



An
Coimisiún
Pleanála

Commission Order
PL-500735-WC-26

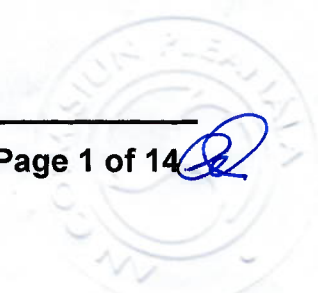
Planning and Development Act 2000, as amended

Planning Authority: Cork County Council

Planning Register Reference Number: 24/00520

Appeal by Sean and Paula Hayes and by others against the decision made on the 15th day of January, 2026 by Cork County Council to grant subject to conditions a permission to Lisavaird Co-operative Creamery Limited in accordance with plans and particulars lodged with the said Council.

Proposed Development: Permission to demolish existing piggery complex, permission to construct a replacement piggery complex consisting of (a) two number pig houses with slatted slurry tanks, (b) three number roofed pig passages with slatted slurry tanks, (c) plant room, (d) pig loading bay, (e) six no. feed storage bins, (f) rainwater harvesting tank, (g) rainwater attenuation tank, permission to relocate existing site entrance gates and carry out all associated site works, all at Derryduff, Rosscarbery, County Cork.



Decision

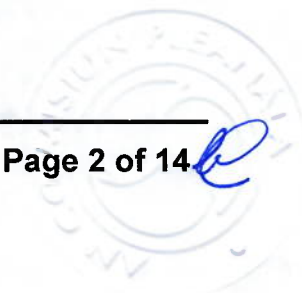
GRANT permission for the above proposed development in accordance with the said plans and particulars based on the reasons and considerations under and subject to the conditions set out below.

Reasons and Considerations

Having regard to:

- (a) the location of the proposed development in a rural area, generally removed from residential development,
- (b) the nature of the proposal which is to provide for a modern replacement facility with enhanced environmental management on a site where the established use is as a piggery,
- (c) the fact that the proposed development and any associated land spreading will be subject to Department of Agriculture guidelines and regulation, and
- (d) the provisions of the Cork County Development Plan 2022-2028,

it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the amenities of the area or of property in the vicinity, would not give rise to an undue risk of water pollution, would not be prejudicial to public health and would be acceptable in terms of traffic safety and convenience. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.



Appropriate Assessment Screening

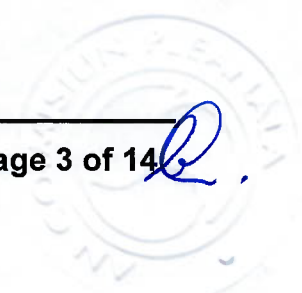
Having carried out Screening for Appropriate Assessment of the project in accordance with Section 177U of the Planning and Development Act 2000 (as amended), the Commission concluded that that the project individually or in combination with other plans or projects would not be likely to give rise to significant effects on European Sites within the surrounding area, or any other European site, in view of the sites' Conservation Objectives, and Appropriate Assessment (and submission of a Natura Impact Statement) is not, therefore, required. This determination was based on:

- (a) the scale of the development and lack of impact mechanisms that could significantly affect a European Site, and
- (b) the distance from and weak indirect connections to European sites.

Environmental Impact Assessment Screening

Having regard to the criteria set out in Schedule 7, in particular:

- (a) the limited nature and scale of the proposed piggery development, in an established agricultural area on the site of an established piggery,
- (b) the absence of any significant environmental sensitivity in the vicinity, and the proposed mitigation measures to be provided as part of the proposed development,
- (c) the location of the development outside of any sensitive location specified in article 109(4)(a) of the Planning and Development Regulations 2001 (as amended),



the results of other relevant assessments of the effects on the environment submitted by the applicant and the features and measures proposed by applicant envisaged to avoid or prevent what might otherwise have been significant effects on the environment, and in particular the proposal to limit the number of production/finisher pigs to 1,600, the management of odour and noise impacts, the biodiversity measures proposed and the limited level of traffic to be generated by the proposal the Commission concluded that the proposed development would not be likely to have significant effects on the environment, and that an environmental impact assessment report is not required.

