

Comhairle Chontae na Mi

*Roimh Pleanáil,
Teach Buvinda, Bóthar Atha Cliath,
An Uaimh, Contae na Mi, C15 Y291
Fón: 046 - 9097500/Fax: 046 - 9097001
R-phost: planning@meathcoo.ie
Web: www.meath.ie*



Meath County Council

*Planning Department
Buvinda House, Dublin Road,
Navan, Co. Meath, C15 Y291
Tel: 046 - 9097500/Fax: 046 - 9097001
E-mail: planning@meathcoo.ie
Web: www.meath.ie*

APPLICATION FORM – DECLARATION ON DEVELOPMENT & EXEMPTED DEVELOPMENT

Part 1 Section 5 of Planning and Development Act 2000-2021, as amended

1. Name: Brian McDermott

Contact details: to be supplied at the end of this form (Question 13)

2. Name of person/ agent acting on behalf of the applicant, if applicable

Christopher Kinghan

Contact details: to be supplied at the end of this form (Question 14)

3. Location of Development and/or Subject Site: Garadice, Summerhill, Co. Meath.

4. Description of Development: Confirmation of Exempted development to construct a General Purpose shed to store fodder, straw and grain, solely for agricultural use and ancillary works, i.e. concrete yards, farm road etc. utilising the farm's existing public road entrance.

5. Will the development take place within the curtilage of a dwelling house?

Please tick as appropriate: Not within 100 meters of any dwellings.

6. Will / does development take place in / on a Protected Structure or within the curtilage of a Protected Structure?

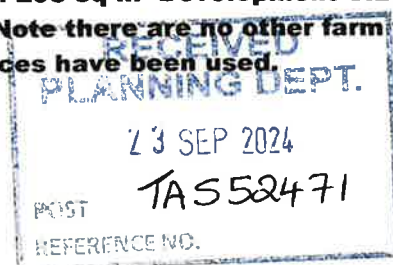
Please tick as appropriate: NO

6(b) If "YES", has a Declaration under Section 57 of the Planning & Development Act 2000 – 2014, as amended, been requested or issued for the property by the Planning Authority?

Please tick as appropriate: Not applicable

7. State overall height of structure if applicable: 7.8 m

**8. State in square metres the floor area of the proposed development:
General Purpose Shed to store fodder, straw and grain 298 sq m Development Class 9
Concrete yard areas 198 sq m development Class 8. Note there are no other farm yards
within 100m of this farm yard and no existing allowances have been used.**



9. List of plans / drawings etc. submitted: See Schedule of documentation.

10. Please state applicants interest in this site Owner.

If applicant is not the owner of site, please provide name & address of owner:

11. Are you aware of any enforcement proceedings connected to this site?

Please tick as appropriate: NO

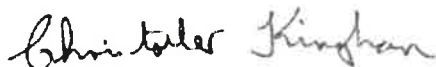
11 (b), If "YES" please supply details:

12. Are you aware of any previous planning application/s on this site?

Please tick as appropriate: NO

12 (b), If "YES" please supply details:

SIGNED:



DATE: 28th August 2024

NOTES

1. Application Fee of €80

2. Application shall be accompanied by:

- 2 copies of site location map to scale 1:2500 clearly showing the site outlined in red and the extent of the site boundaries, the position of existing structures, etc., and the proposed work.
- 2 drawings to scale (1:200) of the proposed development (including floor plan and elevations), if appropriate.
- Two site layout plans to scale 1:500 if appropriate. Please submit 2 copies of any additional plans/reports etc. you may wish to include as part of the application.

Application shall be forwarded to: Meath County Council, Planning Department, Buvinda House, Dublin Road, Navan, Co. Meath.

Contact Details: Phone: 046 9097500 Fax: 046 9097001

Email: planning@meathcoco.ie

Planning Pack Map

General Information Map



CENTRE COORDINATES:
684349, 745119

Red Line denotes site boundary
Blue Line denotes farm boundary /extent of the lands farmed by the applicant.

PUBLISHED: 28/08/2024
ORDER NO.: 50419407_1
MAP SERIES: 1:2,500
MAP SHEETS: 2900-0

**RECEIVED
PLANNING DEPT.**

23 SEP 2024

POST TASS2471

REFERENCE NO. COMPLETED AND PUBLISHED BY:

