

PLANNING APPLICATION CONTROL FORM

Application Reference No.: 17/123

Decision due by (10/05/2017)

Previous Ref. Nos.: 071065

Date of Receipt of Application: (16/03/2017) 30/5/17

Applicant : Declan Sullivan

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

Location of

Development: Drumcreeghan Latton Castleblayney

Description : permission to retain alterations to 1 No. Poultry house constructed on foot of planning permission Ref. No. 06/1640, (and to omit 1 No. Poultry house approved under planning Ref. 07/1065) together with all ancillary structures (to include meal storage bin and soiled water tank) and site works associated with the above development

VALIDATION

Validated by: _____

Date of Validation: _____

SITE NOTICE

Was Notice published on site

Yes

☒

No

☐

Inspected by: _____

Date of Inspection: _____

21-5-17

Refer file for reports to:

Municipal District

☒

S.E.E. Roads

☐

E.H.O.

☐

S.E.E. Environment

☒

S.E.E. Water Services

☐

S.E. Planner

☒

PLANNING APPLICATION DECISION FORM

Planning Application
Reference No. 17123

Decision due by: _____

Reports received from:

Municipal District _____

S.E.E. Roads _____

E.H.O. _____

S.E.E. Environment _____

S.E.E. Water Services _____

Planning Officer _____

I recommend that planning permission be:

Granted, subject to the conditions
outlined in the enclosed

☒

Refused, for the reasons
outlined in the enclosed

☐

Planning Officer's Report

Planning Officer's Report

Recommended by Senior
Executive Planner: _____

T. Cowley

Date: 20-6-17

Recommended by:

Senior Planner

Date: _____

DECISION OF MONAGHAN COUNTY COUNCIL:

Approved with conditions
recommended in

☐

Refused

☐

Planning Officer's Report

☐

Other

☐

MJ Mull
Senior Planner

21.06.17
Date

**MONAGHAN COUNTY COUNCIL
PLANNING AND DEVELOPMENT REPORT**

File Ref: 17/123

Applicant: Declan Sullivan

Development: Permission to retain alterations to 1 no Poultry house constructed on foot of planning permission ref no 06/1640 (and to omit 1 no poultry house approved under planning ref 07/1065 together with all ancillary structures (to include meal storage bin and soiled water tank) and site works associated with the above development

Location: Drumcreeghan, Latton, Co. Monaghan

Characteristics of the Site /Area

The site consists of an existing farmyard situated off the R183. The site is situated off an existing laneway. The farmyard consists of 1 no poultry house and associated feed silo and yard and 1 no slatted house and associated silo. There is also a storage shed to the east of the site.



Relevant Site History

07/1063, Declan Sullivan: Construct 1 No. poultry house, together with all ancillary structures and associated site works arising from the above proposed development- Granted

06/1640- Declan Sullivan: construct 1no. poultry houses, together with all ancillary structures and associated site works arising from the above proposed development- Granted

Objections/Representations Received

None

Maps and Drawings remain
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Referrals

Area Engineer: No objection. It is noted that the original conditions for the poultry houses granted on this site planning references 06/1040 and 07/1065 did not include any specific conditions in relation to sight distances. The Area Engineer inspected the site and noted that sight visibility of 95m to the south and 80m to the north only are available. Forward visibility of 135m is available.

The additional poultry house approved under P07/1065 (Extension of duration 12/9016, permission extant until September 2017) has not been constructed on the site. On the basis that there is no intensification of the use of the site, no sight visibility requirements shall be imposed.

Environment: No objection

Planning Assessment

- Planning Policy

Section 15.12 and policies AFP1, AFP2, AFP4 and AFP9 of the Monaghan County Development Plan 2013-2019 apply.

Policy AFP1

For Appropriate Assessment Screening report refer to separate section at end of report.

Policy AFP2

The Planning Authority recognises the importance of agriculture in contributing to the economic development of the county and as sources of employment in rural areas. Consequently, in accordance with Policy AFP2, favourable consideration to agricultural development will be given subject to meeting a number of criteria:

- It is necessary for the running of the enterprise*

This application aims to regularise the planning status of the site. Permission was approved for an additional poultry unit on the site under P07/106 for an additional 19,000 bird places. This unit was to be constructed to the west of the existing poultry unit. The applicant no longer intends to construct this unit and as such seeks to retain the site in its current state.

- Is appropriate in terms of scale, location and design*

The development as construct is a typical agricultural farm complex and is appropriate in layout and scale.

