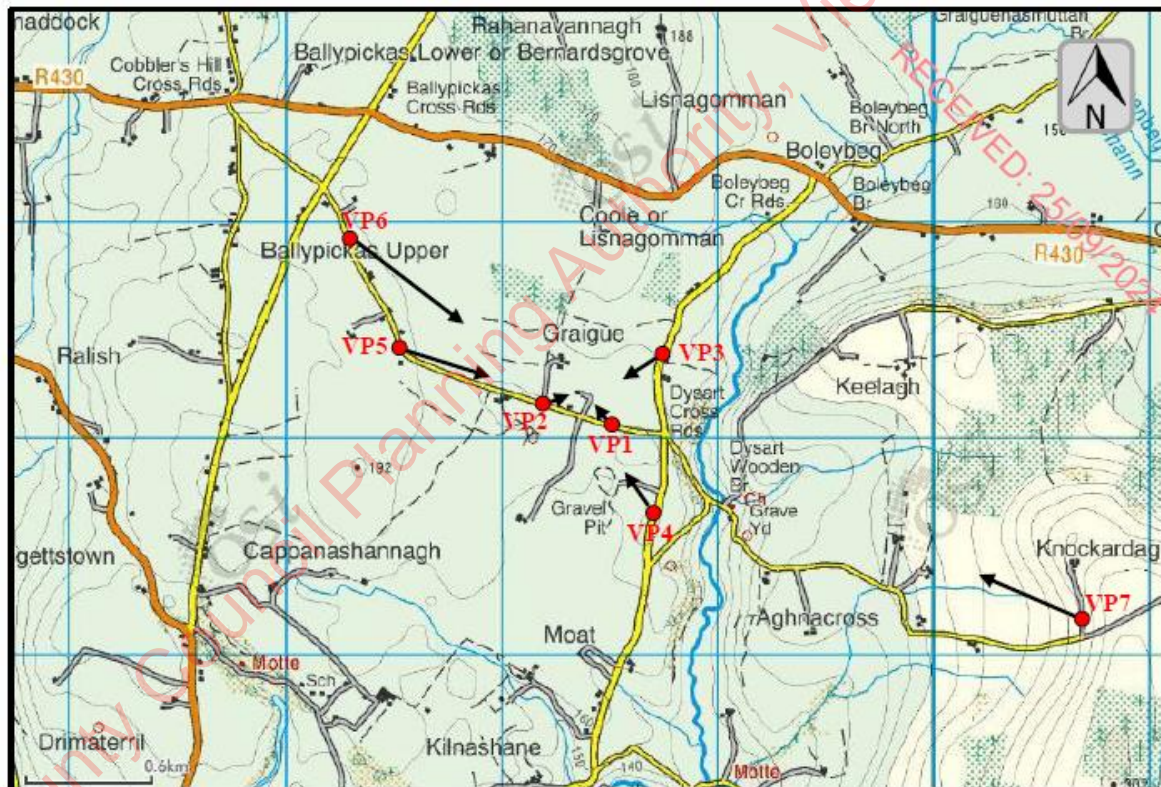


Figure 7.3: Visual Point Locations

The EIAR notes that:

- VP1- The impact would be significant upon the visual amenity or landscape character. However the sensitivity of the location is low
- VP2 – No visual amenity or landscape impact as a result of the development at locations represented by these viewpoints

- VP3 - No impact upon the visual amenity or landscape character at the areas represented by this location.
- VP4 – Impact on the visual amenity and landscape is imperceptible
- VP5 - No impact upon the visual amenity or landscape character at the areas represented by this location.
- VP6 - Impact on the visual amenity and landscape is not significant
- VP7 - Impact on the visual amenity and landscape is permanent “slight to not significant”

In summary, it is anticipated there would be a permanent slight to no significant impact upon the visual amenity at locations surrounding the site.

