



An
Bord
Pleanála

Inspector's Report ABP-306852-20

Development	Poultry house and a storage shed
Location	Fawnlehane, Castlemahon, County Limerick
Planning Authority	Limerick City & County Council
Planning Authority Reg. Ref.	19/28
Applicant(s)	John Nash
Type of Application	Permission
Planning Authority Decision	Grant
Type of Appeal	Third Party
Appellant(s)	Fawnlehane Residents
Date of Site Inspection	15 th July, 2020
Inspector	Kevin Moore

1.0 Site Location and Description

1.1. The site for the proposed development comprises a section of a level field in grassland that is part of an established dairy and cattle farm. The site is accessed from Regional Road R522 to the west from an existing farm access road. It is located approximately 4km to the south-east of the town of Newcastle West. Development in the vicinity generally includes extensive ribbon development along the public road frontages and farm developments.

2.0 Proposed Development

2.1. The proposed development originally comprised the construction of two poultry houses, a storage shed for the storage of poultry bedding, and all associated site works. The scheme was revised to one poultry house and relocated within the landholding during the consideration of the application by the planning authority. The poultry house has a capacity for 36,000 birds, likely for broiler production. The house would be naturally ventilated and a radiant heating system would be employed. Feed would be stored in feed storage bins/silos. It is proposed that all organic manure from the site shall be removed from the site for composting and used in the mushroom industry. The submitted planning application form states that the proposed source of water supply would be from an existing group water scheme, while the covering letter with the application states that water for stock and for washing would be acquired from a private well on the site and/or a public water supply.

2.2. Details submitted with the original application included an Environmental Impact Assessment Report, a Noise Management Plan, an Odour Management Plan, and an Appropriate Assessment Screening. The cover letter with the application indicated that the development would require an IED/IPPC licence.

3.0 Planning Authority Decision

3.1. Decision

On 12th February 2020, Limerick City & County Council decided to grant permission for the proposed development subject to 22 conditions. Condition 4 sought reorientation of the permitted poultry house and its siting a minimum of 30m from the northern boundary of its revised siting and the associated tank to be a minimum distance of 50m from the northern boundary. This was in the interest of residential amenity and public health.

3.2. Planning Authority Reports

3.2.1. Planning Reports

The Planner noted development plan provisions and restated in full the objection and reports received. It was submitted that the proximity of the site to residential property in particular and the fact the site is undeveloped currently are significant concerns for the planning authority in considering the appropriateness of the site for the proposed development. Further details on the landholding were considered necessary. It was also considered that the development would have a significant impact on the landscape and that information on landscaping was required. Further details were also considered necessary on the proposed access onto the regional road, on noise, drainage, water supply, and on deficiencies of the EIAR. An assessment of the submitted EIAR was undertaken which identified errors, inconsistencies and inaccuracies that required to be rectified by way of further information. A request for further information was recommended.

3.2.2. Other Technical Reports

The Agricultural Scientist sought clarification on a Nutrient Management Plan, water supply, wash tanks, lands for landspreading, emissions mapping, the site area, surface water monitoring, and a non-technical description of how the SCAIL modelling tool is to be interpreted.

The Chemist requested further information relating to cumulative noise impact.

The Municipal District Engineer requested details relating to sightlines at the entrance on the regional road and surface water.

The Roads Engineer requested details on surface water drainage.

The Archaeologist submitted that the chapter on archaeology in the applicant's EIAR was not fit for purpose. It was noted that there are no recorded monuments within the curtilage or in the immediate vicinity of the site but that there is the possibility of disturbing previously unknown archaeological material. A condition was set out if the proposed development was to proceed.

3.3. Prescribed Bodies

The EPA submitted that the proposed development may require a licence under Class 6.1 of the EPA Act for the rearing of poultry in installations where the capacity exceeds 40,000 places. It was noted that a licence application had not been received.