Tailte Éireann,
Phoenix Park,
Dublin 8,
Ireland.
D08F6E4

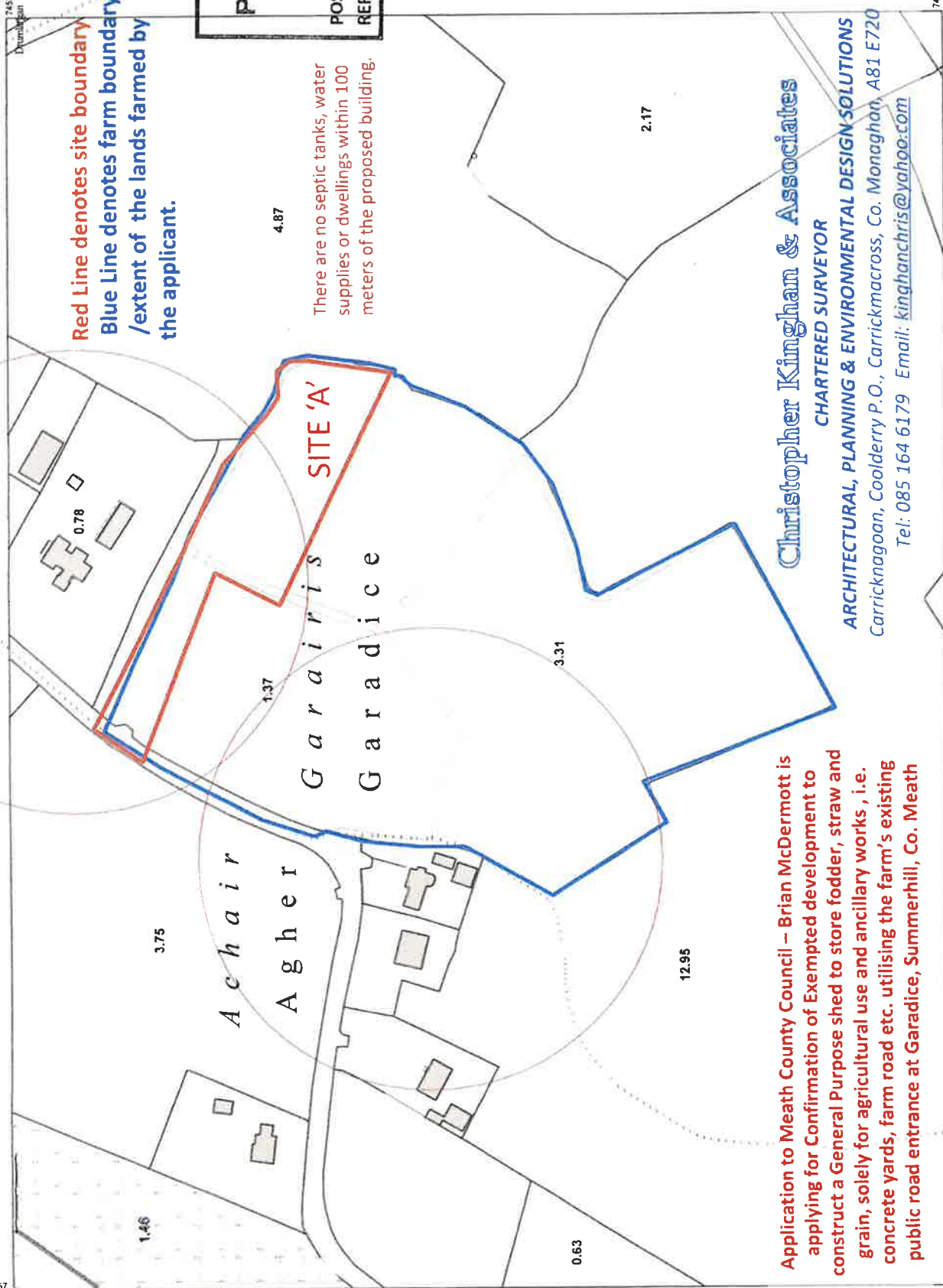
www.tailte.ie

Any unauthorised reproduction infringes Tailte Éireann copyright. No part of this publication may be copied, reproduced or transmitted in any form or by any means without the prior written permission of the copyright owner.

The representation on this map of a road, track or footpath is not evidence of the existence of a right of way.

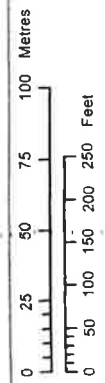
This topographic map does not show legal property boundaries, nor does it show ownership of physical features.

©Tailte Éireann, 2024.
All rights reserved.



Application to Meath County Council – Brian McDermott is applying for Confirmation of Exempted development to construct a General Purpose shed to store fodder, straw and grain, solely for agricultural use and ancillary works, i.e. concrete yards, farm road etc. utilising the farm's existing public road entrance at Garadice, Summerhill, Co. Meath

Christopher Kingham & Associates
CHARTERED SURVEYOR
ARCHITECTURAL, PLANNING & ENVIRONMENTAL DESIGN SOLUTIONS
Carricknagoan, Coolderry P.O., Carrickmacross, Co. Monaghan, A81 E720
Tel: 085 164 6179 Email: kinghanchris@yahoo.com



OUTPUT SCALE: 1:2,500

CAPTURE RESOLUTION:
The map objects are only accurate to the resolution at which they were captured. Output scale is not indicative of data capture scale. Further information is available at: www.tailte.ie, search 'Capture Resolution'

LEGEND:
To view the legend visit www.tailte.ie and search for 'Large Scale Legend'



684640
745334
Dunmurry Hill

744904
684640

744904

Planning Dept

Re Brian Mc Dermott. as Drawing title
Exempted Development Application

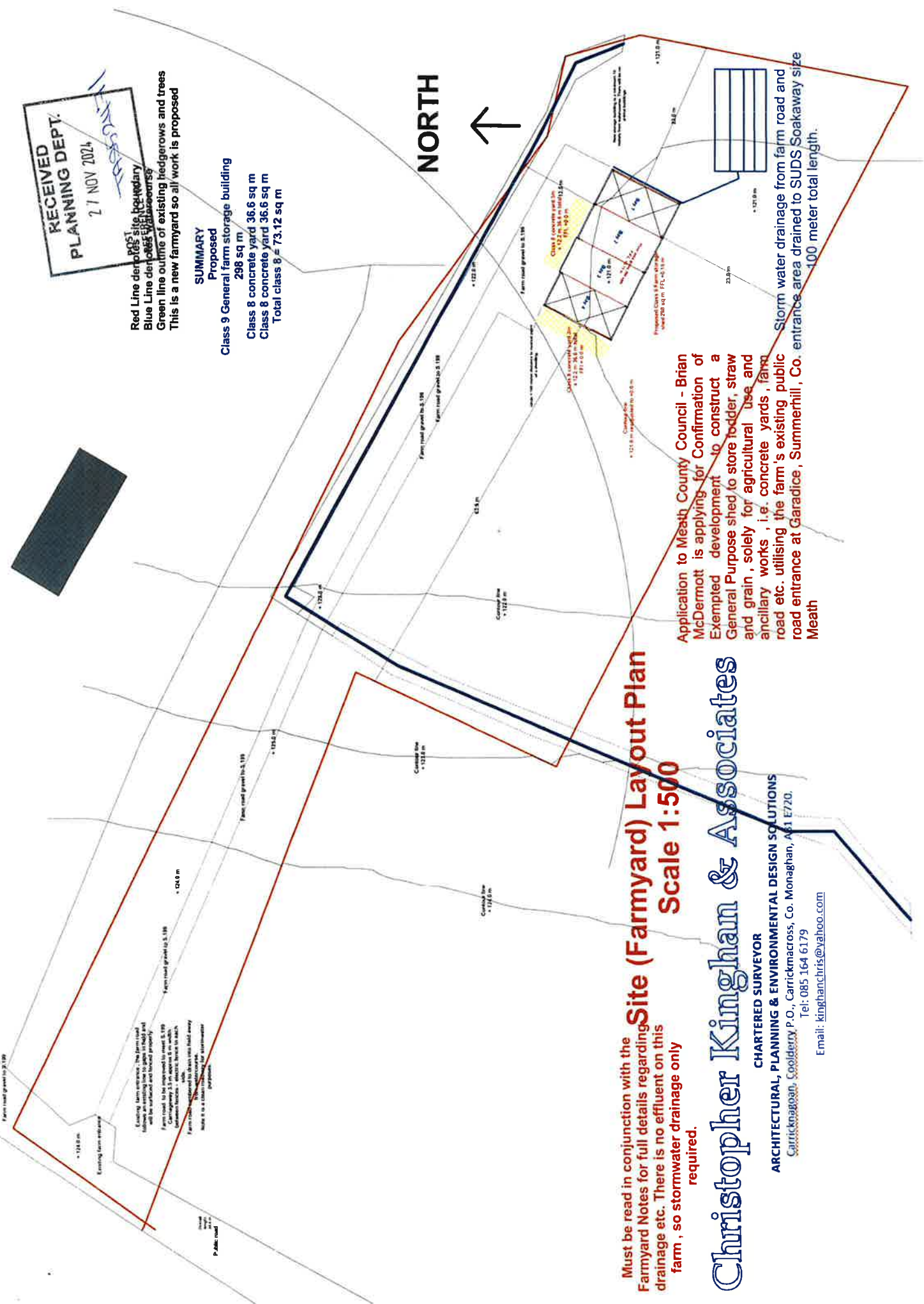
There was a fault on the
Site layout Drawing - wrong name
& address.

