

The Secretary
Airíord Pleanála
64 Marlborough Street
Dublin 1
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AN BORD PLEANÁLA	
LDG-	044119 -2c
ABP-	
04 OCT 2021	
Fee: €	50
Type:	plu
Time:	
By:	regpost

Re: Observation to Case reference: RL26.311366
311366: Killugger Farm, Killugger, Killinick, Co. Wexford. (20081365)
Planning Reference numbers EXD00824, 20081365, 20032095, 20100598, 20140296, a number of older farm building structures erected prior to planning acts and the development of the above mentioned planning references.
Wexford County Council

A Chara,

I am writing in relation to the referral submitted by Wexford County Council in respect to the change of use from class 6 to class 7 of a former cattle farm to a now commercial scale pig operation at Killugger, Killinick, Wexford.

Local residents have been raising their concerns with Wexford County Council since August 2017 in relation to both planning and environmental matters (Planning file reference PMcD/GC/PE 0090/2017). This original case file was closed in November 2017 as Wexford County Council were satisfied that there was no unauthorised development at that site.

In April 2020 a warning letter was issued in respect of the slats and ramp. Following that, more importantly in September 2020 the outcome of a section 5 declaration, reference EXD00824 asked the specific question whether change of use from class 6 to class 7 required planning permission and the outcome of same stated that the development was not exempt from change of use planning.

In November 2020 Wexford County Council issued an enforcement order in relation to the "installation of slatted tanks and ramp without the benefit of planning permission" but there was no mention of the matter on change of use from class 6 to class 7.

In addition to having no planning for change of use from class 6 to class 7, there are many other planning issues associated with this operation including;

- Less than 100m from the main Rosslare Road N25
- Exceeds 8m in height
- Shed size far exceeds the 1,012 square meters per original planning permission of the cattle shed in 2008 ref:20081365. As per Steve Gooden's report it is approximately 1,770 square meters. Furthermore, it was noted in the planners report of 20081365 that the "shed is very large at 1012sq.m, however it was granted as it forms part of an existing agricultural complex and on condition it did not breach conditions attached to the same.
- Furthermore, other modifications to amend the former cattle shed to its current use as a commercial scale pig operation include
 - Extractor fans which are constantly releasing gases and fumes directly onto the residents cover the entire shed unit.
 - Ramp, slatted tanks, bioproducts feed system, several silos. It was not designed to house pigs.

Also note there is no planning permissions for these modifications and upgrades.

- Other planning conditions attaching to the original grant of the cattle shed ref:20081365 have now been seriously breached including
 - (i) "management of the activity so as not to cause environmental pollution"

Furthermore, as you can see from the screenshot below, there is significant potential to expand the operations. There are now silos attaching to 2 sheds. At present there is meant to be pigs in only one shed as highlighted below. But what about the rest of the site and its future potential.



Health and environmental matters

We as residents are seriously concerned with the modifications such as extractor fans and ventilation systems installed to control the levels of gases (i.e. carbon dioxide, ammonia, methane and hydrogen sulphide are the main ones). It has been scientifically proven that the ammonia alone can cause long term respiratory problems. These gases are now being released on us constantly. Also worrying is the fact Wexford County Council received a complaint on the potential of dangerous gasses being released from the pig farm and set off a gas monitor of a professional tradesman in a local business (as obtained under FOI). Furthermore, this development is 350 metres from a bore-hole supply water to the local scheme. We don't know or understand the short term or long-term health implications of living so close to this pig operation nor the full impact this operation has on our environment, health, air, water supplies, landscape, fauna and flora.

Subject:

Description:

I appeal to the Board to consider our observations in the overall context of this commercial scale pig farm and our residential community.

- (ii) "would not seriously injure the amenity of the area". This has been our biggest cause of complaint as we have been constantly experiencing an obnoxious and overpowering smells with toxins caused by the pig operations and are seriously concerned about the impacts on our health. We have a public bore hole well on the R739 road and situated approx. 350m away from the pig operation, which feeds into the local scheme.
- Having regard to the residential nature of the area and the scale of the commercial scale piggery development, the significant modifications and upgrades are clearly in breach with the conditions attaching to planning reference 20081365.
 - Traffic has increased significantly with significant increase in desludging activity associated with commercial scale piggery.
 - Ballykelly/Killugger/Ballyfinogue is a heavy residential area with 40-50 houses within 1km radius of this commercial pig operation, by no means a rural agricultural setting. In addition, there are several small local businesses based in the locality also impacted.
 - Further note is the fact they have covered both sides of another shed with solar panels and planning is required if more than 50% of the roof is covered with the panels.
 - Also, they keep adding silos on site, also without planning. There are at least 5 silos on site. The last of them installed late last summer in 2020. Many of them are higher than the sheds, so over 12 meters in height and are now attaching to two sheds at least.
 - Question 15 of planning application form reference 20081365 requires the applicant to state the existing use and to state the floor area of buildings proposed for a "material change of use" to that existing or established. While the stated use as "Farmyard" not piggery is noted, more importantly, no material change of use was proposed. No material change of use from the previously established use was ever proposed by any of the planning applications submitted and approved