The OPW noted that the site is bounded on the eastern side by a watercourse within the Deel Catchment Drainage Scheme which maintenance responsibility lies with the OPW. In order to gain access to maintain the channel, a condition was recommended to be attached with any grant of planning permission. It was further submitted that the planning authority should satisfy itself that due consideration is given to flood risk at the site.

The HSE referred to the applicant's noise survey and air quality modelling study and referenced EIAR conclusions on impacts on population and human health and water and hydrogeology. It was submitted that the applicant should provide a detailed map showing the location of the 8 houses and their water sources within 400m of the site as referred to in the EIAR and to clarify distance between the applicant's home and the site. It was concluded that should permission be granted, monitoring of all parameters should be carried out on a regular basis to ensure on-site activities do not adversely impact on the environment or public health and mitigations measures proposed in the EIAR are implemented.

3.4. Third Party Observations

A third party submission was received from Fawnlehane Residents. The grounds of the appeal reflect the principal concerns raised.

3.5 The planning authority sought further information in accordance with the Planner's recommendation and a response to this request was received on 11th December, 2019. This provided details of the applicant's landholding, of sightlines, landscaping, drainage, a proposed on-site bored well supply, and on soiled water handling. The proposal was reduced to one poultry house with a capacity for 36,000 birds and this proposed building was located further north within the lands and outside of the site boundaries associated with the original submitted planning application. Further to this a Noise Survey Report was submitted on 15th January 2020.

A second submission was received from Fawnlehane Residents reiterating concerns previously raised. An unsolicited response to this submission was received from the applicant on 11th February 2020.

The reports to the planning authority following the receipt of this information were as follows:

The Roads Engineer requested conditions be attached relating to sightlines, surface water disposal and construction management.

An Executive Engineer in the Air, Noise, Water & Public Health Team expressed concern about the impact of the proposed development on residents in the area unless the developer could provide satisfactory evidence to suggest that there would be no odour migration.

The Agricultural Scientist noted that all poultry litter was to be removed from the site and sent out of the county. A schedule of conditions was set out.

The Planner noted the further information response, the third party submission and the reports received. It was submitted that the primary environmental parameters likely to be impacted are odour, noise and water quality. It was considered that an odour management plan should be submitted and that recommended noise conditions should apply. It was acknowledged that residents of the area were served by a group water scheme and that there was no flood risk based on predictive flood

mapping. It was concluded that an EIAR was not required for the proposed development of one poultry house accommodating 36,000 broilers. A grant of permission was recommended subject to conditions.

4.0 **Planning History**

I have no record of any planning application or appeal related to the site.

5.0 **Policy Context**

5.1. **Limerick County Development Plan**

Agriculture

The principal objective relating to agriculture is as follows:

Objective ED O22: Agricultural developments

The Council will normally permit development proposals for agricultural development where:

- (a) they are appropriate in nature and scale to the area in which they are located;
- (b) the proposal is necessary for the efficient use of the agricultural holding or enterprise;
- (c) where the proposal involves the erection of buildings, there are no suitable redundant buildings on the farm holding which would accommodate the development;
- (d) the development is not visually intrusive in the local landscape and, where the proposal is for a new building(s) and there are no suitable redundant buildings, the proposal is sited adjacent to existing buildings and suitably visually integrated in the holding; and
- (e) the proposal demonstrates that it has taken into account traffic, environmental and amenity considerations and is in accordance with the policies, requirements and guidance contained in this Plan.

Development Management Standards

Agricultural Development

Agricultural buildings and associated works (walls, fences, gates, entrances, yards etc.) while accepting the need to be functional, are required to be sympathetic to their landscape and should avoid breaking the skyline.

The Planning Authority requires adequate provision for the collection, storage and disposal of effluent produced from agricultural developments. Developers are required to adhere to the Department of Agriculture Guideline entitled 'Guidelines and Recommendations on the Control of Pollution from Farmyard Wastes' and the following Slurry Storage and Slurry disposal/recycling requirements:

- All effluent storage tanks should be constructed to Department of Agriculture and Food specifications.
- The capacities of all slurry, effluent and soiled water tanks and all other tanks for pollutants shall comply with the current Department of Agriculture Guidelines and any subsequent documents/guidelines.
- The applicant may be required to demonstrate that sufficient lands of suitable nutrient status are available within a reasonable distance for the disposal/recycling of organic waste from a proposed agricultural development.