It is also noted that there is a recommendation that the proposed farrowing and fattening houses are to be finished in a dark green colour which would blend the proposed structure within the existing boundary vegetation and make the edges of the structures less well defined. It also recommends that boundaries of the site be supplemented with additional planting to suppress gaps in vegetation.

These recommendations are considered acceptable, and it can be a matter of planning condition that all recommendations within the EIAR be implemented, in the event that planning permission is recommended to be granted.

Landscape and Visual Impact Assessment Summary

Sensitivity

The landscape sensitivity of the area is “medium” and tolerant to change. The visual sensitivity is also considered to be “medium”, which is accepted.

Magnitude of Change

The magnitude of landscape change is considered “medium”, whilst the magnitude of visual change is considered low in that the proposed development would not result in any noticeable change in the existing view. On balance, this is considered acceptable.

Taking into account the “medium” sensitivity of the landscape type and “low – medium” magnitude of visual impact that the proposed development would create, the development would result in a minor – negligible residual effect to the visual character of the area. This conclusion is considered to be reasonable.

Mitigation

Mitigation includes the following measures:

- All existing hedgerows should be retained in so far as is practical.
- Native trees, appropriate to the area, are planted south of the existing buildings, where feasible.

Residual Impact

The assessment concludes that the completed development, on its own or in combination with other developments, would result in no significant residual impact to the visual amenity of the landscape, given that the proposed development would effectively be an expansion to the already existing piggery, and would not significantly alter the physical scale of the farm in the landscape.

This is considered to be reasonable and robust, with the recommendations of the EIAR referred to as matters of planning condition in the event of a favourable recommendation to grant permission for the proposed development.

Chapter 8: Biodiversity

c) Bat Survey

A site assessment was undertaken on the 3rd of November 2023 to examine the ecological context of the proposed development.

The site assessment was not carried out during the optimal survey season for bats. Therefore a further assessment of the potential for bats should be undertaken, and the proposed development impact on bats to be considered further.

A Bat Survey Report, including bat roost potential and emergence, has been completed by Gannon & Associates on 14th August 2024, report date 03rd September 2024. This report has been included as Appendix 8.1 of the EIAR, and has been used to update the biodiversity chapter of the EIAR.

The following is an assessment of the revised Chapter 8 submitted in response to the further information request, received on the 25th September 2024.

Chapter 8 of the EIAR states that the objectives of the ecological assessment were as follows:

- To undertake a comprehensive desktop review to identify European sites (Natura 2000 sites) within the vicinity of the proposed development and to determine previously recorded fauna for the area;
- To undertake a field assessment of the proposed development site and surroundings;
- To evaluate the biodiversity value of the proposed development and surroundings;
- To determine and assess the potential impacts of the proposed development on biodiversity;
- To propose mitigation measures for both the construction and operational phases of the development, where required, to reduce potential impacts upon biodiversity.

Methodology

A range of documents were consulted for the assessment with a full list included in Section 8.8 of the EIAR.

Study Area / Zone of Influence

Taking into consideration best practice guidance, and the nature of the development the study area for the assessment ranges from the site boundary to buffers of 100m for specific species. However, these buffers were extended where required.

A desktop assessment was undertaken, with a range of online resources consulted. A site assessment was undertaken on the 3rd of November 2023 to examine the ecological context of the proposed development, with the additional bat species survey undertaken on the 14th August 2024.

This included a roost inspection survey of the 30m of hedgerow proposed for removal and a dusk emergence survey of the entire site. The results of that assessment are outlined under the sub heading of “Bats” later in this report.

Baseline and Assessment of Impacts

Water Quality

The proposed development is located within the Nore Catchment (15). The nearest watercourse is the Owveg [Nore], located approximately c.394m from the proposed development. The Owveg is hydrologically connected to the River Barrow and River Nore SAC and the River Nore SPA.