- Does not seriously impact on the visual amenity of the area or on the natural or manmade environment.*

The site is set back from the public road and separated from the road frontage by an agricultural field. There are no visual concerns in relation to this development for retention.

- Is located within or adjacent to existing farm buildings, unless where the applicant has clearly demonstrated that the building must be located elsewhere for operational or other reasons.*

The site is not located within 15km of any SPA and SAC. It is considered that by virtue of the nature of the proposed development and the distance of the site from the both of the Natura 2000 site, there will not be any significant effects on the integrity of the SAC/SPA.

There is a watercourse in close proximity to the application site which could be a connector with the Natura 2000 network. It is the opinion of the planning authority however given the distance of separation the cumulative effects of both the proposed development and any other plan or project, the development is not of a nature or scale to have any significant effects on the integrity of the Natura 2000 network and therefore a Stage 2 Appropriate Assessment is not required.

Development Contributions

~~No~~ Additional floor area provided on site. ^{Although} poultry house permitted under P07/1063 is no longer being constructed) ^{the poultry house permitted under 06/1640 is now larger.}

Recommendation

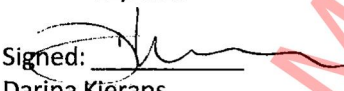
That FURTHER INFORMATION be requested as follows:

- 1 It is noted that condition no 1(h) of planning reference 06/1640 states that there shall be no increase in the total number of poultry proposed i.e 19,000 bird places.

It is noted that the submitted agricultural application form states that there are 38,000 bird places. Applicant shall clarify the number of birds ^{currently} accommodated in the poultry house permitted under 06/1640. ~~which is~~ ^{now proposed for retention.}

The applicant shall clarify also the maximum bird numbers that can be accommodated in this unit. ^{as proposed}

- 2 Applicant shall clarify the future intention with regard to the permission granted under planning Reference 07/1065 which is extant until September 2017 (Extension of Duration 12/9016)

Signed: 
Darina Kierans
Executive Planner
08/05/17

T. Crowley
8-5-17

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**MONAGHAN COUNTY COUNCIL
PLANNING AND DEVELOPMENT REPORT**

File Ref: 17/123

Applicant: Declan Sullivan

Development: Permission to retain alterations to 1 no Poultry house constructed on foot of planning permission ref no 06/1640 (and to omit 1 no poultry house approved under planning ref 07/1065 together with all ancillary structures (to include meal storage bin and soiled water tank) and site works associated with the above development

Location: Drumcreeghan, Latton, Co. Monaghan

Characteristics of the Site /Area

The site consists of an existing farmyard situated off the R183. The site is situated off an existing laneway. The farmyard consists of 1 no poultry house and associated feed silo and yard and 1 no slatted house and associated silo. There is also a storage shed to the east of the site.



Relevant Site History

07/1063, Declan Sullivan: Construct 1 No. poultry house, together with all ancillary structures and associated site works arising from the above proposed development- Granted

06/1640- Declan Sullivan: construct 1no. poultry houses, together with all ancillary structures and associated site works arising from the above proposed development- Granted

Objections/Representations Received

None

Maps and Drawings remain
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Referrals

Area Engineer: No objection. It is noted that the original conditions for the poultry houses granted on this site planning references 06/1040 and 07/1065 did not include any specific conditions in relation to sight distances. The Area Engineer inspected the site and noted that sight visibility of 95m to the south and 80m to the north only are available. Forward visibility of 135m is available.

The additional poultry house approved under P07/1065 (Extension of duration 12/9016, permission extant until September 2017) has not been constructed on the site. On the basis that there is no intensification of the use of the site, no sight visibility requirements shall be imposed.

Environment: No objection

Planning Assessment

- Planning Policy

Section 15.12 and policies AFP1, AFP2, AFP4 and AFP9 of the Monaghan County Development Plan 2013-2019 apply.

Policy AFP1

For Appropriate Assessment Screening report refer to separate section at end of report.

Policy AFP2

The Planning Authority recognises the importance of agriculture in contributing to the economic development of the county and as sources of employment in rural areas. Consequently, in accordance with Policy AFP2, favourable consideration to agricultural development will be given subject to meeting a number of criteria:

- It is necessary for the running of the enterprise*

This application aims to regularise the planning status of the site. Permission was approved for an additional poultry unit on the site under P07/106 for an additional 19,000 bird places. This unit was to be constructed to the west of the existing poultry unit. The applicant no longer intends to construct this unit and as such seeks to retain the site in its current state.

- Is appropriate in terms of scale, location and design*

The development as construct is a typical agricultural farm complex and is appropriate in layout and scale.