Intensive Pig and Poultry Units

In assessing an application for intensive pig or poultry units, the Planning Authority will consider and require information on the following:

- Depending on the size of the unit, an E.I.S. may be required. In addition an Integrated Pollution Control licence may be required from the Environmental Protection Agency.
- Scale and intensity of operations including the cumulative impact of similar type developments.
- Waste management including frequency and location of disposal relative to pig and poultry units. In addition, the applicant will be required to demonstrate

that there is a stable, secure, sustainable outlet for all slurries and manures from the proposed development. All slurry and effluent shall be stored in concrete tanks constructed in accordance with S123 '*Minimum Specification: Slatted livestock units; Reinforced Concrete tanks*' (DAFF 1994) or other types of structures approved by the Planning Authority.

- Air pollution arising from housing units and effluent storage, transportation and spreading. The control of odour is another important consideration.
- Proximity of development to aquifers and watercourses.
- Units should be located a minimum of 400 metres from the nearest dwelling other than the applicants dwelling. In the case of villages and towns intensive poultry and particularly pig units will be required to be located a much greater distance away from the settlement because of the impacts on residential amenities.
- Animal housing units in terms of design, and associated activities such as cleaning, ventilation and heating.
- Landscaping of site - a comprehensive landscaping plan should be submitted as part of the planning application.

5.2. **Appropriate Assessment**

The site for the proposed development is not on, in or near any European site. The nearest European Site is the Stacks to Mullaghareirk Mountains, West Limerick Hills and Mount Eagle SPA (Site Code: 004161) in excess of 6km west of the appeal site. It is reasonable to conclude that on the basis of the information on the file, which I consider adequate in order to issue a screening determination, that the proposed development, individually or in combination with other plans or projects would not be likely to have a significant effect on any designated European Site and a Stage 2 Appropriate Assessment and submission of a NIS is not therefore required.

5.3. **EIA Screening**

5.3.1. **Mandatory EIA – Schedule 5 Part 1**

The class of development for intensive poultry development requiring mandatory EIA is defined in Schedule 5 of the Planning and Development Regulations. Installations

for the intensive rearing of poultry with more than 85,000 places for broilers require mandatory EIA. The proposed development of one poultry house, seeking to accommodate up to 36,000 broilers, does not fall within the class of development which requires a mandatory EIA.

5.3.2. **Sub-Threshold EIA – Schedule Part 2**

The following development class is noted:

Class 1(e)(i)

Installations for intensive rearing of poultry not included in Part 12 of this Schedule which would have more than 40,000 places for poultry.

The proposed poultry house would seek to accommodate up to 36,000 broilers and would be below the threshold limit.

5.3.3. **Assessment of Environmental Significance**

Characteristics of the Proposed Development

- The proposed development is below the thresholds set out in Parts 1 and 2 of Schedule 5 of the Planning and Development Regulations.
- The site is located in rural area in which the primary land use is agriculture. The proposed agricultural activity would be in keeping with this primary use.
- The development would not have any significant cumulative impact with other agricultural activities on this farmholding or in association with other agricultural land uses in the wider area.
- There is no reason to suggest that the proposed development would have a detrimental impact on the use of natural resources of the area based upon the application of standard construction and management practices for an agricultural activity of the nature proposed.
- There would be no known significant effect on geology, hydrogeology or surface waters arising from the project.
- The site is managed farmland and contains no habitat, flora or fauna of conservation significance.