During the operational phase, stormwater comprised of rainwater run-off from roofs and clean yards from the existing farm, is directed to stone soakaways in the centre and south-west of the site (SA1 & SA2) and to a percolation area (SW1) to the north-west.

The application states that surface water from the new proposed development will discharge to an existing soakaway in the centre (SA2). The surface water collected by the current and new proposed stormwater system will be uncontaminated and therefore have no impact on either the surface or groundwater in the area or on a designated site.

Therefore, there are no anticipated impacts in terms of water quality of the River Barrow and River Nore SAC during the operational phase

Lisbigney Bog SAC, despite being located within the same subcatchment as the proposed site, does not have a direct hydrological connection via surface water and is within a separate groundwater body. Therefore, it is not anticipated that there would be any potential impacts on water quality due to the proposed development.

It is noted that during the construction phase (which is estimated to be approximately 6 months), a deterioration in water quality can arise. According to the Ground Water Data Viewer live maps, the proposed development is located within an area of high soil permeability. However, an area of low permeability exists between the proposed development and the River Barrow and River Nore SAC.

Therefore, given the distance, it is unlikely that any potential contaminants during the construction phase would reach the Owveg River. As the permeability of the soil is low to the east, potential contaminants would be retained within the vicinity of the works.

Given the nature of construction activities required, the short duration of construction works (6 months) and given the distance to the nearest watercourse (approximately 394m), there is considered to be no significant risk of water quality deterioration as a result of hydrocarbon spillage.

The spreading of manure would be undertaken in accordance with the setback distances from surface waterbodies and abstraction points specified in the Nitrates Regulations.

No potential impacts upon water quality would be anticipated due to accidents and potential spills and leaks, given the absence of watercourses within the vicinity of the site, the low volume of stored chemicals onsite and given that chemicals and oils are stored upon bunds, in accordance with the site's Industrial Emissions (IE) Licence.

Overall, given the proposed drainage system during the operational phase, absence of works within a watercourse or drainage ditch and low risk to water quality during the construction phase, it is not considered that the proposed development would have a significant impact on water quality during the operational or construction phase.

Natura 2000 Sites

The sites considered to be within the potential zone of influence of the proposed development are the River Barrow and River Nore SAC (Site Code: 002162), the Lisbigney Bog SAC (Site Code: 000869), the River Nore SPA (Site Code: 004233) and the Coan Bogs NHA (Site Code: 002382), due to potential hydrological connectivity and a potential deterioration in air quality.

Ballyprior Grassland SAC (Site Code: 002256), Timahoe Esker pNHA (Site Code: 000421), Clopook Wood pNHA (Site Code: 000860) and Ridge of Portlaoise pNHA (Site Code: 000860), are not located within the same river catchment as the development site and therefore are not hydrologically connected with the development. Therefore, in the absence of a source-pathway-receptor relationship and given the distances from the development, these sites have been screened out.

The assessment on the Natura 2000 sites is referenced in both Section 8 of the EIAR and the Natura Impact Statement. To avoid repetition in this report, I refer to the Natura 2000 sites under the sub heading of "Appropriate Assessment" below.

With regards to the remaining site referred above, namely the Coan Bogs NHA (Site Code: 002382), the proposed development does not directly impinge on this NHA site and therefore would not be expected to have any *in-situ* effects through loss or destruction of habitat, fragmentation of habitat or disturbance of habitat.

It is not considered that the proposed development has the potential to impact upon this NHA site due to invasive species, given that there would be no significant import of materials with the potential to contain invasive flora species. Soils excavated during construction works would be stockpiled and re-used in site levelling and landscaping, therefore there would be no requirement for importation of topsoil or subsoil.

It is not considered that the proposed development would have the potential to impact upon Coan Bogs NHA due to a potential deterioration in water quality, given that the

NHA site is located within a separate sub catchment of the Nore Catchment and therefore is not considered to be a direct hydrological connection to the development

Fauna (excluding Bats)

Terrestrial Fauna

Evidence of fauna (trackways) was observed within a hedgerow habitat to the south-east. No scat or footprints were observed. There is no evidence of any other fauna including protected species, were observed during the site walkover.