Please find 2 revised drawings

CK.

F.I. Relating to TA 552471





RECEIVED
PLANNING DEPT.
27 NOV 2024

Red Line denotes site boundary
Blue Line denotes site boundary
Green line outline of existing hedgerows and trees
This is a new farmyard so all work is proposed

SUMMARY
Proposed
Class 9 General farm storage building
298 sq m
Class 8 concrete yard 36.6 sq m
Class 8 concrete yard 36.6 sq m
Total class 8 = 73.12 sq m

NORTH



Must be read in conjunction with the Farmyard Notes for full details regarding Site (Farmyard) Layout Plan Scale 1:500

Christopher Kinghan & Associates

CHARTERED SURVEYOR
ARCHITECTURAL, PLANNING & ENVIRONMENTAL DESIGN SOLUTIONS
Garlickknagoran, Coolderry P.O., Carrickmacross, Co. Monaghan, A61 E720.
Tel: 085 164 6179
Email: kinghanchris@yahoo.com

Application to Meath County Council - Brian McDermott is applying for Confirmation of Exempted development to construct a General Purpose shed to store fodder, straw and grain, solely for agricultural use and ancillary works, i.e. concrete yards, farm road etc. utilising the farm's existing public road entrance at Garadice, Summerhill, Co. Meath

Storm water drainage from farm road and entrance area drained to SUDS Soakaway size 100 meter total length.

Christopher Kinghan & Associates

CHARTERED SURVEYOR

ARCHITECTURAL, PLANNING & ENVIRONMENTAL DESIGN SOLUTIONS

Carricknagoan, Coolderry P.O., Carrickmacross, Co. Monaghan, A81 E720.

Tel: 085 164 6179 Email: kinghanchris@yahoo.com

Application to Meath County Council – Brian McDermott is applying for Confirmation of Exempted development to construct a General Purpose shed to store fodder, straw and grain, solely for agricultural use and ancillary works, i.e. concrete yards, farm road etc. utilising the farm's existing public road entrance at Garadice, Summerhill, Co. Meath.

SITE (FARMYARD) LAYOUT PLAN NOTES

Please read in conjunction with desktop study and Site (farmyard) layout plan drawing scale 1:500

- 1) **SETTING OUT - Point A *** is an exact fixed point on the drawing from which all proposed buildings can be set out
- 2) Full surface water and effluent drainage facilities are to be provided throughout the farm yard in accordance with **Department of Agriculture Specification S129 Farmyard drainage, concrete yards and roads.**
- 3) All uncontaminated surface waters from all existing and proposed buildings, roofs and yards shall be separately collected, kept clean and piped directly by an impermeable system to soakaways or to the land drains system as indicated on the Site Layout Plan drawing. Uncontaminated drainage is signified on the drawing by a broken/dotted blue line.

All Concrete yards shaded in yellow and/or hardcore yards shaded in grey on the Site (Farmyard) Layout plan are clean yard areas, no soiled water and are to be laid to falls and cross falls and drained by stormwater drainage to SUDS soakaway. Blue dashed lines denote storm water (clean) drainage.

The drainage is constructed to S.129 Minimum Specifications for Farmyard Drainage, Concrete Yards and Roads - January 2016. There will be inspection chambers at all changes in direction, junctions and at maximum distances of 90 meters. Drains at the point of exit from the yard, at the point where it leaves the yard to allow the drainage water to be monitored for contamination.

Such manholes shall be constructed with a facility to close-off the outlet if required and a sump at least 300mm deep to allow the insertion of a submersible pump to facilitate evacuation should accidental spillage of oil, toxic sprays etc. gain access to the clean water yard drainage system.



