

PLANNING APPLICATION CONTROL FORM

Application Reference No. 06/1640

Decision due by 12/12/2006

Previous Ref. Nos.

Date of Receipt of Application (18/10/2006) (29/1/07) 21/3/07

Applicant : Declan Sullivan

Address: C/o C.L.W Environmental Planners The Mews 23 Farnham St Cavan

Location of
Development: Drumcreeghan Latton Castleblayney

Description : PERMISSION to construct 1no. poultry houses, together with all ancillary structures and associated site works arising from the above proposed development

VALIDATION

Validated by: _____

Date of Validation: _____

SITE NOTICE

Was Notice published on site

Yes

☒

No

☐

Inspected by: 1-1/11

Date of Inspection: 8-12-06

Refer file for reports to:

Area Engineer CBY

☐

S.E.E. Roads

☐

E.H.O.

☐

S.E.E. Environment

☒

S.E.E. Sanitary Services

☐

S.E. Planner

☐

Planning Application

Reference No. 061640

Decision due by:**Reports received from:**

Area Engineer

S.E.E. Roads

E.H.O.

S.E.E.Environment

S.E.E. Sanitary Services

Planning Officer

I recommend that planning permission be:

Granted, subject to the conditions
Outlined in the enclosed
Planning Officer's Report

Refused, for the reasons outlined in the enclosed Planning Officer's Report

**Recommended by Senior
Executive Planner:**

Date: 28/3/07

Recommended by:

Date:

Director of Services

DECISION OF MONAGHAN COUNTY COUNCIL:

Approved with conditions
Recommended in

Refused

Planning Officer's Report

Other

Maps and Drawings remain

County Manager/Director of Services

Date _____

the Copyright of the Originator

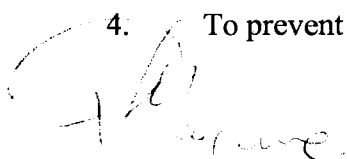
Assessment of Additional Information and Clarification of Information

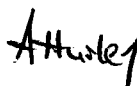
Information was received by the Planning Authority on the 02 March 2007 and 27 March 2007. The information addressed all issues with respect to the transportation and disposal of waste on site. It is therefore recommended that the proposal is approved subject to the conditions outlined below.

- ✓1. As per Environment Section Report 24/3/07
- ✓2. Roofing material and cladding shall be dark blue, dark green or dark grey in colour.
- ✓3. Only clean, uncontaminated storm water shall be discharged to a soak-away system or to surface water.
4. The development shall be carried out in accordance with plans submitted to the planning authority on 18th October 2006, except as may otherwise be required in order to comply with the above conditions.

THE REASONS FOR THE IMPOSITION OF THE ABOVE CONDITIONS ARE:

1. In the interest of public health.
2. In the interest of visual amenity.
3. In the interest of road safety.
4. To prevent unauthorised development.


Padraig Maguire
Monaghan County Council
27 March 2007


29/3/07

Maps and Drawings remain
the Copyright of the Originator

207/619

MONAGHAN COUNTY COUNCIL

PLANNING AND DEVELOPMENT

File Ref: 06/1640

Applicant: Declan Sullivan

Development: Permission to construct 1 number poultry house, together with all ancillary structures and associated site works arising from the above proposed development.

Location: Drumcreeghan Latton, Co. Monaghan.

Characteristics of Site/Area

The site contains an old traditional two storey farm dwelling with a number of single storey out buildings. The dwelling is derelict. There is also a recently constructed portal frame shed also within the site. The remaining part of the site is an agricultural field that is slightly higher than the adjacent yard. A thorn hedge runs along the eastern boundary of the field.

The site is accessed via a hardcore lane.

Planning History

There is a dwelling located to the SE of the site which is owned by the applicant (ref 99990). No other relevant planning history.

Consultation

Environment Section – Additional information requested

Representations/Objections

No representations/objections received.

Planning Issues

The existing farm dwelling and out buildings will be demolished prior to the construction of the proposed development. The exiting buildings are located on a higher platform than the adjacent hardcore street as the land rises up in a westerly direction.

The proposed shed measures 82 * 15.8 metres with a maximum roof height of 5.6 metres. Due to the undulating levels there will be a cut of almost 2 metres into the ground to facilitate a finished floor level of 103.6 metres. The finished floor level will be 1 metre above the existing adjacent yard level.

A note on the site plan indicates that the existing thorn hedge will remain and allow for the screening of the shed from the public road. The shed will integrate and form part of the existing farm grouping.

The dwelling to the south east is owned by the applicant. There is another dwelling and farm group along the public road to the north east of the site, but is 130 metres away from the proposed shed and is not likely to be adversely affected.