Planning History:

Plan Reg 20081365 – Construction of a new Agricultural Shed and ancillary site works. Decision – Granted subject to conditions 16th July 2008.
Condition no. 1 of Plan Reg 20081365 states that the development be carried out strictly in accordance with the plans lodged with the planning application.
The floor plan / elevations submitted with Plan Reg 20081365 do not show slatted tanks incorporated into the shed.

Exempt Development Application relating to the building:

Plan Reg EXD00824 – Agricultural Shed – change of use from Class 6 to Class 7.
Decision – Not Exempt

Site Visit:

Inspected the site on 10th August 2020 and noted the following:

I met the owner [REDACTED]. He stated that pigs had been kept in the shed since 2016 (cattle were kept previous to this).
In the large shed in the south east corner of the site, the floor level had been raised in order to incorporate slatted tanks directly beneath the floor where the pigs were kept (see layout plan and photos 1 and 2). The slatted tanks covered the entire floor area of the building (approx. 1770m²).

Conclusion:

The agricultural shed was initially used for the keeping of cattle (Class 6) but now is currently being used for pigs (Class 7). As per Plan Reg EXD00824 this change of use is not exempt and requires planning permission. Therefore the keeping of pigs in the shed is unauthorised change of use from Class 6 to Class 7 in Part 3, Article 6, Exempted Development – Rural.

The floor level of the agricultural shed has been raised so as to incorporate slatted tanks directly below where the pigs are being kept. Such development is not in compliance with condition no. 1 of Plan Reg 20081365 as slatted tanks are not shown on the drawings.

Recommendation:

Issue Enforcement Notice for the following:

Unauthorised change of use of the agricultural shed from Class 6 to Class 7.

Non-compliance with condition no. 1 of Plan Reg 20081365 (slatted tanks are not shown on the drawings) lodged with the planning application.

Steve Gooden

Steve Gooden
Technician, Planning Department.

KILLUGGER Farm

RL 26, 311366

To whom it may concern

We the residents of the surrounding area of Killugger Pig Farm have made our observations in relation to planning as outlined. We would also like to make the following observations in relation to the impact this pig farm has had on our lives.

Our lives have been totally altered for the worst due to the offensive smell emanating from this farm. We have tried to get help and support from the Environmental Protection Agency EPA who keep referring us back to Wexford County Council. We now are asking An Bord Pleanála to consider the impact this is having on so many lives.

These are our concerns:

1. We have been unable to open our windows due to this horrendous smell.
2. We can no longer hang washing on our clothes lines.
3. It is very difficult to maintain and upkeep our gardens as the smell prevents us doing everyday tasks.
4. Having family and friends over to have a bbq or to entertain outside is no longer possible as the prevailing winds here are south westerly and this keeps the smell within the locality
5. Some residents have had to vacate their homes as they could not remain during the summer due to the smell.
6. Other residents have complained about the horrific squealing of the pigs this was very distressing to have to listen to.

These six observations we feel will ultimately devalue our homes and make them impossible to live in. For these reasons we are asking for our observations to be fully looked at and given the necessary consideration that they deserve.

Your sincerely

KILLUGGER Farm RL 26.311366.