**RECEIVED
PLANNING DEPT.**
23 SEP 2024
POST TASSQ471
REFERENCE NO.

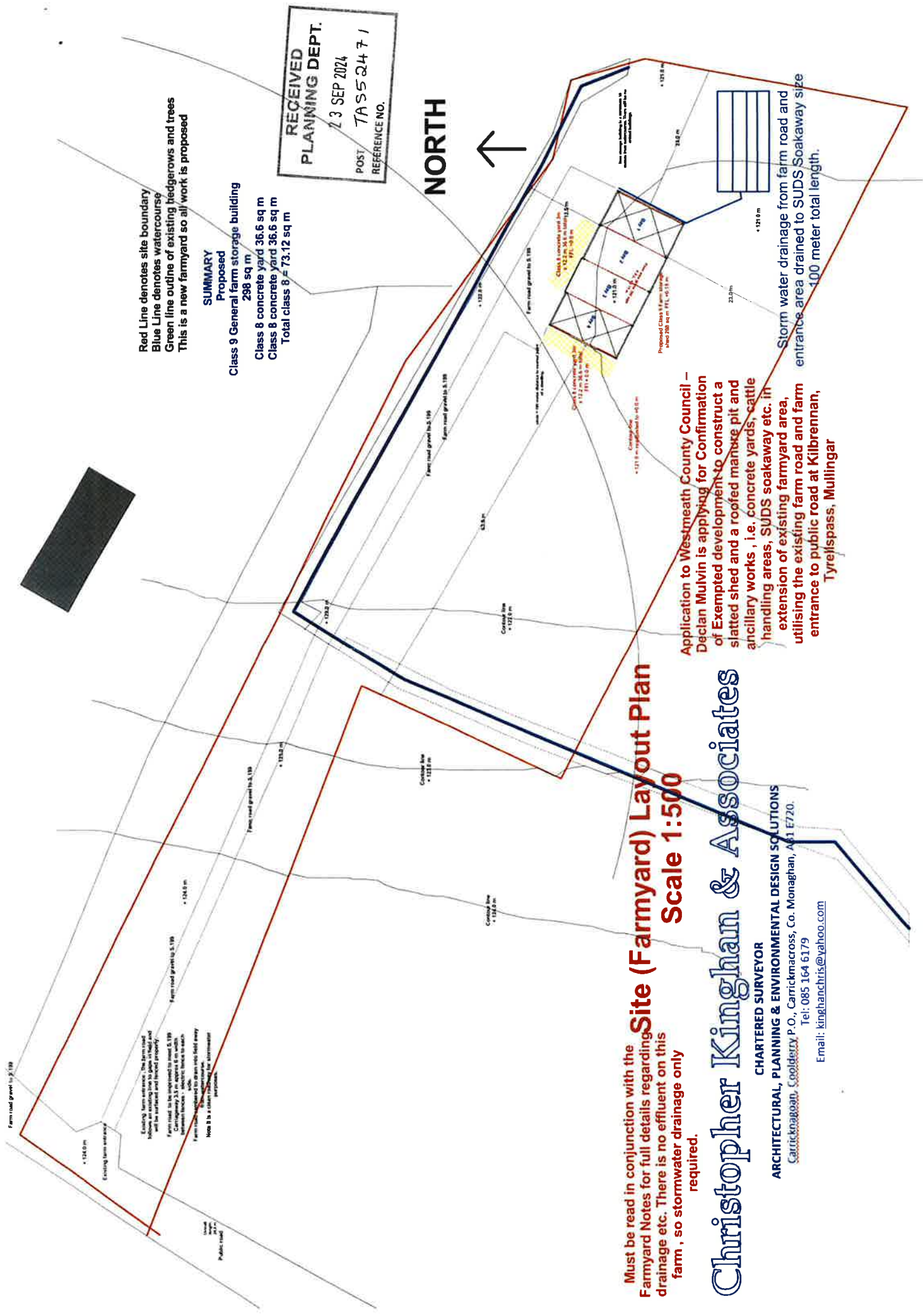
- 4) **Where applicable**, Contaminated surface water i.e. soiled yard water, and all other effluents including silage effluents **shall not be** allowed to enter drains or waterways. Such effluents shall be directed to slatted tanks or effluent holding tanks. In instances where silage effluent is to be stored, the concrete specification for the holding tank needs to be upgraded accordingly. Contaminated drainage is signified on the drawing by a broken/dotted red line.
- 5) **Where applicable**, All effluent/slurry holding tanks shall be constructed so that groundwater is prevented from entering said tanks. There is to be manholes positioned at any pipe junctions or changes in direction of foul drainage as heretofore described.
- 6) **The farm roadway** from the entrance to the farmyard will be unpaved to DAFM Specification S.199 March 2024 It will be 3.5 m width for its entire length. In accordance with the latest revised S.199 specification for all new farm roadways, a fence on both sides of the roadway shall be erected, where animals are grazing adjacent to the roadway. An electric fence will suffice in this instance.
- 7) All material waste generated during construction, including any waste waters, shall be recovered and disposed of properly in accordance with the Waste Management Acts 1996-2008. With the exception of excavated material from the site which can be re-used within the applicant's farm boundary.
- 8) Main plan dimensions (for validation purposes) are shown for all new buildings.
- 9) The Site boundary is depicted by a solid red line - it is a notional boundary/ not a legal boundary for planning purposes only.
- 10) The position of the site notice is shown on plan, as the site is a considerable distance from the public road an additional notice is located on the public road accordingly.
- 11) It is not intended to screen existing farmyards with hedging.

RECEIVED
 PLANNING DEPT.
 23 SEP 2024
 POST TA 5 24 7 1
 REFERENCE NO.

NORTH
 ↑

Red Line denotes site boundary
 Blue Line denotes watercourse
 Green line outline of existing hedgerows and trees
 This is a new farmyard so all work is proposed

SUMMARY
 Proposed
 Class 9 General farm storage building
 298 sq m
 Class 8 concrete yard 36.6 sq m
 Class 8 concrete yard 36.6 sq m
 Total class 8 = 73.2 sq m



Must be read in conjunction with the Farmyard Notes for full details regarding Site (Farmyard) Layout Plan Scale 1:500 farm, so stormwater drainage only required.