- The main source of waste associated with the construction phase would be of a non-hazardous nature and relatively limited. All such waste can reasonably be managed through the implementation of a Construction Waste Management Plan. The application of standard disposal of wash waters to meet with established regulations relating to agricultural activities would apply. All poultry waste would be transported away from the site to an established compost operation.
- All emissions can reasonably be subject to control and monitored by the planning authority.
- A Construction Management Plan and the Environmental Management Plan during the operation, subject to oversight by the planning authority, would seek to ensure there would be no risk posed to human health.

Location of the Proposed Development

- The site is located in an agricultural area.
- There would be no significant discharges to land, soils or water. There are no wetlands in the vicinity and the site is distant from any European Sites.
- The site is distant from coastal zones and the marine environment.
- An Appropriate Assessment Screening has been undertaken and it is concluded that the proposed development, individually or in combination with other plans or projects, would not be likely to have a significant effect on any designated European Site.
- There are no mountain or forest areas, nature reserves or parks located at or in the vicinity of the site.
- The site is not on or in the vicinity of any area in which environmental quality standards laid down in legislation of the EU have already been exceeded nor is it within a landscape of historical, cultural or archaeological significance.
- The proposed development would not be located within or in the vicinity of any densely populated area.

Type and Characteristics of the Potential Impacts

- A large geographical area would not be impacted as a result of the proposal. The development would be sited in a rural location where farming activity is the principle land use and the characteristics of the development would be in keeping with prevailing agricultural uses.
- The proposed development would not have any impact on areas of significant density of population, being remote from the nearest town, i.e. Newcastle West.
- No transfrontier impacts would arise.
- There are no anticipated long-term adverse environmental impacts arising from the construction and operational phases.
- It is anticipated that the duration of the operation of the poultry house would be medium to long term. It is a scheme that is reversible.
- No significant emissions are expected to result from the construction and operation of this common agricultural activity in this rural area due to the control measures, management and monitoring required to be put in place.

5.3.4. Conclusion

Overall, it may reasonably be concluded that the proposal falls below the threshold as defined in Schedule 5 of the Planning and Development Regulations. Having regard to the consideration of the likely environmental significance of the proposed development, it may reasonably be concluded that the characteristics of the proposal, its location, and the type and characteristics of the potential impacts arising from the construction and operation of the poultry house would not result in a significant environmental impact. It is, thus, reasonably determined that EIA is not required and the requirement for the applicant to submit an EIAR does not arise.

6.0 The Appeal

6.1. Grounds of Appeal

The grounds of the appeal may be summarised as follows:

- The Council in seeking further information referenced concerns relating to the impact of the development on visual amenity, residential amenity and road safety. The residents hoped that these assumptions would have been taken into account in the Council's decision.
- The applicant is presently supplying poultry from his existing houses and is seeking to set up an independent unit as a business for his children at the site. This would set a precedent for future applications and future industrial buildings.
- Health concerns are raised relating to odour, ammonia, dust, noise and delivery impacts.
- No provision is made for washing or toilet facilities.
- The granting of permission will devalue the appellants' homes.
- A number of issues raised in reports by the Agricultural Scientist and the Engineer in the Air, Noise, Water & Public Health Team have not been addressed.
- Perceived deficiencies relating to the applicant's noise assessment are set out.
- The odour management plan required by Condition 3 of the planning authority's decision is too vague and does not address the appellants' concerns.
- The appellants were not afforded the opportunity to respond to the unsolicited further information submitted by the applicant on 11th February 2020. The appellants respond to the comments made by the applicant.
- Some of the conditions attached with the planning authority's decision and reasons provided are difficult to interpret.