In the absence of aquatic habitats within the development site itself, the site would have limited potential to support aquatic species. There was no evidence of otter, including spraints, tracks or holts, at the development site

It is also noted there is no evidence of badger, including setts or latrines at the development site. Although it is noted that it could be used by badgers for foraging No reptiles or amphibians were recorded on site, with no aquatic habitats on site for breeding.

Aquatic Fauna

With regards aquatic fauna, there are no aquatic habitats located within the development site itself.

Therefore, the development site itself would have limited potential to support aquatic species. It is unlikely that the development site would be of significance to otter given the absence of aquatic habitats and given that no evidence of otter, including spraints, tracks or holts, at the development site.

No evidence of these amphibians were recorded during the ecological site assessment. Although the Common frog hibernate in tall grasses, there would be limited suitable habitat onsite for this species.

Bats

Roosts

A majority of the buildings onsite are considered as having negligible to low bat roost potential. However, I note that no existing buildings are proposed for demolition.

The cottage is likely of Moderate suitability for roosting bats. However, the report notes that the cottage is located outside of the proposed development site and screened by existing large mature trees.

The Bat Survey noted that the hedgerows to the south and north-eastern would be considered as having negligible bat roosting potential however, they may be used by commuting bats.

A treeline outside of the proposed development area, to the west and east, are considered as having low to moderate bat roost potential.

The treeline to the west is adjacent existing buildings and the treeline to the east will not be adjacent to the new proposed development.

These hedgerows and treelines would not be altered by the proposed development, however, some additional native tree/shrub planting may occur on the southern hedgerow in accordance with landscaping recommendations.

The additional survey in August 2024 noted that no potential roost features were identified in the 30m of hedgerow proposed for removal. It is considered to be of low-negligible suitability for roosting bats.

The emergence survey noted that the overall bat activity of the site recorded was low. A total of two bat species were recorded, namely the common pipistrelle and soprano pipistrelle.

Mitigation

Section 8.6 of the EIAR includes those mitigation measures at the construction and operational phase.

The mitigation measures outlined would be implemented to ensure there is no significant impact upon the biodiversity of the area and designated sites during the construction phase of the development

I have reviewed the mitigation measures outlined, and am satisfied with those outlined.

Residual Impact

Table 8.18 provides a summary residual impacts (post mitigation). This confirms that the residual impact ranges from neutral to minor negative. Overall, no significant impacts are identified on Biodiversity.

I am satisfied that the methodology, assessment and conclusion reached is reasonable and robust.

Chapter 9: Land – Soils, Geology and Hydrology

Chapter 9 of the EIAR describe the soils, geology, hydrology and hydrogeology of the existing environment surrounding the site for the proposed extension to an existing piggery and all ancillary site works and services.

The objective of this chapter is to determine the likely significant impacts on the soils, geology, hydrology and hydrogeology of the area arising from the proposed development and to propose measures to mitigate these impacts, if required

Methodology

The assessment includes a desk study, a review of the information for the proposed development, the management of water, stormwater and water usage and interpretation of all data.

Existing Environment

Soils / Geology

The subsoils beneath the proposed site are mapped as limestone sands and gravels. The site is located within the Killeslin Siltstone Formation. Its lithology is described as mainly of grey argillaceous siltstones or silty mudstones, with lesser amounts of sandstone and shale.

Flood Risk

The nearest flood zones delineated by the OPW are c. 5.3 km north-west of the site on the Ballyroan River, a tributary of Nore River in Abbeylax town, and c. 6.3 km west of the site on the Nore River in Abbeylax Demesne townland. The proposed development would not be expected to result in an adverse impact to the hydrological regime of the area or to increase flood risk elsewhere. Therefore it is considered to be appropriate from a flood risk perspective.