- Does not seriously impact on the visual amenity of the area or on the natural or manmade environment.*

The site is set back from the public road and separated from the road frontage by an agricultural field. There are no visual concerns in relation to this development for retention.

- Is located within or adjacent to existing farm buildings, unless where the applicant has clearly demonstrated that the building must be located elsewhere for operational or other reasons.*

Not applicable.

- v. *Is sited so as to benefit from any screening provided by topography or existing landscape*

As per iii above

- vi. *Is not located within 100 metres of any residential property not located on the holding, unless with the express written consent of the owner of that property*

No applicable , regularisation of previously approved permission.

- vii. *Will not result in an unacceptable loss of residential amenity by reason of noise, smell, pollution, general disturbance etc.*

Not applicable as per above.

- viii. *Will not result in a traffic hazard:*

No objection – see section on Referrals above. Area Engineers report above has no objection to the granting of retention permission for the development as built.

- ix. *Will not result in a pollution threat to sources of potable water, water courses, aquifers or ground water.*

The Environment Section has assessed the development for retention and has no objection to the development as constructed.

NB: It should be noted that there shall be no requirement for an EIS , the threshold for the submission of an EIS is 40,000 places (Schedule 5, Part 2 , Article 1 (e) (i) of the Planning and Development Regulations 2001 (as amended)

Policy AFP9

Poultry manure is removed off site by an authorised contractor.

Appropriate Assessment

Section 4.88, policies APP1-AAP5 and policy ADP1 of the Monaghan County Development Plan 2013-2019 apply.

Under Article 6(3) of the EU Habitats Directive and Regulation 30 of SI no. 94/1997 "European Communities (Natural Habitats) Regulations" (1997) any plan or project which has the potential to significantly impact on the integrity of a Natura 2000 site (i.e. SAC or SPA) must be subject to an Appropriate Assessment. This requirement is also detailed under Section 177(U) of the Planning and Development Acts (2000-2010). In respect of the Monaghan County Development Plan 2013-2019, policy AAP1 states "Ensure that all plans and projects in the County, not directly connected with or necessary to the management of a Natura 2000 site, but likely to have a significant effect, either directly or indirectly, on a Natura 2000 site, either alone or in combination with other plans or projects, are subject to Appropriate Assessment Screening in accordance with Article 6 of the Habitats Directive".

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The site is not located within 15km of any SPA or SAC. It is considered that by virtue of the nature of the proposed development and the distance of the site from any Natura 2000 site, there will not be any significant effects on the integrity of any SPA or SAC.

There is a watercourse in close proximity to the application site which could be considered a connector with the Natura 2000 network. It is the opinion of the planning authority however given the distance of separation the cumulative effects of both the proposed development and any other plan or project, the development is not of a nature or scale to have any significant effects on the integrity of the Natura 2000 network and therefore a Stage 2 Appropriate Assessment is not required.

Development Contributions

The original poultry house permitted under 06/1640 had a floor area of 1240 sqm and the amended poultry house constructed on site has a total floor area of 1343 sqm.

The unit constructed is 105sqm larger than approved. In accordance with 3 (g) extensions to agricultural buildings are charged at €2 per sq.m therefore a contribution of €210 is applicable

Further Information Request

Further information was requested in relation to the following:

- 1 It is noted that condition no 1(h) of planning reference 06/1640 states that there shall be no increase in the total number of poultry proposed i.e. 19,000 bird places.

It is noted that the submitted agricultural application form states that there are 38,000 bird places. Applicant shall clarify the number of birds accommodated in the poultry house permitted under 06/1640 which is now proposed for retention.

The applicant shall clarify also the maximum bird numbers that can be accommodated in this unit as proposed.

- 2 Applicant shall clarify the future intention with regard to the permission granted under planning Reference 07/1065 which is extant until September 2017(Extension of Duration 12/9016

A response to this request was lodged on the 30th of May 2017, the planning agent Paraic Fay clarified the following points:

- The current number of birds housed in the existing poultry unit is 28,000. This is below the total of 38,000 bird approved in the two previous permissions 06/1640 and 07 /1065
- The applicant no longer intends to construct the poultry house permitted under 07/1065 but rather intends to submit a new planning for an additional poultry unit in the future.
- The agent has outlined that the applicant is prepared to accept conditions limiting bird numbers to be housed in the existing unit constructed on site.