6.2. Applicant Response

The applicant's response to the appeal may be summarised as follows:

- There are 20 existing poultry houses within 3.5km of the objectors' properties which shows this is an agricultural neighbourhood that has a strong poultry heritage.
- The relocation of the poultry house means there is another existing hedgerow to screen the development between the residents' houses and the proposed poultry house.
- The proposal, away from his existing poultry house where the levels of *Campylobacter* are very high, allows the applicant's operation to be disease free, which is preferred by the consumer.
- To address the appellants' health concerns the applicant is willing to go free range, reducing the amount of cycles per year and the number of birds to approx. 26000.
- Washing facilities and hand sanitising are provided at all poultry house operations as a requirement of Bord Bia.
- Construction of the poultry house will have no effect on property prices as this is an historical area for chicken production.
- All concerns raised with the local authority were addressed.
- The noise survey was carried out as requested by the local authority.
- With design standards and Bord Bia requirements, the development would be operated to the highest standards and it would have little impact on the environment.
- The existing entrance is used to deliver fertiliser by articulated lorry and silage wagons use it every summer. The entrance is extremely wide and can accommodate large vehicles.

6.3. Planning Authority Response

I have no record of any response to the appeal from the planning authority.

6.4 Further Submissions

A submission was received from EPA relating to licensing of the proposed development under Class 6.1 of the EPA Act. It was submitted that the proposed development may require a licence and details of how the EPA would address an application for a licence was set out. Much of the submission was similar to that received by the planning authority.

In response to the EPA submission the applicant noted that the proposed development had been revised from two poultry houses to one poultry house accommodating a maximum of 36,000 birds. It was acknowledged that the First Schedule of the EPA Act identifies activities requiring an IPPC licence and that Class 6.1 relates to poultry installations where the capacity exceeds 40,000 places. It was, thus, submitted that the proposal for 36,000 birds would not require an IPPC licence. It was further noted that revised public notices had been submitted with the further information to the planning authority.

7.0 Assessment

7.1. Introduction

- 7.1.1. I consider that the main planning issues for consideration by the Board are the principle of the development, the development in the context of development plan provisions, the impact on residential amenity, traffic impact, and visual impact.

7.2. The Principle of the Proposed Development

- 7.2.1. The site of the proposed development is located in a rural area, and being a rural area, the primary land use is agriculture. This is not a residential area and the site is not near any residential area. There are extensive one-off houses developed in this wider agricultural area. Further to this, this is an agricultural area in which many poultry production facilities are located. Poultry production is an agricultural activity. There can be no doubt that the principle of an agricultural activity in this rural agricultural area is acceptable.

7.3. The Development in the Context of Development Plan Provisions

- 7.3.1. The principal objective in the Limerick County Development Plan relating to agricultural developments is Objective ED 022. It is apparent that the proposed poultry house is appropriate in nature and scale to its rural location and is of a form and character suited to its proposed use. There are no other buildings at this location that could be used in replacement of the proposed structures and it is a development that would not be visually intrusive (see below). In terms of its siting, design and context, traffic, environmental and amenity considerations have been taken into account. The proposed development could reasonably be seen to be in accordance with Objective ED 022.
- 7.3.2. With regard to Development Management Standards as they apply to agricultural development, it is apparent that the proposed poultry house and associated structures are of standard design for such uses, would be sympathetic to the landscape context and would avoid breaking the skyline. Appropriate provisions are being made for the collection, storage and disposal of effluent produced from agricultural developments in accordance with established practice. All poultry waste is intended to be removed from this site to MJ Kehoe of Custom Compost in Gorey, County Wexford, which would be in the region of 40 ton per life cycle. All wash water is intended to be landspread in compliance with EU Regulations.
- 7.3.3. With regard to Development Management Standards as they apply to poultry units, I first note that the development of a poultry house for 36,000 broilers would not be a development for which an EIAR is required nor is an IPPC licence mandatory. I note the correspondence from the EPA on this application and the appeal and note that these submissions appear to focus on the original submission to the planning authority for two poultry houses and an application that included the submission of an EIAR. My considerations on the need for an EIAR are set out earlier in this report. Information has been provided to the planning authority on the scale and intensity of the proposed operation and waste management details have been provided. Details have also been provided on odour control, regard has been had to proximity to watercourses, and the development is sited away from towns and villages and off the

public road surrounded by further agricultural lands in a rural area. Details on cleaning, ventilating and heating of the poultry house have been provided. It is apparent from the decision of the planning authority that it is satisfied that the proposed development meets with the Development Management Standards as they relate to poultry units.