Conditions

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application as amended by the further plans and particulars received by the planning authority on the 14th day of May, 2025, the 12th day of June, 2025 and the 10th day of December, 2025 except as may otherwise be required in order to comply with the following conditions. Where such conditions require details to be agreed with the planning authority, the developer shall agree such details in writing with the planning authority prior to commencement of development and the development shall be carried out and completed in accordance with the agreed particulars.

Reason: In the interest of clarity.



2. The maximum pig numbers maintained on site shall not exceed 2,000 weaners and 1,600 finishers/production pigs.

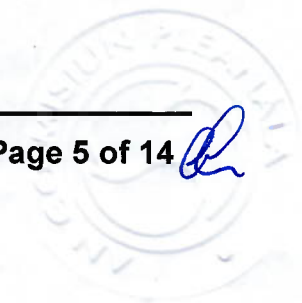
Reason: To control the volume of effluent generated by the development and in the interest of environmental protection.

3. The pig herd operator shall maintain records on site recording;
 - (a) number and weight of pigs entering facility on a monthly basis,
 - (b) number and weight of pigs leaving facility on a monthly basis,
 - (c) number and type of pigs on hands (weaners and finishers) at the end of each month.

Records shall be available for inspection by authorised officers of the planning authority at all reasonable times.

Reason: In the interest of orderly development and environmental protection.

4.
 - (a) During the construction phase noise levels emanating from the proposed development when measured at specified noise sensitive locations shall not exceed 55 dBA (30 minute Leq) between 0800 hours and 2200 hours, Monday to Saturday inclusive and shall not exceed 45 dBA (15 minute Leq) at any other time.
 - (b) All mitigation measures set out in the Noise Impact Assessment lodged with the planning authority shall be implemented in full to the satisfaction of the planning authority.



- (c) Noise levels emanating from the proposed development following commissioning, when measured externally at specified noise sensitive locations, shall not exceed 43 dB(A), or a maximum increase of 5 dB(A) above background noise.

Reason: To safeguard the amenities of the area.

5. All odour reduction techniques set out in the Odour Impact Assessment lodged with the planning authority shall be implemented ensuring compliance with the odour criterion recommended by the Environmental Protection Agency for new pig farms of 3.0 oug/m³ at all sensitive receptor locations to the full satisfaction of the planning authority.

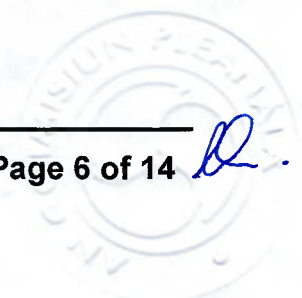
Reason: To safeguard the amenities of the area.

6. Details of the materials, colours and textures of all the external finishes to the proposed development shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

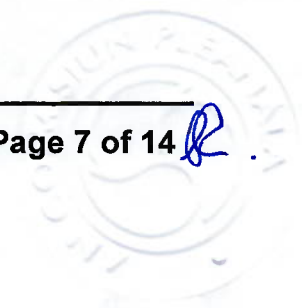
Reason: In the interest of visual amenity.

7. Sightlines shall be agreed in writing with the planning authority prior to the commencement of development. Sight distance triangles shall be maintained and kept free from vegetation or other obstructions that would reduce the minimum visibility required.

Reason: In the interest of traffic safety.



8. The site shall be landscaped in accordance with a comprehensive scheme of landscaping, details of which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This scheme shall include the following:
- (a) A plan to scale of not less than 1:500 showing –
 - (i) existing trees and hedgerows, specifying which are proposed for retention as features of the site landscaping and which are being replaced
 - (ii) the measures to be put in place for the protection of relevant landscape features during the construction period
 - (iii) the species, variety, number, size and locations of all proposed trees and shrubs which shall comprise predominantly native species such as mountain ash, birch, willow, sycamore, pine, oak, hawthorn, holly, hazel, beech or alder and which shall not include prunus species,
 - (iv) details of new screen planting which shall not include cupressocyparis x leylandii, and
 - (v) details of roadside/street planting which shall not include prunus species.
 - (b) A timescale for implementation



All planting shall be adequately protected from damage until established. Any plants which die, are removed or become seriously damaged or diseased, within a period of five years from the completion of the development, shall be replaced within the next planting season with others of similar size and species, unless otherwise agreed in writing with the planning authority.