Yours Sincerely

Signed on behalf of individuals named below:

Contact Name PEG Wilson

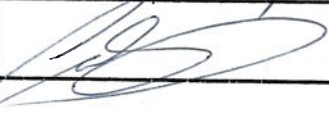
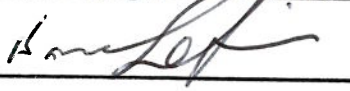
Date 1st OCTOBER 2021

BALLYKELLY, KILLINICK CO WEXFORD Y35 YH51

PRINT NAME	SIGNATURE	ADDRESS
PEG Wilson	Peg Wilson	Ballykelly Killinick Co. Wex
RORY Wilson	Rory Wilson	Ballykelly Killinick Co. Wex
Jayne Wilson	Jayne Wilson	Kilmacree Killinick Co. Wex
MARION O'NEILL	Michael	Ballykelly, Killinick, Co. Wex
DEREK O'NEILL	Do'Neill	Ballykelly, Killinick, Co. Wex
Paul Wilson	Paul Wilson	Kilmacree, Killinick, Co. Wex
Nathalie Kuipers	Nathalie	Kilmacree, Killinick, Co. Wex
Fionn Wilson	Fionn Wilson	Kilmacree, Killinick, Co. Wex
MARGARET WHELAN	Margaret Whelan	Ballyfinogue Killinick Co. Wex
ANN-MARIE FORTUNE	Ann-Marie Fortune	Ballyfinogue Wexford
Danny Whelan	Danny Whelan	Ballyfinogue
Carol Cousins	Carol Cousins	Wilson Enniscorthy
OLLIE Moore Cousins	Ollie Moore Cousins	Wilson Enniscorthy
Jack Roche	Jack Roche	Ballykellane Dringal
ANNE LYNAM	Anne Lynam	Ballyfinogue Estate Cottages
STOVS JONES	Stovs Jones	Ballyfinogue
KITTY KELLY	Kitty Kelly	Ballyfinogue
MARY Murphy	Mary Murphy	Ballyfinogue

Kilugger Pig Farm:

RL 26.311366.

PRINT:	Sign:	Address:
Michael Sutherland	Michael Sutherland	Kilmacree Drinagh
Zinke Aldridge	Zinke Aldridge	Kilmacree Drinagh
Ann Marie Conolly	Ann Marie Conolly	Kilmacree Drinagh
Darren O'Toole	Darren O'Toole	Kilmacree Drinagh
Sue Evans	Sue Evans	Kilmacree Drinagh
Colin Sutherland		Ballymore House Dr.
	Colette Cully	Kilmacree Drinagh
CIARAN SUTHERLAND		Kilmacree Drinagh
	BRIAN LARKIN	Kilmacree Drinagh
Anne Lark	Anne Lark	Kilmacree Drinagh
Michael Lyns	Michael Lyns	Drinagh
FRANK MAHER	F. Maher	Ballykelly
EUA MAHER	E. Maher	Ballykelly
NIAL McGuinness	Niall McF	Drinagh
ORLA McGuinness	Orla McGuinness	Drinagh
Thomas McGuinness	Thomas McGuinness	Drinagh
Shane McGuinness		Drinagh

Killugger Pig Faem:

RL 26.311366.

PRINT	Sign	Address
CAROLINE Boggan	C Boggan	Kilmacree, Drinagh
Marian Boggan	Marian Boggan	Kilmacree
CHRIS HEALY	Chris Healy	Kilmacree
LIM BOGGAN	L Boggan	Kilmacree
JAMES BOGGAN	J Boggan	Kilmacree
TONY BOGGAN	Tony Boggan	Kilmacree
Judy Kavanagh	J Kavanagh	Drinagh
RICHARD WOLSH	R Walsh	Drinagh
Mandy Egan	M Egan	Drinagh
Helen Boggan	H Boggan	Kilmacree
David Boggan Fenlon	D Boggan	Kilmacree
Pat Harper	Pat Harper	
Marg Harper	Marg Harper	Drinagh
Amie Harper	Amie Harper	Drinagh
Ms M ^{rs} Guinness	M Guinness	Barnham
Des Roche	Des Roche	Barnham
Noel Harper	Noel Harper	Drinagh
Wendy Meade	WENDY MEADE	Piercestown

Kilugger Pig Farm:

PRINT:	Sign:	Address:
STEPHANIE OUSLEY	S Ousley	Rowestown Drainagh
Ciaran Ousley	C Ousley	"
Frank Coss	Frank Coss	Drinagh
Kathleen Podd	Kathleen Podd	Drinagh
DEREL MURPHY	Derel Murphy	Piercestown
BRENDA MURPHY	Brenda Murphy	Piercestown
LILLIAN MURPHY	Lillian Murphy	Piercestown
BRENDAN MURPHY	Brendan Murphy	MURRINTOWN.
DOMINIC MURPHY	Dominic Murphy	MURRINTOWN
Nicky Seeling	N. Keels	1st Ancho
Alan Murphy	Alan Murphy	Piercestown
Cara Simpson	Cara Simpson	Piercestown
Roz Moran	Roz Moran	Piercestown
Yintan Moran	Yintan Moran	Piercestown
ROSE SLEVIN	Rose Slevin	Piercestown
SHAY SLEVIN	Shay Slevin	Piercestown
April Moran	April Moran	Piercestown
CLARE MORAN	Clare Moran	Piercestown

KILLUGGER Farm RL 26.311366.