Christopher Kinghan & Associates

CHARTERED SURVEYOR
 ARCHITECTURAL, PLANNING & ENVIRONMENTAL DESIGN SOLUTIONS
 Carrickmacross, Co. Monaghan, A61 E720.
 Carrickmacross, Co. Monaghan, A61 E720.
 Tel: 085 164 6179
 Email: kinghanchris@yahoo.com

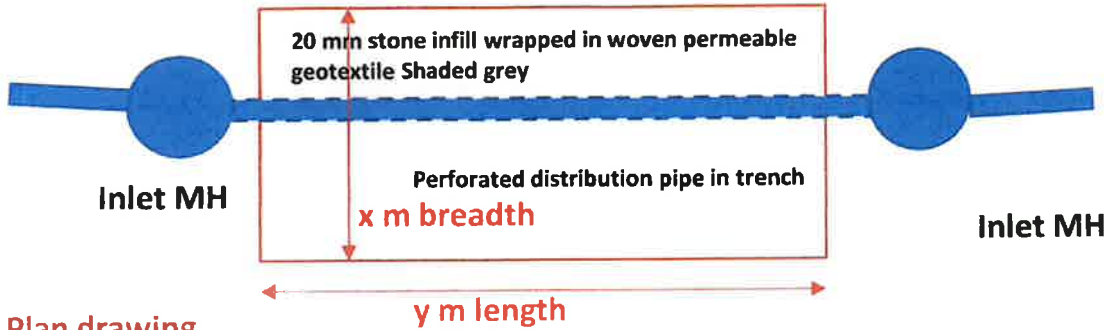
Application to Westmeath County Council – Declan Mulvin is applying for Confirmation of Exempted development to construct a slatted shed and a roofed manure pit and ancillary works, i.e. concrete yards, cattle handling areas, SUDS soakaway etc. in extension of existing farmyard area, utilising the existing farm road and farm entrance to public road at Kilbrennan, Tyrellspass, Mullingar

Storm water drainage from farm road and entrance area drained to SUDS. Soakaway size 100 meter total length.

SUDS Soakaway trench design Schematic only.

Not to scale.

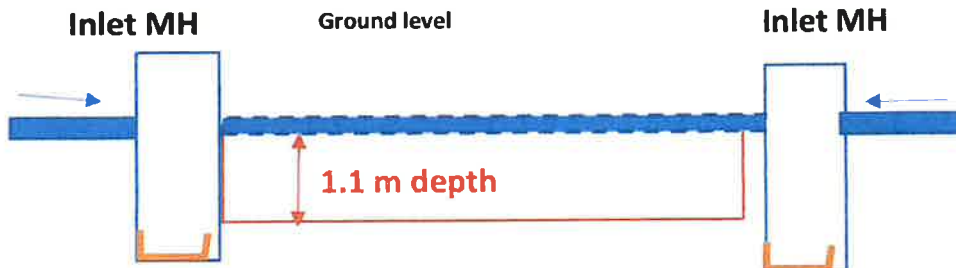
RECEIVED
 PLANNING DEPT.
 23 SEP 2024
 POST TAS52471
 REFERENCE NO.



Plan drawing

length breadth depth dimension determined in calculations.

20 mm stone infill wrapped in woven permeable geotextile Shaded grey



Construct 1.2 m diameter inlet chambers as Silt trap ie. 0.3 m below bottom of trench. Removable collection pans for silt to each side of the trench

Section drawing

Christopher Kingham & Associates

CHARTERED SURVEYOR

ARCHITECTURAL, PLANNING & ENVIRONMENTAL DESIGN SOLUTIONS

Carricknagoan, Coolderry P.O., Carrickmacross, Co. Monaghan, A81 E720.

Tel: 085 164 6179 Email: kinghanchris@yahoo.com

Application to Meath County Council – Brian McDermott is applying for Confirmation of Exempted development to construct a General Purpose shed to store fodder, straw and grain, solely for agricultural use and ancillary works, i.e. concrete yards, farm road etc. utilising the farm's existing public road entrance at Garadice, Summerhill, Co. Meath.

Christopher Kinghan & Associates

CHARTERED SURVEYOR

ARCHITECTURAL, PLANNING & ENVIRONMENTAL DESIGN SOLUTIONS

Carricknagoan, Coolderry P.O., Carrickmacross, Co. Monaghan, A81 E720.

Tel: 085 164 6179 Email: kinghanchris@yahoo.com

Desktop Study – Stage 1 - Statement of Screening for Appropriate Assessment of a nearby Natura designated site.

Part 2 of Desktop study. Organic Waste Nutrient Management Plan for the purpose of Planning Applications for Agricultural Development in accordance with the European Union (Good Agricultural Practice for Protection of Waters) (Amendment) Regulations 2023.

Application to Meath County Council – Brian McDermott is applying for Confirmation of Exempted development to construct a General Purpose shed to store fodder, straw and grain, solely for agricultural use and ancillary works, i.e. concrete yards, farm roads etc. utilising the farm's existing public road entrance at Garadice, Summerhill, Co. Meath.

RECEIVED
PLANNING DEPT.

23 SEP 2024

POST TAS52471
REFERENCE NO.

Part 1 of Desktop study.

Stage 1 - Statement of Screening for Appropriate Assessment – Summary

Section 1 INTRODUCTION

The actual Assessment commences on Page 3. The notes on Pages 1 and 2 detail the reasons and methodology of the need for this natura assessment.

With the introduction of the Habitats Directive (Council Directive 92/43/EEC on the Conservation of natural habitat and of wild fauna and flora) came the obligation to establish the Natura 2000 network of Sites of Community Interest (SCIs), comprising a network of areas of highest biodiversity importance for rare and threatened habitats and species across the European Union (EU).

In Ireland, the Natura 2000 network of sites comprises Special Areas of Conservation (SACs, including candidate SACs) designated under domestic legislation transposing Directive 92/43/EEC, and Special Protection Areas (SPAs, including proposed SPAs) classified under the Birds Directive (Council Directive 2009/147/EC on the conservation of wild birds) and designated under the same domestic legislation.

SACs are designated for the conservation of Annex I habitats (including priority types which are in danger of disappearance) and Annex II species (other than birds). SPAs are designated for the conservation of Annex I birds and other regularly occurring migratory birds and their habitats. The annexed habitats and species for which each site is designated correspond to the qualifying interests of the sites; from these the conservation objectives of the site are derived.

SACs and SPAs make up the pan-European network of Natura 2000 sites. It should be noted that 'European sites' are defined in Regulation 2(1) of the European Communities (Birds and Natural Habitats) Regulations 2011, as amended ('the 2011 Regulations') and Section 177R of the Planning and Development Act 2000, as amended ('the 2000 Act').