Although the poultry unit permitted under 06/1640 contains 28,000 birds within it and thus exceeds the condition placed on the permission restricting the bird numbers to 19,000, it is considered that the increase in bird numbers in this unit is acceptable on the basis that the unit permitted under

07/1065 will not be progressing and thus there will be no increase in bird numbers over the 38,000 originally committed to on the site under the two previous permissions. In addition as there was no requirement to provide the required visibility splays for either application (100 metres was required in 2006 and 150 metres was required in 2007), it would be unreasonable to apply this requirement to an amendment to a development permitted and constructed on the basis of permissions that did not require visibility provision. A condition to control the bird numbers on the site will be applied to address both these issues.

As all outstanding issues have been addressed it is recommended that permission should be granted.

Recommendation

That planning permission is GRANTED subject to the following conditions:

- 1a. The developer shall pay to Monaghan County Council a sum of €210.00 in accordance with the General Development Contribution Scheme 2013-2019 (as revised), made by the Council under Section 48 of the Planning and Development Act 2000 (as amended, towards expenditure incurred or proposed to be incurred by the Council in the provision of Community, Recreation and Amenity Public Infrastructure and facilities in the area.
- b. The sum attached to this condition shall be revised from the date of the grant of planning permission to the value pertaining at the time of payment in accordance with the Wholesale Price Index for Building and Construction (Materials and Wages).
- c. Payment of the development contribution shall be made in full within three months of the date of grant of this planning permission

Reason: It is considered appropriate that the developer should contribute towards the expenditure incurred or proposed to be incurred by the Council in the provision of community, recreation and amenity infrastructure and facilities in the area.

- 2a The maximum bird numbers contained within this poultry unit shall not exceed 28,000, unless planning permission is subsequently granted to increase the bird numbers.
- b. No further poultry units shall be constructed on this site without the benefit of planning permission granted subsequent to the date of grant of this planning permission.

Reason: In order to prevent unauthorised development

- 3 As per Environment report dated 21st of April 2017 (as amended).

Reason: In the interest of Environmental Protection

- 4 The development shall be carried out in accordance with plans and documentation submitted on 16th of March 2017 except as may otherwise be required in order to comply with the above conditions.

Reason: In the interest of orderly development and to prevent unauthorised development

Signed: _____

Darina Kierans
Executive Planner
15/06/17

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[Signature]
20.6.17

Development Contributions Calculations - Non Residential Development (1)						
Category	Dev Type	Rate	Floor Area / Number	Calculation	Contributions Due (€)	
3(g) Comm, Rec, Amenity	Bldgs / Structures for Agri	Up to 300sqm Exempt				
		Over 300sqm €520 plus €2 per sqm over 300sqm				
		Extensions €2 per sqm		105sq.m @ €2 per sq.m = €210		
Contributions Due (€)					€210	
Exemptions/Reductions under Part 18 of Development Contribution Scheme (if applicable)						
Category (a) – (m)	Dev Type	% Reduction	Calculations		Exemption / Reduction (€)	
Total Amount Due						
Contributions Due – Discount					Total Due (€)	
					€210	
Checked/Date						
AP / EP		AO	SEP			
			T. Conley 20-6-17			

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MONAGHAN COUNTY COUNCIL

PLANNING AND DEVELOPMENT ACT 2000 (as amended)

Chief Executive's Order No: P757/17

Reference Number: 17/123

Name of Applicant: Declan Sullivan

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

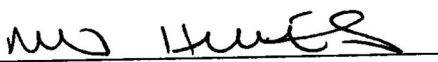
Nature of Application: permission to retain alterations to 1 No. Poultry house constructed on foot of planning permission Ref. No. 06/1640, (and to omit 1 No. Poultry house approved under planning Ref. 07/1065) together with all ancillary structures (to include meal storage bin and soiled water tank) and site works associated with the above development

Location of Development: Drumcreeghan
Latton
Castleblayney

ORDER:

I hereby decide, pursuant to the provisions of the Planning and Development Act 2000 (as amended) and the Planning and Development Regulations 2001 (as amended) to grant permission for the above development in accordance with documents submitted, subject to the 4 condition(s) set out in the Schedule attached hereto.

I further decide that RETENTION be granted subject to the same conditions on the expiration of the period for the taking of an appeal to An Bord Pleanála against this decision if there is then no appeal before the Bord.