- 7.3.4. Overall, it is reasonable to conclude that the development of a poultry house at this rural location would generally be in keeping with the provisions of Limerick County Development Plan as they relate to agriculture.

7.4. Impact on Residential Amenity

- 7.4.1. It is first observed that if one chooses to live in the countryside where the principal land use is agriculture then one would expect as a resident to come into contact with agricultural activity, its associated vehicular movements, its odours, its operating noises, etc. Agriculture includes poultry farming in this part of County Limerick, an area in which there are many poultry developments. It is once again emphasised that the primary land use in this area is agriculture. Occupants of residential development unrelated to agriculture and agricultural land use cannot reasonably seek to stymie the development and progression of agricultural activities in rural areas once all appropriate measures are being pursued in the development of these agricultural uses.
- 7.4.2. In considering the proposed development's impacts on the residents of this area, I first note the location for the proposed development. It is an agricultural activity that is proposed to be sited on agricultural lands. The field in which it is proposed to be constructed is surrounded by other agricultural lands. These fields are bounded by long established hedgerows. The site for the structures is to be accessed by an established farm access road. It is at one of the most remote sections of the landowner's holding at this location, near its northern end. Residential development in the vicinity of this site takes the form of ribbon development along the regional road to the south-west. These houses are generally in standardised plots lined along the road. They would be screened from the development by hedgerow. There would

be no notable adverse visual impact in this rural area from a poultry house of common design.

- 7.4.3. The nature of the proposed agricultural use, the housing of the poultry throughout each life cycle, the separation distance of the building from houses in the area, and the intermittent traffic associated with the functioning of the poultry house, would result in no significant noise impact in this rural area for rural dwellers due to this development's operation and context..
- 7.4.4. With regard to odours, I note the measures and context above that relate to noise. I further note that an air / odour management plan was required by Condition 3 of the planning authority's decision, which is a reasonable requirement. I would have no particular concerns about odours arising in this instance in this context. It is further noted that, in reference to prevailing winds, the proposed poultry house, surrounded by agricultural lands, would lie north-east of the nearest houses ribboning along the regional road. The provision of an odour management plan, which would also include monitoring and reporting arrangements, should ensure impacts on neighbouring properties and properties in the wider area are controlled and managed in an orderly manner through the appropriate environmental section of the planning authority. I do not consider that there would be any significant air quality issues arising from the development of the proposed poultry house.
- 7.4.5. Finally, the traffic impact and impacts on visual amenity are considered below.

7.5. Traffic Impact

- 7.5.1. The proposed development would be accessed via an established farm access road. This farm access road has an established entrance onto Regional Road R522 over 300 metres from the site for the proposed poultry house. The access road serves an established farm and is used by farm vehicles and machinery in silage production, movement of animals, etc. There are no known traffic concerns arising from the functioning of this farm access road or the entrance onto the regional road. The functioning of a poultry unit will not bring with it any heavy volumes of traffic visiting this site. As the applicant has explained during the application process, the poultry

house's life cycle operates six times per year. Truck movements associated with loading and unloading of poultry and associated activities would equate to an average of two movements per week. The applicant has further demonstrated that there would be adequate sightlines and turning space available to facilitate a satisfactory agricultural entrance onto the public road.

- 7.5.2. There are no traffic safety concerns arising from the use of the established farm access road and the entrance onto the road.

7.6. Visual Impact

- 7.6.1. The proposed development would comprise a poultry house, a small storage shed and ancillary facilities associated with the development. This would be a relatively standard poultry house in an agricultural area within a level field, remote from the public realm, set well back from public roads, away from houses lining these roads and behind established hedgerows. It would be a relatively long narrow structure to a height of less than 6.5 metres. With respect to its context, this proposed development would have no significant or material visual impact in this agricultural area.