The Planning Authority has no objections to the development.

Recommendation

The Planning Authority has no objection in principle to the proposed development but will require ADDITIONAL INFORMATION as per environmental report dated 30/11/2006.

Padraig Maguire
Executive Planner
11/12/06

ADDITIONAL INFORMATION

Additional information was requested by the Environment Section of Monaghan County Council on 12/12/2006. A summary of the information requested is as follows:

1. Numbers and types of birds
2. Type of waste produced
3. Type of waste system being used (Slurry system/air dried manure/dried litter)
4. Method of recovery/disposal of litter/slurry
5. Nutrient Management Plan?
6. Method and frequency of disposal of dead birds
7. Location and dimension of all wash water and slurry storage tanks, temporary storage area for carcasses to be shown on site plan
8. Confirmation letter from College Proteins for collection, storage, and disposal of carcasses
9. Proposals which relate to feed additives to minimise poultry manure and reduce nutrient excretion
10. Where waste is exported to a recovery/licensed facility provide a contract with the recovery/licensed facility
11. In the event of a Class A disease outbreak, where the flock is to be destroyed and cannot be transported off site due to cross contamination risks, the applicant is to designate an area within the curtilage of the site to bury the carcasses giving consideration to potential risk to wells in the vicinity

In the information received on 29 January 2007 points 5 and 10 outlined above have not been fully considered in the information supplied. In the Environmental Report there is a request for clarification of additional information.

the Copyright of the Originator

MONAGHAN COUNTY COUNCIL

PLANNING AND DEVELOPMENT

File Ref: 06/1640

Applicant: Declan Sullivan

Development: Permission to construct 1 number poultry house, together with all ancillary structures and associated site works arising from the above proposed development.

Location: Drumcreeghan Latton, Co. Monaghan.

Characteristics of Site/Area

The site contains an old traditional two storey farm dwelling with a number of single storey out buildings. The dwelling is derelict. There is also a recently constructed portal frame shed also within the site. The remaining part of the site is an agricultural field that is slightly higher than the adjacent yard. A thorn hedge runs along the eastern boundary of the field.

The site is accessed via a hardcore lane.

Planning History

There is a dwelling located to the SE of the site which is owned by the applicant (ref 99990). No other relevant planning history.

Consultation

Environment Section – Additional information requested

Representations/Objections

No representations/objections received.

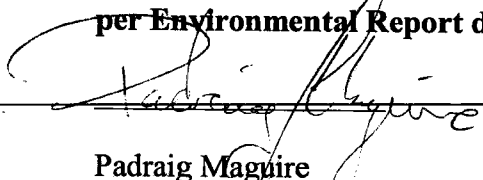
Planning Issues

The existing farm dwelling and out buildings will be demolished prior to the construction of the proposed development. The existing buildings are located on a higher platform than the adjacent hardcore street as the land rises up in a westerly direction.

The proposed shed measures 82 * 15.8 metres with a maximum roof height of 5.6 metres. Due to the undulating levels there will be a cut of almost 2 metres into the ground to facilitate a finished floor level of 103.6 metres. The finished floor level will be 1 metre above the existing adjacent yard level.

A note on the site plan indicates that the existing thorn hedge will remain and allow for the screening of the shed from the public road. The shed will integrate and form part of the existing farm grouping.

It is recommended that clarification of information is requested off the agent as per Environmental Report dated 20 February 2007.


Padraig Maguire
Executive Planner
21 February 2007

Maps and Drawings remain
the Copyright of the Originator

MONAGHAN COUNTY COUNCIL
PLANNING AND DEVELOPMENT

File Ref: 06/1640

Applicant: Declan Sullivan

Development: Permission to construct 1 number poultry house, together with all ancillary structures and associated site works arising from the above proposed development.

Location: Drumcreeghan Latton, Co. Monaghan.

Characteristics of Site/Area

The site contains an old traditional two storey farm dwelling with a number of single storey out buildings. The dwelling is derelict. There is also a recently constructed portal frame shed also within the site. The remaining part of the site is an agricultural field that is slightly higher than the adjacent yard. A thorn hedge runs along the eastern boundary of the field.

The site is accessed via a hardcore lane.

Planning History

There is a dwelling located to the SE of the site which is owned by the applicant (ref 99990). No other relevant planning history.

Consultation

Environment Section – Additional information requested

Representations/Objections

No representations/objections received.

Planning Issues

The existing farm dwelling and out buildings will be demolished prior to the construction of the proposed development. The existing buildings are located on a higher platform than the adjacent hardcore street as the land rises up in a westerly direction.