1.1 Appropriate Assessment

1.1.1 The Habitats Directive

A key protection mechanism in the Habitats Directive is the requirement to subject plans and projects to Appropriate Assessment (AA) in line with the requirements of Article 6(3) of the Habitats Directive, which requires that–

This desktop study is concerned only with **Stage 1 - Screening for Appropriate Assessment**: An initial or preliminary assessment of the project or plan's effect on a European site(s). If it cannot be concluded that there will be no significant effect upon a European site, then an appropriate assessment of the implications of a plan or project must be conducted.

1.2 Document Structure

Methodology and Guidance

Section 2 of the document, sets out the methodology followed and guidance documents used in conducting a screening appraisal for appropriate assessment and subsequent appraisal for appropriate assessment of the implications of the proposed development on European sites.

Proposed Development

Section 3 of the report describes the proposed development, the general methodology sequence and activities to be undertaken.

Stage 1 Screening Appraisal

Section 4 of the report contains a preliminary examination and analysis to understand whether or not the proposed development is likely to have a significant effect on any European site. This is the screening appraisal for appropriate assessment. It has been undertaken in view of best scientific knowledge, in light of the Conservation Objectives of the sites concerned and considers the proposed development

individually or in combination with other plans and projects. In accordance with EC guidance and settled case law of the CJEU, measures intended to avoid or reduce the harmful effects of the proposed development on European sites, (i.e. "mitigation measures") or best practice measures have not been taken into account in the screening stage appraisal.

Section 2 METHODOLOGY

2.1 Published guidance on Appropriate Assessment

Appropriate Assessment Guidelines for Planning Authorities have been published by the Department of the Environment Heritage and Local Government and more recently by the Office of the Planning Regulator Practice Note (PN01) (OPR,2021). In addition to the advice available from the Department, the European Commission has published a number of documents which provide a significant body of guidance on the requirements of Appropriate Assessment.

This Stage 1 Screening Appraisal is carried out in conformity with this guidance.

2.2 Likely Significant Effect

The Commission's 2018 Notice (EC, 2019) advises that the appropriate assessment procedure under Article 6(3) is triggered not by the certainty but by the likelihood of significant effects, arising from plans or projects regardless of their location inside or outside a protected site. Such likelihood exists if significant effects on the site cannot be excluded. The significance of effects should be determined in relation to the specific features and environmental conditions of the site concerned by the plan or project, taking particular account of the site's conservation objectives and ecological characteristics.

The threshold for a Likely Significant Effect ("LSE") is treated in the screening exercise as being above a de minimis level. A de minimis effect is a level of risk that is too small to be concerned with when considering ecological requirements of an Annex I habitat or a population of Annex II species present on a European site necessary to ensure their favourable conservation condition. If low level effects on habitats or individuals of species are judged to be in this order of magnitude and that judgment has been made in the absence of reasonable scientific doubt, then those effects are not considered to be LSEs.

The analysis involved in a Stage 1 screening appraisal for Appropriate Assessment is described in EC (2021) as comprising four steps:

- ascertaining whether the plan or project is directly connected with or necessary to the management of a Natura 2000 site;
- identifying the relevant elements of the plan or project and their likely impacts;
- identifying which (if any) Natura 2000 sites may be affected, considering the potential effects of the plan or project alone or in combination with other plans or projects;
- assessing whether likely significant effects on the Natura 2000 site can be ruled out, in view of the site's conservation objectives. Case law of the Court of Justice of the European Union (CJEU) has confirmed that a significant effect is triggered when:
 - there is a probability or a risk of a plan or project having a significant effect on a European site;
 - the plan is likely to undermine the site's conservation objectives; and
 - a significant effect cannot be excluded on the basis of objective information. EC (2021) defines a LSE as being "any effect that may reasonably be predicted as a consequence of a plan or project that would negatively and significantly affect the conservation objectives established for the habitats and species significantly present on the Natura 2000 site. This can result from either on-site or offsite activities, or through combinations with other plans or projects". The requirement that the effect in question be 'significant' exists in order to lay down a de minimis or negligible threshold – thus, plans or projects that have no appreciable or imperceptible effects on the site are thereby excluded.

2.3 Mitigation Measures In determining whether or not likely significant effects will occur or can be excluded in the Stage 1 appraisal, measures intended to avoid or reduce the harmful effects of the proposed development on European sites, (i.e. "mitigation measures") or best practice measures have not been taken into account in this screening stage appraisal. This approach is consistent with up-to-date EU guidance (EU,2019; EC,2021) and the case law of the Court of Justice of the European Union (CJEU).

EC (2001) states that "project and plan proponents are often encouraged to design mitigation measures into their proposals at the outset. However, it is important to recognise that the screening assessment should be carried out in the absence of any consideration of mitigation measures that form part of a project or plan and are designed to avoid or reduce the impact of a project or plan on a Natura 2000 site". This direction in the European Commission's guidance document is unambiguous in that it does not permit the inclusion of mitigation at screening stage.

In April 2018, the Court of Justice of the European Union issued a ruling in case C-323/17 *People Over Wind & Peter Sweetman v Coillte Teoranta* ("People Over Wind") that Article 6(3) of Directive 92/43/EEC must be interpreted as meaning that, in order to determine whether it is necessary to carry out, subsequently, an appropriate assessment of the implications, for a site concerned, of a plan or project, it is **not appropriate, at the screening stage, to take account of the measures intended to avoid or reduce the harmful effects of the plan or project on that site.**

The judgment in *People Over Wind* is further reinforced in EC (2019) and EC (2021) which refers to CJEU Case C-323/17.

Therefore, in consideration of the above, no mitigation measures will be considered in the Stage 1 screening. It is also pointed out prior to commencement of this study that there is no change in stocking rates proposed on this farm, nor any change in the amounts of animal nutrients or the nature of the animal nutrients applied on or into the land by this project.

The maps and data utilised in this Stage 1 screening appraisal are all obtained from <https://www.npws.ie/maps-and-data>

Section 3 describing the proposed development, the general methodology sequence and activities to be undertaken.