Hydrology / Groundwater

All dirty yard areas (i.e. runs between buildings etc.) discharge to the slurry tanks underlying the pig houses.

The vulnerability of the groundwater within much of the site is interpreted as being high due to the high permeability of the gravel subsoil. The pig farm has been established at this location since 1973. During that period the piggery has constructed several buildings and slurry tanks. In that time there have been no evidence of groundwater contamination. Groundwater is monitored by the site. The proposed site is located on a regionally important gravel aquifer.

The site is not located within or in the vicinity of a surface or groundwater source protection area.

Water needs for the current piggery are provided through a connection to the Ballypickas Group Scheme, supplemented from an existing borehole at the site. These sources would also be used to supply water and services to the proposed buildings.

Under Condition 6.4 of the site's EPA IE licence (P0710-03), the licensee shall ensure that groundwater monitoring well sampling equipment is available/installed on-site and is fit for purpose at all times.

Annual Environmental Reports (AER) from 2018-2021 state that results from groundwater analysis carried out at monitoring point GW-1 indicate that there have not been any exceedances related to any parameter monitored. There are no thresholds set on ambient groundwater monitoring at GW-1 under the sites licence.

Pig slurry produced at the site has the potential to negatively impact on the water quality in the surrounding environment if not collected, stored and recovered appropriately.

The slurry from each building currently housing pigs on the site is stored in slurry tanks beneath the buildings. The proposed buildings would also be fitted with slurry tanks of sufficient capacity.

From previous planning applications related to the piggery, the EIAR states that it has been determined that the current slurry storage capacity of the piggery's slurry tanks is c. 8,689 m³.

The volume of all slurry currently produced at the site within 26 weeks by the existing amount of pigs is c. 5,363 m³ which is below the available storage capacity of c. 8,689

m3. An additional 3,608 m3 of storage capacity would be provided by new proposed tanks for the new buildings.

The volume of all slurry produced at the site is not expected to increase as a result of the proposed development.

The proposed development contains no proposal for land spreading of pig slurry. However, manure is, and would continue to be, distributed to local farmers for application to lands held by third parties in the area. The transport and spreading of the manure would be managed in compliance with the Nitrates Regulations (S.I. No. 113 of 2022).

Mitigation

Section 9 of the EIAR includes the mitigation measures during the construction and operational phases.

It is noted that excavation of bedrock should not be required.

In particular it is noted that in compliance with the sites EPA IE licence, the existing facility has an Environmental Management System, which would be updated to incorporate the proposed development. Good housekeeping practices would be observed throughout the site during the operational phase.

Residual Impacts

The predicted residual impacts of the proposed development are described in **Table 9.2** and **Table 9.3** of the EIAR in terms of quality, significance and duration. The relevant mitigation measures are detailed and the corresponding residual impacts are determined, which take into account of these mitigation measures. This ranges from negative slight, imperceptible, no effect, not significant and slight.

Overall the conclusions of the EIAR regarding soils, geology and hydrology are noted, and considered to be acceptable.

Chapter 10: Material Assets – Utilities and Traffic

The gateway area is surfaced with concrete and services a hardcore road that extends to the main part of the piggery.

The EIAR states that there would be increased vehicle movements during the construction phase of the development, however, this would be for a limited period of time only and would be minimal. Traffic movements during construction would be expected to consist of deliveries of building materials / plant equipment and vehicle movements from sub-contractors

During the operational phase, there would be no significant alteration to the existing operational traffic numbers. The Average Daily Traffic generated by the pig unit in full production is 10 vehicles. This consists of staff cars, feed delivery vehicles, pig sales, manure transport from the site and service personnel. AADT figures include out and return journeys

Chapter 11: Material Assets – Natural and Other Resources

This section of the EIAR outlines the potential impacts on natural and other resources of the proposed development.