The proposed shed measures 82 * 15.8 metres with a maximum roof height of 5.6 metres. Due to the undulating levels there will be a cut of almost 2 metres into the ground to facilitate a finished floor level of 103.6 metres. The finished floor level will be 1 metre above the existing adjacent yard level.

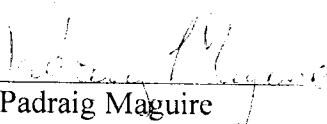
A note on the site plan indicates that the existing thorn hedge will remain and allow for the screening of the shed from the public road. The shed will integrate and form part of the existing farm grouping.

The dwelling to the south east is owned by the applicant. There is another dwelling and farm group along the public road to the north east of the site, but is 130 metres away from the proposed shed and is not likely to be adversely affected.

The Planning Authority has no objections to the development.

Recommendation

The Planning Authority has no objection in principle to the proposed development but will require ADDITIONAL INFORMATION as per environmental report dated 30/11/2006.


Padraig Maguire
Executive Planner
11/12/06

F.T

1 As per Env Report 30/11/06

Attwky
11-12-06

Maps and Drawings remain
the Copyright of the Originator

MONAGHAN COUNTY COUNCIL

TO: Declan Sullivan
C/o C.L.W Environmental Planners
The Mews
23 Farnham St
Cavan.

06/1640
29/03/2007

Re: Planning and Development Acts 2000 to 2006
NOTIFICATION OF DECISION

Monaghan County Council has by order dated 29/03/2007 decided to GRANT PERMISSION to the above named for development of land, in accordance with the documents submitted namely:- construct 1no. poultry houses, together with all ancillary structures and associated site works arising from the above proposed development at Drumcreeghan, Latton subject to the 4 condition(s) set out in the Schedule attached.

Signed on behalf of Monaghan County Council


ADMINISTRATIVE OFFICER


DATE

Provided there is no appeal against this DECISION a grant of planning permission will issue at the end of four weeks (see footnote).

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

NOTE:

1. Any appeal against a decision of a Planning Authority under Section 34 of the Act of 2000 may be made to An Bord Pleanala. The appeal period for the applicant and other persons will be four weeks from the day the Planning Authority makes its decision.
2. Appeals should be addressed to The Secretary, An Bord Pleanala, 64 Marlborough Street, Dublin 1. An appeal by the applicant should be accompanied by this form. In the case of an appeal by any other person, the name of the person, particulars of the proposed development and the date of the decision of the Planning Authority should be stated.
 - (a) The fee for an appeal against a decision of a Planning Authority, on a planning application relating to a commercial development, made by the person who made the planning application is **€630**. Commercial Development means development for the purpose of any professional, commercial or industrial undertaking, development in connection with the provision for reward of services to persons or undertakings, or development consisting of the provision of two or more dwellings, but does not include development for the purposes of agriculture.
 - (b) Appeal against a decision of a planning authority on a planning application relating to commercial development, made by the person by whom the planning application is made, where the application relates to unauthorised development is **€1900**

1.
 - a. Soiled waters generated from cleaning and other operations shall be collected in a water-tight tank and disposed of by landspreading in accordance with the European Communities (Good Agricultural Practice for Protection of Waters) Regulations 2006. (SI NO 378 of 2006). All soiled waters generated from cleaning or other operations shall be disposed of in a manner so as not to give rise to environmental pollution.
 - b. The applicant shall engage the services of a suitably permitted contractor to export the poultry litter off-site.
 - c. Records of all poultry litter exported off-site shall be maintained on site and copies submitted to the Environment Section, Monaghan County Council at 3 monthly intervals.
Records to include:
 - (i) Date of disposal of poultry litter off-site
 - (ii) Quantity of poultry litter exported off site.
 - (iii) For each disposal operation the name, address and telephone number of each person or Company who has taken possession of the material together with the end use of the material and details of the licensed yard that accepted the material.
 - (iv) Name, address and telephone number of the contractor transporting the waste.
 - (v) Any other information as may be required from time to time by the Planning Authority.
 - d. If at any time the Planning Authority is satisfied that the disposal of wastes generated by this development is causing environmental pollution and/or a public health nuisance, the disposal operation shall cease immediately on the direction of the said Authority and shall not be resumed until permission is granted by the Planning Authority.
 - e. All carcasses to be removed off-site by a suitable licensed contractor and exported to a suitably licensed rendering plant for destruction.
 - f. If there is any change in the waste collection operation or in the disposal outlet, the applicant shall inform the local authority.
 - g. Uncontaminated surface/roof water shall be discharged separately to a watercourse or suitable soakpit.
 - h. There shall be no increase in the total number of poultry proposed i.e. 19,000 bird places.
 - i. In the event of any flock disease requiring de-stocking, the applicant shall ensure that all carcasses are taken to an EPA licensed rendering plant for destruction.
2. Roofing material and cladding shall be dark blue, dark green or dark grey in colour.
3. Only clean, uncontaminated storm water shall be discharged to a soak-away system or to surface water.