Adrian Hughes
SENIOR PLANNER

21.06.17
Date

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- 1a. The developer shall pay to Monaghan County Council a sum of **€210.00** in accordance with the General Development Contribution Scheme 2013-2019 (as revised), made by the Council under Section 48 of the Planning and Development Act 2000 (as amended, towards expenditure incurred or proposed to be incurred by the Council in the provision of Community, Recreation and Amenity Public Infrastructure and facilities in the area.
- b. The sum attached to this condition shall be revised from the date of the grant of planning permission to the value pertaining at the time of payment in accordance with the Wholesale Price Index for Building and Construction (Materials and Wages).
- c. Payment of the development contribution shall be made in full within three months of the date of grant of this planning permission.
- 2a. The maximum bird numbers contained within this poultry unit shall not exceed 28,000, unless planning permission is subsequently granted to increase the bird numbers.
- b. No further poultry units shall be constructed on this site without the benefit of planning permission granted subsequent to the date of grant of this planning permission.
- 3a. Adequate measures to prevent the discharge of polluting matter to waters shall be taken to ensure there is no negative impact on the adjacent watercourse during and post construction stage.
- b. There shall be no change in poultry type, change in system which results in change in Dry Matter content of the manure or increase in the number of poultry proposed without prior approval from the planning authority.
- c. There shall be no increase in livestock numbers over that stated on the planning application form except in accordance with an approved Farm Waste and Nutrient Management Plan and with the prior written consent of the planning authority.
- d. All proposed surface water drainage systems shall be designed to ensure that no polluting matter enters the surface water collection system. A silt trap shall be provided on the surface water pipeline prior to final discharge.
- e. The developer shall ensure run-off from soiled yard areas shall be kept to a minimum, collected in suitably constructed tanks and landspread in accordance with the European Union (Good Agricultural Practice for Protection of Waters) Regulations 2014.
- f. All structures and buildings shall be designed and constructed to the relevant Department of Agriculture specifications and in accordance with requirements of the European Union (Good Agricultural Practice for Protection of Waters) Regulations 2014.
- g. All soiled waters generated from cleaning or other operations shall be collected and stored in a suitable watertight tank and disposed of in accordance with the European Union (Good Agricultural Practice for Protection of Waters) Regulations 2014.
- h. All manure/organic fertilisers arising from the development shall be collected in leak proof/suitably constructed tanks, stored and landspread in accordance with the European Union (Good Agricultural Practice for Protection of Waters) Regulations 2014.
- i. The developer shall ensure all landspreading and buffer zones are in accordance with the European Union (Good Agricultural Practice for Protection of Waters) Regulations 2014.
- j. Manure/ Organic fertilisers taken off site shall conform with the Department of Agriculture Food and the Marine requirements and guidance under Animal By Products legislation and local authority guidance on the protection of sensitive waters including water supply sources. Any change or alteration in arrangements for manure/organic fertiliser arising from the development shall be pre-notified to Monaghan County Council.

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- k. Manure shall be taken offsite by a contractor/haulier registered with the Department of Agriculture Food and Marine shall be utilised in accordance with the requirements of the European Union (Good Agricultural Practice for Protection of Waters) Regulations 2014.
 - l. Records of manure movements offsite shall be recorded on Record 3 forms (as prescribed by the Department of Agriculture Food and Marine). These forms shall be maintained on site at all times and submitted to the Environment Section of Monaghan County Council on request. Records maintained shall comply with requirements of Article 23 of the European Union (Good Agricultural Practice for Protection of Waters) Regulations 2014 and as a minimum shall include:
 - i. Name and address of Contractor/Haulier.
 - ii. Date of each disposal operation.
 - iii. Quantity (weight and volume) disposed of.
 - iv. The name of receiving premises.
 - v. Any other information as may be required from time to time by Monaghan County Council.
 - m. If at any time Monaghan County Council is satisfied that this development is causing environmental pollution and / or a public health nuisance, the operation shall cease immediately on the direction of the said authority and shall not be resumed until permission is granted by the said authority.
4. The development shall be carried out in accordance with plans and documentation submitted on 16th of March 2017 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. It is considered appropriate that the developer should contribute towards the expenditure incurred or proposed to be incurred by the Council in the provision of community, recreation and amenity infrastructure and facilities in the area.
- 2. In order to prevent unauthorised development.
- 3. In the interest of Environmental Protection.
- 4. In the interest of orderly development and to prevent unauthorised development.