7.7. Conclusion

- 7.7.1. The proposed development would have no significant adverse impacts on air quality or by way of noise, traffic and effects on amenity. It could not reasonably be seen to pose any public health concerns and there is no information to conclude that an agricultural building in this agricultural area would devalue residential properties along the regional road. Appropriate washing facilities are intended to be provided as part of the development. Notwithstanding the applicant having agricultural development at another location and on another holding, there is no reason why the development of agricultural structures at this location on a separate landholding could be seen to be contrary to the proper planning and sustainable development of this rural area.

Note: I note the original drawings and details submitted with the application on 17th January 2019. These included a Site Location Map which outlined the original site in red. The drawings did not include details of the applicant's landholding. However, Figure 15 in the applicant's EIAR constituted a map showing the applicant's landholding. I then note the applicant's submission of further information. This revised the scheme to one poultry house and this house was proposed to be located on a site outlined in red to the north-east of, and beyond, the site area originally proposed for the two poultry houses. The applicant's landholding at this location was outlined in blue on a drawing and the new site for the one poultry house lies within the lands outlined in blue. I note that revised public notices were submitted to the planning authority on 11th December 2019 as part of the submission of further information received by the planning authority. I further note that Condition 4 of the planning authority's decision required the poultry house to be reoriented in an East / West direction. I acknowledge that the reorientation of the poultry house may potentially be of some additional benefit relating to noise and odour if there were any outstanding concerns relating to any potential impact on residential property along the regional road. However, I note that the revised site submitted as part of the further information is less than 50 metres in width, which would result in the proposed poultry house extending beyond the boundaries of the site as outlined in red if the structure was reoriented, albeit that the structure would remain within the overall landholding of the applicant. I do not consider that the structure requires to be reoriented given the likelihood that there would be no significant environmental impacts that would affect residential properties along the regional road in the wider area.

8.0 Recommendation

I recommend that permission is granted in accordance with the following reasons and considerations.

9.0 Reasons and Considerations

Having regard to the nature, extent, and location the proposed development on existing farmland, it is considered that, subject to compliance with the conditions set out below, the proposed development would be acceptable in terms of its impact on residential amenity, its environmental and traffic impacts, and would otherwise be in accordance with the proper planning and sustainable development of the area.

10.0 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 submitted on the 9th May 2019, 11th December 2019, and 15th January 2020, 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 poultry house and associated structures shall be used only in strict accordance with management measures which shall be submitted to and agreed in writing with the planning authority, prior to commencement of development. The management measures shall be in accordance with the European Communities (Good Agricultural Practice for Protection of Waters) Regulations, 2014, as amended, and shall provide at least for the following:

(1) Details of the number and types of poultry to be housed.

- (2) The arrangements for the collection, storage and disposal of poultry waste.
- (3) Arrangements for the cleansing of the building and associated structures (including the public road, where relevant).

Reason: In order to avoid pollution and to protect residential amenity.

- 3. Prior to the commencement of development, an environmental management plan relating to the control of odour and noise shall be submitted to, and agreed in writing with, the planning authority, which shall include proposed mitigation measures to be employed, monitoring and reporting to the planning authority.

Reason: In order to avoid pollution and to protect residential amenity.

- 4. All foul waters generated by the proposed development and in the farmyard shall be conveyed through properly constructed channels to the proposed and existing storage facilities and no effluent or slurry shall discharge or be allowed to discharge to any stream, river or watercourse, or to the public road.

Reason: In the interest of public health.

- 5. All uncontaminated roof water from buildings and clean yard water shall be separately collected and discharged in a sealed system to existing drains, streams or adequate soakpits and shall not discharge or be allowed to discharge to the foul effluent drains, foul effluent and slurry storage tanks or to the public road.

Reason: In order to ensure that the capacity of effluent and storage tanks is reserved for their specific purposes.

6. The construction of the development shall be managed in accordance with a Construction Management Plan, which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

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

Kevin Moore
Senior Planning Inspector

16th September 2020