the Copyright of the Originator

Notes (See Form/Check List overleaf)

1. Rules for Making Appeals

You are advised to check the latest version of “A Guide to Making a Planning Appeal” issued by the Board. It is available from the Board, telephone (01) 858 8100 and on our website www.pleanala.ie. It may also be available from your planning authority. A significant number of appeals are invalid because they are not made in accordance with the statutory rules.

2. Appeal Fees

You are advised to check the appropriate fee for making an appeal. Different fees apply depending on the nature of the appeal. A leaflet “Guide to Fees payable to the Board” is available from the Board, telephone (01) 858 8100 and on our website www.pleanala.ie. It may also be available from your planning authority. Note that appeal fees may change from time to time. A significant number of appeals are invalid either because no fee or an incorrect fee is included.

3. Time Limits

The time limit for making an appeal is, except where the appeal is made following a successful application for leave to appeal, four weeks beginning on the date of the planning authority decision (not the day it is sent or received). Day one is the day the planning authority decision is made. For example, if the decision of a planning authority is made on Wednesday 2nd of a month, the last day for receipt of the appeal is Tuesday 29th of the same month, NOT Wednesday 30th. There are special rules where the last day falls on a day the Board’s offices are closed or where the appeal period falls over the Christmas/New Year period. Check our leaflet for further information. A significant number of appeals are invalid because they are late – sometimes, just one day late.

4. Delivering the Appeal

- Send the appeal by post to *The Secretary, An Bord Pleanála, 64 Marlborough Street, Dublin 1*, or,
 - deliver it by hand, to an employee of the Board (not a security person), during office hours (9.15 a.m. to 5.30 p.m.) on Monday to Friday,
- so that the appeal reaches the Board by the last day for making an appeal.
Do not place the appeal in the Board’s letterbox. A significant number of appeals are invalid because they are incorrectly delivered.

5. Completeness

The appeal must be fully complete from the start. You are not permitted to submit any part of it at a later time, even within the time limit. Neither are you permitted to clarify, elaborate or make further submissions either for the purposes of complying with the rules for making an appeal or otherwise, unless invited by the Board.

This document is issued as an aid to making a valid planning appeal to the Board. It may be used as a ‘cover page’ in making such an appeal but there is no legal or other requirement to do so. The document should be read in conjunction with the latest versions of the Board’s leaflets “Making a Planning Appeal under the 2000 Planning Act” and “Guide to Fees payable to the Board”. The guidance given in those leaflets and in this document also applies generally to the making of submissions and observations by ‘observers’ under section 130 of the 2000 Planning Act. A significant number of submissions and observations by ‘observers’ are also invalid because the appropriate rules are not observed.

This document does not purport to be a legal interpretation of the law in relation to making a planning appeal – you should consult the appropriate legislation, including sections 37 and 127 of the Planning and Development Act 2000 for the statutory rules governing the making of appeals (section 130 for ‘observers’).

An appeal or a submission or observation on an appeal that is not made strictly in accordance with the statutory rules will be invalid. The Board has no discretion to relax or vary the rules. The onus is on YOU to meet all the legal requirements at the time you make the appeal/submission/observation.

14th February 2005

Comhairle Chontae Mhuineacháin
OIFIGÍ CONTAE,
AN GLEANN,
M. MINEACHÁN.
Guthán : 047 - 30500



Monaghan County Council
COUNTY OFFICES
THE GLEN, MONAGHAN.
Telephone: 047 - 30500
Fax: 047 - 82739
e-mail: secretar@monaghancoco.ie
website: www.monaghan.ie
All correspondence should be addressed
to the Secretary.

Seoltar comhfhreagrais go dtí
an Rúnaí.

03/05/2007


To: Declan Sullivan
C/o C.L.W Environmental Planners
The Mews
23 Farnham St
Cavan

File Number - 06/1640

Planning and Development Acts 2000 to 2006
NOTIFICATION OF FINAL GRANT

Monaghan County Council has by order dated 29/03/2007 granted PERMISSION to the above named, for the development of land namely:- construct 1no. poultry houses, together with all ancillary structures and associated site works arising from the above proposed development , at Drumcreeghan, Latton, Castleblayney, subject to the 4 condition(s) set out in the Schedule attached.