Adrian Hughes

Adrian Hughes

Senior Planner

21.08.17

Date

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MONAGHAN COUNTY COUNCIL

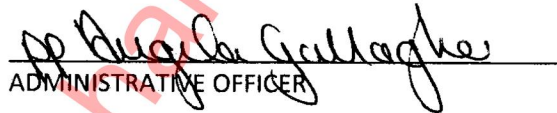
TO: Declan Sullivan
C.L.W Environment Planners Ltd
The Mews
23 Farnham St
Cavan

17/123
22/06/2017

Re: Planning and Development Act 2000 (as amended)
NOTIFICATION OF DECISION

Monaghan County Council has by order dated 21/06/2017 decided to GRANT permission to the above named for development of land, in accordance with the documents submitted namely for:- permission to retain alterations to 1 No. Poultry house constructed on foot of planning permission Ref. No. 06/1640, (and to omit 1 No. Poultry house approved under planning Ref. 07/1065) together with all ancillary structures (to include meal storage bin and soiled water tank) and site works associated with the above 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

22/6/17
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 (as amended) 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 **€1,500 or €3,000** if there is an EIS or NIS involved. 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 **€4,500 or €9,000** if there is an EIS or NIS involved.
- (c) Appeal made by the person by whom the planning application was made, where the application relates to unauthorised development, other than an appeal mentioned at (a) or (b) is **€660**.
- (d) Appeal other than appeal mentioned at (a), (b), (c), or (f) is **€220**.
- (e) Application for leave to appeal is **€110**.
- (f) Appeal following a grant of leave to appeal is **€110**.

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.

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.

- 3. Submissions or observations to the Board by or on behalf of a person (other than the applicant) as regards an appeal made by another person must be accompanied by a fee of **€50**.

For more information on Appeals you can contact An Bord Pleanála at:-

Tel. 01-8588100 or LoCall: 1890 275 175

Fax: 01-8722684

E-mail: bord@pleanala.ie

Web: www.pleanala.ie

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- 1a. The developer shall pay to Monaghan County Council a sum of **€210.00** in accordance with the General Development Contribution Scheme 2013-2019 (as revised), made by the Council under Section 48 of the Planning and Development Act 2000 (as amended, towards expenditure incurred or proposed to be incurred by the Council in the provision of Community, Recreation and Amenity Public Infrastructure and facilities in the area.
- b. The sum attached to this condition shall be revised from the date of the grant of planning permission to the value pertaining at the time of payment in accordance with the Wholesale Price Index for Building and Construction (Materials and Wages).
- c. Payment of the development contribution shall be made in full within three months of the date of grant of this planning permission.
- 2a. The maximum bird numbers contained within this poultry unit shall not exceed 28,000, unless planning permission is subsequently granted to increase the bird numbers.
- b. No further poultry units shall be constructed on this site without the benefit of planning permission granted subsequent to the date of grant of this planning permission.
- 3a. Adequate measures to prevent the discharge of polluting matter to waters shall be taken to ensure there is no negative impact on the adjacent watercourse during and post construction stage.
- b. There shall be no change in poultry type, change in system which results in change in Dry Matter content of the manure or increase in the number of poultry proposed without prior approval from the planning authority.
- c. There shall be no increase in livestock numbers over that stated on the planning application form except in accordance with an approved Farm Waste and Nutrient Management Plan and with the prior written consent of the planning authority.
- d. All proposed surface water drainage systems shall be designed to ensure that no polluting matter enters the surface water collection system. A silt trap shall be provided on the surface water pipeline prior to final discharge.
- e. The developer shall ensure run-off from soiled yard areas shall be kept to a minimum, collected in suitably constructed tanks and landspread in accordance with the European Union (Good Agricultural Practice for Protection of Waters) Regulations 2014.
- f. All structures and buildings shall be designed and constructed to the relevant Department of Agriculture specifications and in accordance with requirements of the European Union (Good Agricultural Practice for Protection of Waters) Regulations 2014.
- g. All soiled waters generated from cleaning or other operations shall be collected and stored in a suitable watertight tank and disposed of in accordance with the European Union (Good Agricultural Practice for Protection of Waters) Regulations 2014.
- h. All manure/organic fertilisers arising from the development shall be collected in leak proof/suitably constructed tanks, stored and landspread in accordance with the European Union (Good Agricultural Practice for Protection of Waters) Regulations 2014.
- i. The developer shall ensure all landspreading and buffer zones are in accordance with the European Union (Good Agricultural Practice for Protection of Waters) Regulations 2014.
- j. Manure/ Organic fertilisers taken off site shall conform with the Department of Agriculture Food and the Marine requirements and guidance under Animal By Products legislation and local authority guidance on the protection of sensitive waters including water supply sources. Any change or alteration in arrangements for manure/organic fertiliser arising from the development shall be pre-notified to Monaghan County Council.

