File Wi	th _
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SECTION 131 FORM

Appeal NO:_ABP_313378-21 TO:SEO		Defer Re O/H		
Having considered the contents of the submission dated received 5 July 23 from Applicant I recommend that section 131 of the Planning and Development Act, 2000				
he/not be invoked at this stage for the following reason(s):. No new watering				
E.O.: Kalan Hickey Di	ate: 7\8	3122		
To EO:				
Section 131 not to be invoked at this stage.				
Section 131 to be invoked – allow 2/4 weeks for reply.				
S.E.O.:	Date:			
S A O.				
M				
Please prepare BP Section 131 notice enclosing a copy of the attached submission				
to:				
Allow 2/3/4weeks – BP				
EO:	Date:			

	/ 0.0.
File With	

CORRESPONDENCE FORM

Appeal No: ABP 31337 8-21	
M Please treat correspondence received on	
Please treat correspondence received on	3 July 23 asfollows:
1. Update database with new agent for Applicant/	Appellant
2. Acknowledge with BP 23	1. RETURN TO SENDER with BP
	2. Keep Envelope:
	3. Keep Copy of Board's letter
Amendments/Comments	
Applicants respon	se to 513t circula
of PA'S firancial	contributions
Acknowledger	nent
case No	rative.
4. Attach to file (a) R/S (d) Screening (RETURN TO EO
(a) R/S (d) Screening (b) GIS Processing (e) Inspectorate	_
(c) Processing	Kala Hickey
r	
	Plans Date Stamped
EO: Kala teicken	Date Stamped Filled in
Date: 1317/22	Date: 13/7/22

Karen Byrne

From:

Bord

Sent:

Tuesday 5 July 2022 09:49

To:

Appeals2

Subject:

FW: M.Callan ABP-313378-22

Attachments:

0987_001.pdf

From: Paraic Fay <paraic@clw.ie>
Sent: Tuesday, July 5, 2022 12:35 AM

To: Bord <bord@pleanala.ie>

Subject: RE: M.Callan ABP-313378-22

F.A.O. Mr. Karen Hickey

Karen

Please see attached response to your letter of 20/06/2022 in respect of the above mentioned client / File, (Mr. Michael Callan, ABP-313378-22)

Can you please confirm the email response is satisfactory.

Should you require anything further please do not hesitate to contact me.

Regards

Paraic Fay B.Agr.Sc.



CLW Environmental Planners

The Mews 23 Farnham St Cavan 087-6794459 049-4371447 paraic@clw.ie

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The Mews, 23 Farnham Street, Cavan, Co. Cavan

Phone: 049-4371447/9 Fax: 049-4371451 E-mail: info@clw.ie

An Bord Pleanala 64 Marlborough St., Dublin 1.

5th July 2022

RE:

Michael Callan, Rathescar Middle, Dunleer, Co. Louth

Louth County Council - P.A. Reg. Ref: 21/1499

Your Ref: ABP-313378-22

Dear Sir/Madame

I refer to a Planning application submitted to Louth Co. Co. on behalf of Mr. Michael Callan (Ref. 21/1499), and subsequent correspondence from your office dated 20th June 2022 regarding our the submission of Louth Co. Co. dated 16th June 2022.

Please find attached our response to same.

Should you have any queries in relation to this, or, require any further information please do not hesitate to contact me at the above number or on 087-6794459.

1



In their submission Louth Co. Co. detail that;

• "The appellant has requested the Bord that the proposed development is exempt from development contributions as Item 9 of section 6.1 of the 2016-2021 Development Contribution Scheme is applicable".

This statement is almost the same as per our submission of the 17th May 2022 as highlighted below, but the fundamental point of our submission has been overlooked in this instance by Louth Co. Co. In our submission we detailed that the proposed development may be exempt <u>where appropriate/appropriately demonstrated.</u>

One has to understand that for current DAFM grant aid requirements full planning permission must be submitted at grant application stage, therefore it is technically implausible to demonstrate DAFM grant approval at this juncture.

As a result, this requirement can only be demonstrated (if indeed DAFM grant aid is to be forthcoming at all) to Louth CO. Co. after the issuing of final planning permission. The applicant was merely asking that this door (as provided for by the Development Contribution Scheme) be left open if DAFM Grant aid is forthcoming, or was to be secured after the grant of planning permission.

> Additional Comments (not specific to appeal submissions)

The applicant would request that, in order to avoid any confusion, that An Bord Pleanala confirm where appropriate / appropriately demonstrated, Section 6.1 (para 9 as detailed below) of the Louth County Council Development Contribution Scheme 2016-2021, is applicable to the proposed development contributions.



The Mews, 23 Farnham Street, Cavan, Co. Cavan

Phone: 049-4371447/9 Fax: 049-4371451 E-mail: info@clw.ie

9. All farm buildings required to be constructed to comply with EU Nitrates
Directive/Regulations

All farm buildings required to be constructed to comply with Environmental Protection Regulations, Animal Welfare and Quality Assurance measures.

All farm buildings approved for grant support under any grant scheme facilitated by the Department of Agriculture, Food and Marine

Glass houses and poly tunnels (associated with intensive horticulture)

No Charge

Louth Co. Co. elaborate on this a little further in detailing that the proposed development is not entitled to this exemption as it is a new poultry farm and a new farm business.

the applicant takes no issue with these statements and they are factually correct. However Section 9 of the Development contribution scheme details that there shall be no charge for <u>"All farm buildings approved for grant support under any grant scheme facilitated by the Department of Agriculture, Food and The Marine".</u>

The development contribution scheme does not exclude new farm buildings/enterprises from the exemption from development charges, but details that they have to be grant approved. Indeed one would read this as specifically including new farm buildings, provided that they have been grant approved.



Conclusion

The applicant notes the comments raised by Louth CO. Co. and appreciates same. However it is felt that our original submission only seeks to leave the door open for any reliefs provided for by the development contribution scheme to be available to the applicant, subject to the applicant being able to demonstrate compliance with the conditions required to obtain those reliefs, as provided for by the development contribution scheme.

It is felt that Louth County Council were correct in its decision to grant planning permission for the proposed development (as reaffirmed by Louth Co. Co. in this submission), and to this end we would urge the Board to affirm the decision of Louth County Council and grant planning for the proposal.

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Yours Faithfully

Parair Fay B.Agr.Sc.

CLW

CLW Environmental Planners

The Mews 23 Farnham St Cavan 087-6794459 049-4371447 paraic@clw.ie



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