Description of proposed development (which is supported by all the planning documentation listed in the cover letter to the planning department:

Application to Meath County Council – Brian McDermott is applying for Confirmation of Exempted development to construct a General Purpose shed to store fodder, straw and grain, solely for agricultural use and ancillary works , i.e. concrete yards, farm road etc. utilising the farm’s existing public road entrance at Garadice, Summerhill, Co. Meath

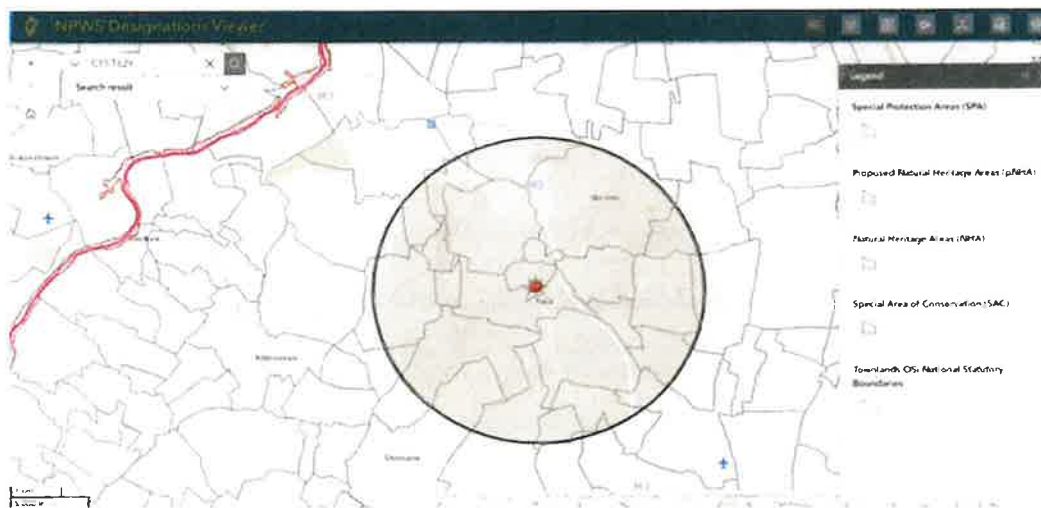
Section 4. Identification of all Natura 2000 sites located on or near (1km) to the applicant site

None on farm or within 1 km circle of site See map below : The proposed site is in Garadice townland indicated by the large red dot.

The natura study is mainly dedicated to examining SPA and SAC sites ,



Identification of all Natura 2000 sites located near (within 3 km) to the applicant site – None within 3 km circle of site



Identification of all Natura 2000 sites located near (within 15 km) to the applicant site – 2no. within 15 km circle of site 1no. SPA and 1no. SACs

SPA - River Boyne and River Blackwater SPA

Site Code	004252
Site Name	River Boyne and River Blackwater SPA
Version	1.000000
Area (HA)	423.635770

SAC - River Boyne And River Blackwater SAC

Site Code	002299
Site Name	River Boyne And River Blackwater SAC
County	me
Area (HA)	1798.608030

There are also two pNHA's

pNHA - Rathmoylan Esker

Site Code	000557
Site Name	Rathmoylan Esker
County	me
Version	1.000000
Area (HA)	10.636812

pNHA - Royal Canal

Site Code	002103
Site Name	Royal Canal
County	me
Version	1.000000
Area (HA)	99.592661

The sites identified and not already described are a considerable distance from the site. As such it is sufficient to name and identify the sites.

The applicant farms outside all the SAC SPA areas. The farm activities pose no threat to these natura sites.

Assessment of likely effects Note: A means that the development poses no risk provided that the development is constructed in full accordance with the full Planning documentation and conditions of the Planning Permission.

Examples of effects that are likely to be significant, that have been considered by this study are:

- Any impact on an Annex I habitat
- Causing reduction in the area of the habitat or Natura 2000 site
- Causing direct or indirect damage to the physical quality of the environment (e.g. water quality and supply, soil compaction) in the Natura 2000 site

- Causing serious or ongoing disturbance to species or habitats for which the Natura 2000 site is selected (e.g. increased noise, illumination and human activity)
- Causing direct or indirect damage to the size, characteristics or reproductive ability of populations on the Natura 2000 site
- Interfering with mitigation measures put in place for other plans or projects

1. Screening statement with conclusions

The applicant is a small farmer concentrating on tillage. No animal nutrients are involved in the farming operation. As stated at the beginning of this Stage 1 assessment, no mitigation measures will be considered in the Stage 1 screening.

The proposed investments are not for animal housing or nutrients storage. It has also been pointed out prior to commencement of this study that there is no change in stocking rates proposed on this farm, nor any change in the amounts of animal nutrients or the nature of the animal nutrients applied on or into the land by this project.

The farm is typical to this area. It will be farmed in an environmentally responsible manner. 1st stage Screening establishes that there is no potential for significant effects and the project can proceed as proposed. However, no changes may be made after this as this will invalidate the findings of screening.

Conclusion : I recommend that the AA process ends at the Stage 1 Screening stage because my conclusion is that no significant effects are likely.

Name, address and qualifications of the person who prepared the "Statement for Screening"/"Statement for Appropriate Assessment"

Signed: 

Date 5th September 2024

Christopher Kinghan (BSc Hons) A.R.I.C.S.

Chartered Surveyor

Also, PG Dip and PG Cert in Organic farming.

Carricknagoan, Coolderry PO, Carrickmacross, Co. Monaghan.

Sources

<http://www.npws.ie/protected-sites/sac>

Part 2 of Desktop study.

General description of the farm and proposed project.


Application to Meath County Council – Brian McDermott is applying for Confirmation of Exempted development to construct a General Purpose shed to store fodder, straw and grain, solely for agricultural use and ancillary works, i.e. concrete yards, farm road etc. utilising the farm's existing public road entrance at Garadice, Summerhill, Co. Meath.

This Organic Waste Nutrient Management Plan has been prepared for the purpose of Planning Applications for Agricultural Development in accordance with NITRATES EXPLANATORY HANDBOOK for Good Agricultural Practice for the Protection of Waters Regulations 2022 - based upon Statutory Instrument S.I. No. 113 of 2022 [European Union (Good Agricultural Practice for Protection of Waters) Regulations 2022] and Statutory Instrument S.I. No. 393 of 2022 [European Union (Good Agricultural Practice for Protected of Waters) (Amendment) Regulations 2022].