PRINT	SIGN	ADDRESS
MARY Furlong	Mary Furlong	BallyKelly Y35 DN70
JOHN FURLONG	John Furlong	BallyKelly Y35 DN70.
NEHA B. Furlong	Neha B Furlong	" "
MARK FURLONG	Mark Furlong	" "
HOLLIE GOURLAY	H Gurlay	BallyKelly Y35 XV29
SEAN MURPHY	Sean Murphy	BallyKelly "
HARRY MURPHY		" "
SIOBHAN WHELAN	Siobhán Whelan.	" Y35 X624
DAVID HETERICH	David Heterich	" Y35 X624
Caitlín Sae	C Sae	Y35 HC78 Ballykiliane
Noel Quirke	Noel Quirke	Ballykiliane
THERESE QUIRKE	Therese Quirke	Ballyfulliam Y35 KT99
ANN Quirke	Ann Quirke	Y35 KT99
MARIE THORPE	Marie Thorpe	Y35 ESX8
Jim Thorpe	J Thorpe	Y35 ESX8
Vivian Bunn	Vivian Bunn	Y35 K7N3
ALICE SHAWMAN	Alice Shawman	Y35 K7N3

KILLUGGER FARM

RL 26. 311366.

IAN WILMOT	Joe Wilmot	Christine Cottage Ballynagare, Killinich
Kileen	Car L. L. L.	Ba. capt. 11/12/12.
PHILIP JEFFARES	Philip Jeffares	BENTIRAN, BALLYKELLY
EMMA JEFFARES	Emma Jeffares	BENTIRAN, DRINAGH BALLYKELLY, DRINAGH, WEXFORD.
Patricia Jeffares	Shola Ballykelley	Drinagh. Wexford.
Patricia Jeffares	" "	" "
Karen Jeffares	Ballykelley House, Drinagh, Wexford.	
Des Jeffares	" "	" "
STUART MASON	Killinich, Drinagh	ed. Wexford
Angela Mason	Killinich, Drinagh	Wexford
Emily Mason	Killinich, Drinagh	Wexford
W. J. G. G.	Killinich, Drinagh	Wexford
T. J. G. G.	Killinich, Drinagh	Wexford
Cliff G. G.	Killinich, Drinagh	Wexford.
David Codd	Killinich, Drinagh	Wexford
Colin Marnock	Killinich, Drinagh	Wexford

RL 26.311366

SIGNATURE

Address

[illegible]

[illegible]

KILLUGGER FARM RL 26. 311366

PRINT NAME	Signature	ADDRESS
HELEN CULLEN MEYLER	Helen Cullen	BALLYKELLY DRINAGH WEXFORD
KIERAN MEYLER	Kieran Meyler	BALLYKELLY DRINAGH
JOAN MEYLER	Joan Meyler	Bally Kelly Dringagh
DIRK LYON	Dirk Lyon	Bally Kelly Dringagh
JECKIE LYON	Jeckie Lyon	Bally Kelly Dringagh
John Codd	J. Codd	SHEEPWALK DRINAGH
SUE Codd	S. Codd	SHEEPWALK DRINAGH
KAREN MEYLER	Karen Meyler	Sheepwalk Dringagh
Brooklyn Meyler	Brooklyn Meyler	sheepwalk, Dringagh
Maiole Zielinska	Zielinska	Sheepwalk Dringagh
SEBASTIAN ZIELINSKI	Sebastian	SHEEPWALK DRINAGH
Niamh Meyler	Niamh Meyler	Bally Kelly Dringagh Wexford
JOANNA ROSSITER	Joanna Rossiter	Bally Kelly DRINAGH, WEXFORD
Diana Murphy	Diana Murphy	Bally Kelly Dringagh
MARIA JANSSEN	M. Janssen	BALLYKELLY DRINAGH
ANTHONY BAIL	Anthony Bail	BALLYKELLY DRINAGH CO. WEX
GERARD KEALY	Gerard Kealy	BALLYKELLY, DRINAGH. CO. WEXFORD.