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- k. Manure shall be taken offsite by a contractor/haulier registered with the Department of Agriculture Food and Marine shall be utilised in accordance with the requirements of the European Union (Good Agricultural Practice for Protection of Waters) Regulations 2014.
 - l. Records of manure movements offsite shall be recorded on Record 3 forms (as prescribed by the Department of Agriculture Food and Marine). These forms shall be maintained on site at all times and submitted to the Environment Section of Monaghan County Council on request. Records maintained shall comply with requirements of Article 23 of the European Union (Good Agricultural Practice for Protection of Waters) Regulations 2014 and as a minimum shall include:
 - i. Name and address of Contractor/Haulier.
 - ii. Date of each disposal operation.
 - iii. Quantity (weight and volume) disposed of.
 - iv. The name of receiving premises.
 - v. Any other information as may be required from time to time by Monaghan County Council.
 - m. If at any time Monaghan County Council is satisfied that this development is causing environmental pollution and / or a public health nuisance, the operation shall cease immediately on the direction of the said authority and shall not be resumed until permission is granted by the said authority.
4. The development shall be carried out in accordance with plans and documentation submitted on 16th of March 2017 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. It is considered appropriate that the developer should contribute towards the expenditure incurred or proposed to be incurred by the Council in the provision of community, recreation and amenity infrastructure and facilities in the area.
- 2. In order to prevent unauthorised development.
- 3. In the interest of Environmental Protection.
- 4. In the interest of orderly development and to prevent unauthorised development.

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Planning Appeal Form/Check List
(Please read notes overleaf before completing)

1. The appeal must be in writing (e.g. not made by electronic means).
2. State the -
 - name of the appellant _____
 (not care of agent)
 - address of the appellant _____
 (not care of agent) _____
3. If an agent is involved, state the -
 - name of the agent _____
 - address of the agent _____

4. State the Subject Matter of the Appeal*
 - Brief description of the development _____

 - Location of the development _____

 - Name of planning authority _____
 - Planning authority register reference number _____

** Alternatively, enclose a copy of the decision of the planning authority as the statement of the Subject Matter of the Appeal.*
5. Attach, in full, the grounds of appeal and the reasons, considerations and arguments on which they are based.
6. Attach the acknowledgement by the planning authority of receipt of your submission or observations to that authority in respect of the planning application, the subject of this appeal. (Not applicable where the appellant is the applicant).
7. Fee of € _____ attached in respect of the appeal.
8. Fee of € _____ attached in respect of request for an oral hearing of the appeal, if a request is being made.
9. Ensure that the appeal is received by the Board in the correct manner and in time.

Signed _____ Date: _____

A format similar to the above may also be used where a person is making submissions or observations on an appeal in accordance with section 130 of the Planning and Development Act 2000. Substitute 'observer' for 'appellant' and 'submission/observation' for 'appeal' at each reference. Items 6 and 8 above are not applicable to the making of submissions or observations. /Over.....

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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

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Comhairle Contae Mhuineacháin Monaghan County Council

Acmhainní Daonna
Human Resources
047 30586

Airgeadas
Finance
047 30589

Na Bóithre
Roads
047 30597

Clár na dToghthóirí
Register of Electors
047 30551

Comhshaoi
Environment
042 9661240

Na hEalaíona
Arts
047 38162

Iasachtaí /Deontais Tithíochta
Housing Loans/Grants
047 30527

Leabharlann an Chontae
County Library
047 74700

Mótarcháin
Motor Tax
047 81175

Músaem an Chontae
County Museum
047 82928

Pleanáil
Planning
047 30532

Pobal
Community
047 73719

Rialú Dóiteáin/Foirgnimh
Fire/Building Control
047 30521

Oifig Fiontair Aitiúil
Local Enterprise Office
047 71818

Seirbhís Uisce
Water Services
047 30504/30571

25/07/2017

To: Declan Sullivan
C.L.W Environment Planners Ltd
The Mews
23 Farnham St
Cavan

File Number - 17/123

Planning and Development Act 2000 (as amended)

NOTIFICATION OF FINAL GRANT

Monaghan County Council has by order dated 21/06/2017 granted the above named, for the development of land namely for:- permission to retain alterations to 1 No. Poultry house constructed on foot of planning permission Ref. No. 06/1640, (and to omit 1 No. Poultry house approved under planning Ref. 07/1065) together with all ancillary structures (to include meal storage bin and soiled water tank) and site works associated with the above 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

DATE

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

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

Fálthonn an tUdarás Áitiúil roimh chomhfhreagras i nGaeilge.

Comhairle Contae Mhuineacháin, Oifigí an Chontae, An Gleann, Muineachán, Éire.
Monaghan County Council, Council Offices, The Glen, Monaghan, Ireland.