A desktop study was undertaken to assess the potential impact of the proposed development on the natural and other resources of the area. This included a review of available data on the Geological Survey Ireland Spatial Resources, Teagasc Subsoil Mapping and EPA Unified GIS Application Mapping websites.

Overall, the proposed development would have a minor negative impact on natural and other resources. Any disruption to services and existing transport networks would be minimal and of a temporary nature during the construction phase of the development.

Given the nature of the proposed development and following the implementation of mitigation measures as outlined in previous sections, it is considered that residual impacts would be imperceptible.

Chapter 12: Archaeology, Architectural and Cultural Heritage

No recorded archaeological monument, or potential unrecorded archaeological monument, and no structure listed in the NIAH has been identified in the proposed piggery extension.

As per the site layout plan, part of the southern boundary of the proposed piggery extension is bordering L7794 road, which is aligned with the townland boundary.

Pre-Construction Phase

It is noted that whilst no recorded monument has been identified Section 12.7.1 of the EIAR recommends that pre-construction geophysical survey and archaeological test excavation be undertaken to address the sub-surface archaeological potential of the proposed development site. Pre-construction archaeological test excavation will target the areas of archaeological potential identified by the geophysical survey.

Construction Phase

The proposed piggery extension will not directly affect any known recorded monuments or any recorded structures of architectural or built heritage interest. The closest recorded monuments are located to the south-west of the site (LA030-010) in the townland of Moat and to the east of the site in the townland boundary (LA030-047001 and LA030-047002). No other monuments have been recorded for the townland of Graigue.

The proposed piggery extension will have a *direct, permanent and negative effect* on any unknown sub-surface archaeological features that may be present across the site.

As referred to above, Section 12.7 of the EIAR includes mitigation measures, including pre-construction geophysical surveys and further archaeological monitoring during at the construction stage. This would be carried out under licence in accordance with Section 26 of the National Monuments Act 1930 (as amended).

Operational Stage

Section 12.7.3 of the EIAR states that there are no direct physical archaeological, architectural and cultural heritage impacts to recorded heritage assets to be resolved at the operational phase of the development. Once the development has been completed, including the resolution of any archaeological material that may have been exposed, there is no need for further monitoring of the project

The conclusions and recommendations of the assessment are acceptable. The undertaking of such an assessment can be managed by way of planning condition if there is a favourable recommendation to grant planning permission.

Chapter 13: Interaction and Inter - Relationships

Table 13.1 includes a summary of the potential interactions / inter relationships between receptor and source. The content provided within this section is considered to be acceptable.

Reasoned Conclusions on Significant Effects

I note that the applicant states that it is not proposed to increase the number of pigs as permitted by the granted Industrial Emissions (IE) Licence (P0710-03) from the EPA. The extension of the farm would allow for an increase in the live weight of pigs at sale and an increase in animal welfare and production efficiency to sustain the financial viability of this pig rearing enterprise.

Having regard to the examination of environmental information contained above, and to the EIAR and other information provided by the applicant, the internal departments of Laois County Council, prescribed bodies, it is considered that the main significant direct and indirect effects of the proposed development on the environment are as follows;

- No likely significant or permanent effects on human health during the operational and post-operational stages of the proposed development.
- Biodiversity impacts will be mitigated by site management plan / measures, protection of habitat features i.e. hedgerows and trees.
- Air Quality - The proposed buildings would incorporate a 'low emission' pig housing design features including:
 - A reduction in stocking density;
 - Altering manure storage practices at eleven (11) of the thirteen (13) existing housing units at the site, which will be changed from deep pit storage tanks to shallow pit storage tanks;
 - Altering ventilation points on some of the pig housing units.
- Noise will be mitigated during the construction phase by hours of construction and the mitigation proposed in the Construction and Environmental Management Plan. At the operational phase, due to the low predicted resultant noise levels and the infrequency of occurrence, it is predicted that maximum fan noise would

have no significant impact upon noise sensitive locations, once the recommended control measures are put in place. This includes:

- Plant and machinery used on-site would comply with the EC (Construction Plant and Equipment) Permissible Noise Levels Regulations, 1988 (S.I. No. 320 of 1988). All noise producing equipment would comply with S.I. No 632 of 2001 European Communities (Noise Emission by Equipment for Use Outdoors) Regulations 2001.
- Landscape - Taking into account the “medium” sensitivity of the landscape type and “low – medium” magnitude of visual impact that the proposed development would create, the development would result in a minor – negligible residual effect to the visual character of the area. It is noted that the proposed structures would be finished in a dark green colour, which would blend with the existing vegetation.

The likely significant effects of the proposed development have been examined with the EIAR. Where quality of the effects have been identified as negative/adverse, the duration of same is either short-term or appropriate mitigation has been put forward within the EIAR and associated documents. This ensures the residual impact for any of the factors considered, after the proper implementation of the prescribed mitigation, will not be Significant.

They do not require or justify refusing permission for the proposed development or requiring substantial amendments. It is considered that the EIAR is compliant with Article 94 of the Planning and Development Regulations 2001 as amended.

2. Natura Impact Statement

The description of the proposed development in Section 2.3 of the EIAR and in Section 4.1 of the NIS is different to that referred to in Section 2.4.3 of the EIAR, which correspond with the Site Layout Plans.

The applicant is to confirm:

- the proposed development in detail to ensure there is consistency in the submitted documentation; and*
- Where necessary, the applicant, shall undertake an updated assessment of the proposed development in the NIS, and submit it to the Planning Authority for consideration.*

Applicant Response

The EIAR and NIS have been reviewed to ensure the accuracy of the information provided and are submitted in response to this further information request.

Assessment

I have reviewed the contents of the revised NIS, the details of which are noted and acceptable.

Appropriate Assessment – Impact of Further Information

As the Competent Authority, Laois County Council carried out an Appropriate Assessment Screening Report

The application site is not within or adjacent to any site that has been designated as a Special Area of Conservation (SAC) or a Special Protection Area (SPA). The following four Natura 2000 sites are located within 15km of the application site:

Site Name	Distance
The River Barrow and River Nore SAC (002162)	c.276m south east
River Nore SPA (Site Code: 004233)	5.3km south west
Lisbigney Bog SAC (Site Code: 000869)	c.4.9km south -west
Ballyprior Grassland SAC (Site Code 002256)	c.13.1km north-east

The closest protected site to the development is River Barrow and River Nore SAC, located approximately 276 m to the south-east. Lisbigney Bog SAC and River Nore SPA are hydrologically connected to the development and are located approximately 4.96km and 5.33km respectively from the development site. Given the presence of designated sites within the vicinity of the development, potential *ex-situ* impacts must also be considered.

The Planning Authority concluded based on the screening report that the effect of the works proposed on a European Site, individually or in combination with other plans and projects, is uncertain in relation to the Appropriate Assessment Screening Report. A Natura Impact Statement was required, which was submitted by the Applicant at the initial planning application stage.

The NIS concludes that subject to recommended mitigation measures, there would be no potential for significant impacts on European sites as a result of the proposed development and mitigation measures to be employed. This conclusion refers to the development by itself or in combination with other developments.

This conclusion remains applicable following consideration of the response to Further Information.

3. Construction and Environmental Management Plan

A Construction and Environmental Management Plan is required to demonstrate how the proposed development would be adequately managed during the construction phase.

A Construction Environmental Management Plan (CEMP) has been prepared for the project.

Assessment

The details of the CEMP have been noted, and considered acceptable

4. Third Party Submission

The applicant is advised that 1 no. third-party submission has been received by the Planning Authority in relation to this proposal. The applicant is invited to comment on same.