Signed on behalf of MONAGHAN COUNTY COUNCIL.


ADMINISTRATIVE OFFICER

3.5.07
DATE

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

the Copyright of the Originator

1.
 - a. Soiled waters generated from cleaning and other operations shall be collected in a water-tight tank and disposed of by landspreading in accordance with the European Communities (Good Agricultural Practice for Protection of Waters) Regulations 2006. (SI NO 378 of 2006). All soiled waters generated from cleaning or other operations shall be disposed of in a manner so as not to give rise to environmental pollution.
 - b. The applicant shall engage the services of a suitably permitted contractor to export the poultry litter off-site.
 - c. Records of all poultry litter exported off-site shall be maintained on site and copies submitted to the Environment Section, Monaghan County Council at 3 monthly intervals.
Records to include:
 - (i) Date of disposal of poultry litter off-site
 - (ii) Quantity of poultry litter exported off site.
 - (iii) For each disposal operation the name, address and telephone number of each person or Company who has taken possession of the material together with the end use of the material and details of the licensed yard that accepted the material.
 - (iv) Name, address and telephone number of the contractor transporting the waste.
 - (v) Any other information as may be required from time to time by the Planning Authority.
 - d. If at any time the Planning Authority is satisfied that the disposal of wastes generated by this development is causing environmental pollution and/or a public health nuisance, the disposal operation shall cease immediately on the direction of the said Authority and shall not be resumed until permission is granted by the Planning Authority.
 - e. All carcasses to be removed off-site by a suitable licensed contractor and exported to a suitably licensed rendering plant for destruction.
 - f. If there is any change in the waste collection operation or in the disposal outlet, the applicant shall inform the local authority.
 - g. Uncontaminated surface/roof water shall be discharged separately to a watercourse or suitable soakpit.
 - h. There shall be no increase in the total number of poultry proposed i.e. 19,000 bird places.
 - i. In the event of any flock disease requiring de-stocking, the applicant shall ensure that all carcasses are taken to an EPA licensed rendering plant for destruction.
2. Roofing material and cladding shall be dark blue, dark green or dark grey in colour.
3. Only clean, uncontaminated storm water shall be discharged to a soak-away system or to surface water.

the Copyright of the Originator

4. The development shall be carried out in accordance with plans submitted to the planning authority on 18th October 2006, except as may otherwise be required in order to comply with the above conditions.

THE REASONS FOR THE IMPOSITION OF THE ABOVE ARE:

1. In the interest of public health.
2. In the interest of visual amenity.
3. In the interest of road safety.
4. To prevent unauthorised development.

Maps and Drawings remain
the Copyright of the Originator

29/03/2007

TO: Northern Regional Fisheries Board
Wateraughy,
Corlesmore
Co Cavan

Re: Planning and Development Acts 2000 to 2006

REF.NO: 06/1640 - Declan Sullivan, C/o C.L.W Environmental Planners 23 Farnham St, Cavan.

Dear Sir/Madam,

I wish to inform you that by order dated 29/3/07 Monaghan County Council decided to grant permission to carry out development and site works consisting of construct 1no. poultry houses, together with all ancillary structures and associated site works arising from the above proposed development, at Drumcreeghan. I attach copy of Council's decision.

If you are aggrieved by this decision you may appeal it within four weeks from the day of the decision by forwarding your grounds of appeal to The Secretary, An Bord Pleanala, 64 Marlborough Street, Dublin 1.

1. Appeals should be addressed to The Secretary, An Bord Pleanala, 64 Marlborough Street, Dublin 1. An appeal by the applicant should be accompanied by this form. **In the case of a third party appeal, the acknowledgement from the Planning Authority of receipt of the submission or observation made by the person to the Planning Authority at application stage should be submitted and the name of the person, particulars of the proposed development and the date of the decision of the Planning Authority should be stated.** The fee for a third party appeal is €210. The appeal must be fully complete, with your name and address, the subject matter of the appeal, the full grounds of appeal and supporting arguments and material, appropriate fee and evidence of payment of submission fee to the Planning Authority.
2. Submissions or observations to the Bord by or on behalf of a person (other than the applicant) as regards an appeal made by another person must be submitted within four weeks of receipt of appeal by An Bord Pleanala and accompanied by a fee of €50.

Yours faithfully,

M

ADMINISTRATIVE OFFICER

For more information on Appeals you can contact An Bord Pleanala at:-
Tel. 01-8588100 or LoCall: 1890 275 175

Fax: 01-8722684

E-mail: bord@pleanala.ie

Web: www.pleanala.ie

Maps and Drawings remain
the Copyright of the Originator