☎ 00353 47 30500 ☎ 00353 47 82739 🌐 www.monaghan.ie

✉ eolas@monaghancoco.ie info@monaghancoco.ie

- 1a. The developer shall pay to Monaghan County Council a sum of **€210.00** in accordance with the General Development Contribution Scheme 2013-2019 (as revised), made by the Council under Section 48 of the Planning and Development Act 2000 (as amended, towards expenditure incurred or proposed to be incurred by the Council in the provision of Community, Recreation and Amenity Public Infrastructure and facilities in the area.
- b. The sum attached to this condition shall be revised from the date of the grant of planning permission to the value pertaining at the time of payment in accordance with the Wholesale Price Index for Building and Construction (Materials and Wages).
- c. Payment of the development contribution shall be made in full within three months of the date of grant of this planning permission.
- 2a. The maximum bird numbers contained within this poultry unit shall not exceed 28,000, unless planning permission is subsequently granted to increase the bird numbers.
- b. No further poultry units shall be constructed on this site without the benefit of planning permission granted subsequent to the date of grant of this planning permission.
- 3a. Adequate measures to prevent the discharge of polluting matter to waters shall be taken to ensure there is no negative impact on the adjacent watercourse during and post construction stage.
- b. There shall be no change in poultry type, change in system which results in change in Dry Matter content of the manure or increase in the number of poultry proposed without prior approval from the planning authority.
- c. There shall be no increase in livestock numbers over that stated on the planning application form except in accordance with an approved Farm Waste and Nutrient Management Plan and with the prior written consent of the planning authority.
- d. All proposed surface water drainage systems shall be designed to ensure that no polluting matter enters the surface water collection system. A silt trap shall be provided on the surface water pipeline prior to final discharge.
- e. The developer shall ensure run-off from soiled yard areas shall be kept to a minimum, collected in suitably constructed tanks and landspread in accordance with the European Union (Good Agricultural Practice for Protection of Waters) Regulations 2014.
- f. All structures and buildings shall be designed and constructed to the relevant Department of Agriculture specifications and in accordance with requirements of the European Union (Good Agricultural Practice for Protection of Waters) Regulations 2014.
- g. All soiled waters generated from cleaning or other operations shall be collected and stored in a suitable watertight tank and disposed of in accordance with the European Union (Good Agricultural Practice for Protection of Waters) Regulations 2014.
- h. All manure/organic fertilisers arising from the development shall be collected in leak proof/suitably constructed tanks, stored and landspread in accordance with the European Union (Good Agricultural Practice for Protection of Waters) Regulations 2014.
- i. The developer shall ensure all landspreading and buffer zones are in accordance with the European Union (Good Agricultural Practice for Protection of Waters) Regulations 2014.
- j. Manure/ Organic fertilisers taken off site shall conform with the Department of Agriculture Food and the Marine requirements and guidance under Animal By Products legislation and local authority guidance on the protection of sensitive waters including water supply sources. Any change or alteration in arrangements for manure/organic fertiliser arising from the development shall be pre-notified to Monaghan County Council.

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- k. Manure shall be taken offsite by a contractor/hauler registered with the Department of Agriculture Food and Marine shall be utilised in accordance with the requirements of the European Union (Good Agricultural Practice for Protection of Waters) Regulations 2014.
- l. Records of manure movements offsite shall be recorded on Record 3 forms (as prescribed by the Department of Agriculture Food and Marine). These forms shall be maintained on site at all times and submitted to the Environment Section of Monaghan County Council on request. Records maintained shall comply with requirements of Article 23 of the European Union (Good Agricultural Practice for Protection of Waters) Regulations 2014 and as a minimum shall include:
 - i. Name and address of Contractor/Haulier.
 - ii. Date of each disposal operation.
 - iii. Quantity (weight and volume) disposed of.
 - iv. The name of receiving premises.
 - v. Any other information as may be required from time to time by Monaghan County Council.
- m. If at any time Monaghan County Council is satisfied that this development is causing environmental pollution and / or a public health nuisance, the operation shall cease immediately on the direction of the said authority and shall not be resumed until permission is granted by the said authority.
- 4. The development shall be carried out in accordance with plans and documentation submitted on 16th of March 2017 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. It is considered appropriate that the developer should contribute towards the expenditure incurred or proposed to be incurred by the Council in the provision of community, recreation and amenity infrastructure and facilities in the area.
- 2. In order to prevent unauthorised development.
- 3. In the interest of Environmental Protection.
- 4. In the interest of orderly development and to prevent unauthorised development.

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