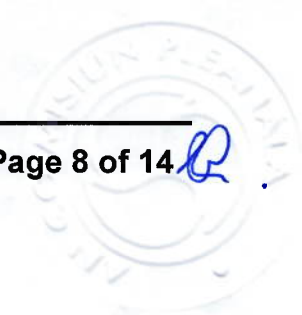
Reason: In order to assimilate the proposal into the surrounding rural landscape, to provide biodiversity and in the interest of visual amenity.

9. Nest boxes shall be provided within the site in accordance with submitted plans and particulars and under the supervision of a suitably qualified ecologist.

Reason: In the interest of biodiversity.

10. Prior the commencement of works, trees and buildings with bat roosting potential shall be surveyed by a suitably qualified Ecologist who is appropriately qualified and experienced in undertaking bat surveys and in line with best practice at the appropriate time of year to confirm the absence of roosting bats. In the event that a previously undetected bat roost is identified and is likely to be disturbed, the applicant shall acquire a derogation under Regulation 54 of the European Communities (Bird and Natural Habitats) Regulations 2011 prior to the commencement of the relevant works. Prior to the removal of trees and/or works to building, the bat survey results, methodologies for felling/works and any derogations shall be submitted for the written agreement of the planning authority.

Reason: In the interest of wildlife protection.

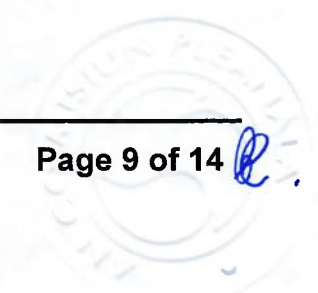


11. (a) The septic tank/wastewater treatment system hereby permitted shall be installed in accordance with the recommendations included within the site characterisation report submitted with this application and shall be in accordance with the standards set out in the document entitled "Code of Practice - Domestic Waste Water Treatment Systems (Population Equivalent ≤ 10)" – Environmental Protection Agency, 2021.
- (b) Treated effluent from the septic tank/ wastewater treatment system shall be discharged to a percolation area/ polishing filter which shall be provided in accordance with the standards set out in the document entitled "Code of Practice - Domestic Waste Water Treatment Systems (Population Equivalent ≤ 10)" – Environmental Protection Agency, 2021.
- (c) Within three months of the first occupation of the proposed development, the developer shall submit a report to the planning authority from a suitably qualified person (with professional indemnity insurance) certifying that the septic tank/wastewater treatment system and associated works is constructed and operating in accordance with the standards set out in the Environmental Protection Agency document referred to above.

Reason: In the interest of public health and to prevent water pollution.

12. Water supply and drainage arrangements, including the attenuation and disposal of surface water shall comply with the requirements of the planning authority for such works and services.

Reason: In the interest of public health and to ensure a proper standard of development.



13. Site development and building works shall be carried out only between the hours of 0700 to 1900 Mondays to Fridays inclusive, between 0800 to 1400 hours on Saturdays and not at all on Sundays and public holidays. Deviation from these times will only be permitted in exceptional circumstances where prior written approval has been received from the planning authority.

Reason: In order to safeguard the residential amenities of property in the vicinity.

14. The construction of the development shall be managed in accordance with a Construction and Environmental Management Plan, which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This plan shall incorporate all the construction stage mitigation measures outlined in the application documents, and shall provide details of intended construction practice for the development, including and not limited to:
 - (a) location of the site and materials compound(s) including area(s) identified for the storage of construction refuse,
 - (b) location of areas for construction site offices and staff facilities,
 - (c) details of site security fencing and hoardings,
 - (d) details of car parking facilities for site workers during the course of construction,