Mr Sweetman's submission does not raise any specific concerns in relation to any particular aspect of the Proposed Development, the EIA Report completed by Panther Environmental Solutions Ltd and relevant experts, or of the Appropriate Assessment (Stage 2) Natura Impact Statement completed by Panther Ecology Ltd.

The statement by Mr Sweetman "Based on the information submitted in the Natura Impact Statement it is not possible to legally grant a permission" is an unsupported assertion.

Assessment

The response by the applicant is noted.

Contributions

The total floor area proposed is 6,209sqm (rounded up). In terms of use, the proposed extension is considered to comprise an "agricultural building". The contributions outlined below have been calculated in accordance with the Laois Development Contribution Scheme 2023-2029:

- $6,209\text{sqm} - 500\text{sqm} = 5,709\text{sqm} \times \text{€}3 = \text{€}17,127$

Conclusion and Overall Assessment

Overall, I note that the proposed extension of the farm would allow for an increase in the live weight of pigs at sale, improvements to animal welfare and production efficiency to sustain the financial viability of this pig rearing enterprise. In addition, the number of pig accommodation is not proposed to increase.

This report comprises an Environmental Impact Assessment of the development proposed under planning application Reg. Ref.24/60311.

The aim of the EIA Report is to identify and assess effects of the proposed development on various environmental factors, in order to assist in considering whether the proposed developments are consistent with the proper planning and sustainable development of the area.

It is considered that the EIAR in addition to the response to the further information request has adequately identified and assessed the effects of the proposed development on various environmental factors. The EIAR submitted together with the information and the various reports received following the further information request with this application, is deemed to adequately describe the direct, indirect and cumulated effects on the environment of the proposed development.

I am satisfied that the Planning Authority has carried out a sufficiently robust and comprehensive analysis of the EIAR submitted by the applicant (including further information responses) submitted by the applicant to comply with its requirements under Article 1 and 3 of the EU Directive, revised Guidelines for Planning Authorities and An Bord Pleanála on carrying out Environmental Impact Assessment (August 2018) and sections 171A and 172 of the Planning and Development Act 2000 as amended.

The design and layout of the proposed pig accommodation and associated silo's is considered acceptable.

Recommendation

Overall, taking into consideration the foregoing assessment, I recommend that planning permission be granted subject to the following conditions:

FIRST SCHEDULE

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.

SECOND SCHEDULE

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:

- (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.

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/hauliers 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.

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.

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.



Nathan Smith
Senior Executive Planner
18th November 2024

Laois County Council Planning Authority, Viewing Purposes Only

Written Statement of Decision Maker (Chief Executive)

It is noted that the Environmental Impact Assessment (EIA) carried out by the Senior Executive Planner, dated 25/7/2024 and 18/11/2024, has been carried out giving full consideration to all plans and other particulars received by the Planning Authority including the Environmental Impact Assessment Report (EIAR) received on 05/06/2024 and the further Information received on 25/09/2024, all County Council internal department reports, all submissions and observations received from prescribed bodies in relation to the environmental effects of the proposed development.

It is considered that the EIAR received does adequately assess the likely significant environmental effects of the proposed development and thereby does comply with the requirements of Article 5(1) of EIA Directive 2014/52/EU and the potential impacts on inter alia;

- Population and Human Health
- Air Quality, Odour and Climate
- Noise Environment
- Landscape and Visual
- Biodiversity
- Land – Soils, Geology and Hydrology
- Material Assets – Utilities and Traffic
- Material Assets – Natural and Other Resources
- Archaeological, Architectural and Cultural Heritage
- The assessment of cumulative impacts arising from the proposed development.

The EIAR submitted with this application is deemed to adequately describe the direct and indirect effects on the environment of the proposed development and a thorough assessment of the proposed development has been undertaken by the Planning Authority.

The assessment as reported is adopted as the assessment of Laois County Council.

Simon Walton
Acting Chief Executive, Laois County Council