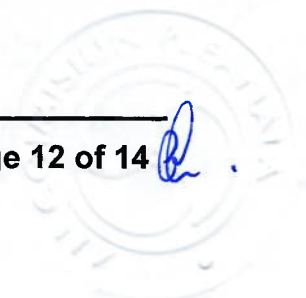
- (e) details of the timing and routing of construction traffic to and from the construction site and associated directional signage, to include proposals to facilitate the delivery of abnormal loads to the site if required,
- (f) measures to obviate queuing of construction traffic on the adjoining road network,
- (g) measures to prevent the spillage or deposit of clay, rubble, or other debris on the public road network,
- (h) alternative arrangements to be put in place for pedestrians and vehicles in the case of the closure of any public road or footpath during the course of site development works,
- (i) details of appropriate mitigation measures for noise, dust and vibration, and monitoring of such levels,
- (j) containment of all construction-related fuel and oil within specially constructed bunds to ensure that fuel spillages are fully contained. Such bunds shall be roofed to exclude rainwater,
- (k) details of construction lighting,
- (l) details of key construction management personnel to be employed in the development, and
- (m) means to ensure that surface water run-off is controlled such that no silt or other pollutants enter local surface water sewers or drains.

A record of daily checks that the works are being undertaken in accordance with the Construction Management Plan and monitoring results as appropriate shall be kept for inspection by the planning authority.

Reason: In the interest of amenities, environmental protection, public health, and safety.

15. Prior to the commencement of development, the developer or any agent acting on its behalf, shall prepare a Resource Waste Management Plan (RWMP) as set out in the Environmental Protection Agency's Best Practice Guidelines for the Preparation of Resource and Waste Management Plans for Construction and Demolition Projects (2021) including demonstration of proposals to adhere to best practice and protocols. The RWMP shall include specific proposals as to how the RWMP will be measured and monitored for effectiveness; these details shall be placed on the file and retained as part of the public record. The RWMP must be submitted to the planning authority for written agreement prior to the commencement of development. All records (including for waste and all resources) pursuant to the agreed RWMP shall be made available for inspection at the site office at all times.

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



16. All solid wastes arising on the site shall be recycled as far as possible. Materials exported from the site for recovery, recycling or disposal shall be managed at an approved facility and in such a manner as is agreed with the planning authority. In any case no such wastes shall be stored on the site except within the confines of the buildings on site. Adequate on-site arrangements for the storage of recyclable materials prior to collection shall be made to the satisfaction of the planning authority.

Reason: To safeguard the amenities of the area.

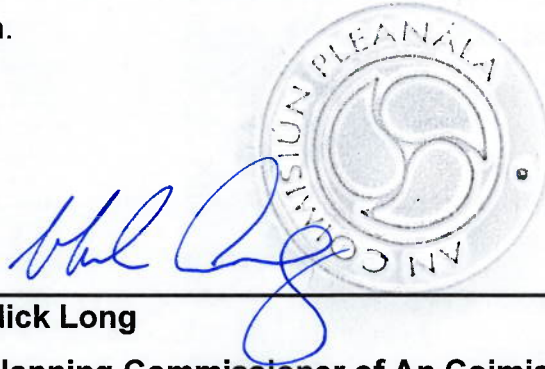
17. Lighting shall be provided in accordance with a scheme, details of which shall be submitted to, and agreed in writing with the planning authority prior to commencement of development. The scheme shall minimise obtrusive light outside the boundaries of the development at all times.

Reason: In the interest of amenity and public safety.

18. The developer shall pay to the planning authority a financial contribution in respect of public infrastructure and facilities benefiting development in the area of the planning authority that is provided or intended to be provided by or on behalf of the authority in accordance with the terms of the Development Contribution Scheme made under section 48 of the Planning and Development Act 2000, as amended. The contribution shall be paid prior to commencement of development or in such phased payments as the planning authority may facilitate and shall be subject to any applicable indexation provisions of the Scheme at the time of payment. Details of the application of the terms of the Scheme shall be

agreed between the planning authority and the developer or, in default of such agreement, the matter shall be referred to An Coimisiún Pleanála to determine the proper application of the terms of the Scheme.

Reason: It is a requirement of the Planning and Development Act 2000, as amended, that a condition requiring a contribution in accordance with the Development Contribution Scheme made under section 48 of the Act be applied to the permission.

A circular seal of An Coimisiún Pleanála is visible in the background. The seal features a central emblem and the text 'AN COIMISIÚN PLEANÁLA' around the perimeter. A handwritten signature in blue ink is written over the seal.

Mick Long

**Planning Commissioner of An Coimisiún
Pleanála duly authorised to authenticate
the seal of the Commission.**

Dated this 10th day of June 2026