To be read in conjunction with the existing and proposed farmyard plans.

The main problems from agriculture are loss of excess nutrients and sediment to water with losses arising from point sources such as farmyards or diffuse sources such as spreading of fertilisers and manures on land particularly near to water courses.

There are no animal nutrients involved on this farm it is tillage land, so a Nutrient Management Plan is not applicable.

Signed: 

Date: 5th September 2024

Christopher Kinghan (BSc Hons) A.R.I.C.S.

Chartered Surveyor

Also, PG Dip and PG Cert in Organic farming.

Carricknagoan, Coolderry PO, Carrickmacross, Co. Monaghan.

Christopher Kinghan & Associates

CHARTERED SURVEYOR

ARCHITECTURAL, PLANNING & ENVIRONMENTAL DESIGN SOLUTIONS

Carricknagoan, Coolderry P.O., Carrickmacross, Co. Monaghan, A81 E720.

Tel: 085 164 6179

Email: kinghanchris@yahoo.com

Application to Meath County Council – Brian McDermott is applying for Confirmation of Exempted development to construct a General Purpose shed to store fodder, straw and grain, solely for agricultural use and ancillary works, i.e. concrete yards, farm road etc. utilising the farm's existing public road entrance at Garadice, Summerhill, Co. Meath.

SPECIFICATION & HEALTH AND SAFETY PLAN

TO BE READ IN CONJUNCTION WITH ALL PLANNING AND CONSTRUCTION DRAWINGS

SPECIFICATION

NOTE: The written specification takes precedence over the drawings – obviously there is far greater construction detail in the written specifications and this detail needs to be met in its entirety. There are various methods to attain structural compliance, ventilation and natural lighting rules. This does not affect the overall building appearance nor does it affect overall dimensions of a building from a Planning compliance viewpoint.

For grant aided work it is an important condition of the grant that the buildings are exactly in the position and the size set out in the drawings associated with the planning application or exemption. Failing to meet this condition jeopardises all the grant monies. Note: All materials used in the construction of buildings to this specification shall be sourced as new.

A simplified sketch can be provided to the builder showing the critical dimensions for setting out the project on request from the Architect. ALL PROPOSED BUILDINGS MUST BE CONSTRUCTED EXACTLY IN THE POSITION AGREED BY THE GRANT OF PLANNING PERMISSION

Farm buildings can be dangerous and specialist work – all builders need to have a full understanding of the Department of Agriculture's specifications.

All elements of construction work to comply with the conditions set out in the Planning Permission or Exemption Notice, Irish Building regulations and the current DEPARTMENT OF AGRICULTURE AND FOOD specifications as follows:-

Dept of Agriculture Farm Building and Structures Specifications

- Health and Safety Guide for Construction Works (pdf 398Kb)
- Listing of dates of when specifications were updated - 30 November 2018 (pdf 133Kb)

Specifications

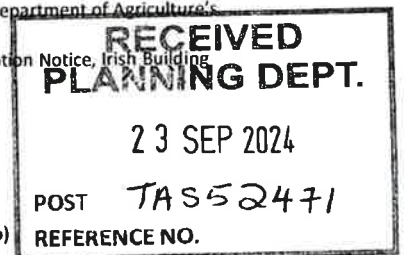
- S100 Concrete Specification - October 2015 (doc 99Kb)
- S101 Minimum Specifications for the structure of Agricultural Buildings - July 2016 (doc 2,188Kb)
- S101A Non-Load Bearing Wall Panels for use in Cattle and Sheep Houses - May 2019 (doc 41Kb)
- S101D Accepted Safety Grids for Under Translucent Sheets - January 2017 (doc 1,027Kb)
- S102 Minimum Standards for Roof Cladding and Side Cladding - August 2018 (doc 137Kb)
- S105 Storage Structures for Farm Produce - February 2016 (doc 230Kb)
- S127 - Minimum Specification for Gravel Roads and Access Roads to Mountain and Hill Pastures - Oct 08 (doc 16Kb)
- S129 Minimum Specifications for Farmyard Drainage, Concrete Yards and Roads - January 2016 (doc 118Kb)
- S135 Screening Belts and Shelter Belts for Farmyards and Farmbuildings - November 2008 (doc 39Kb)
- S146 Wintering Facilities for Sheep - May 2020
- S148 Farm Fencing - August 2019 (doc 196Kb)
- S148A Accepted Fencing Posts - January 2019 (doc 69Kb)
- S.199 Minimum specification for farm roadways. January 2021 S100 Concrete Specification - October 2015 (doc 99Kb)

And all other relevant standard specifications from the same source. In all instances the latest available revised specification is to be used.

Note: These specifications are flexible in that they set out various methods of construction. They are the minimum standard acceptable for grant aided works. Where there is a conflict with the drawings the standards set out in these specifications super-cedes the drawings. Construction details in the working drawings are only suggested methods of construction. Provided the contractor has the agreement of the client and Architect, does not change outer appearance of a building/ or the external dimensions, the Contractor is free to choose any construction method that complies with Dept. of Agriculture standards.

Construction details in the working drawings are only suggested methods of construction. Provided the contractor has the agreement of the client and Architect, does not change outer appearance of a building/ or the external dimensions, upon which the Planning permission is based, and the critical internal dimensions upon which the grant aid is based, then the Contractor is free to choose any construction method that complies with Dept. of Agriculture standards.

But, if there is any doubt as to eligibility of any change it is the contractor's responsibility to check with the Dept. of Agriculture and approve the change as otherwise the Dept. may impose financial penalties on the client/employer.



The specifications are all available online and copies can also be obtained from the Architect.
If explanation or clarification is required on any matter you are welcome to contact the Architect at any time.

Checking Ground conditions

Prior to making the grant application, or commencing construction if there is no grant, it is the farmer/ building contractor's responsibility to ascertain ground conditions in the vicinity of the proposed building or tank i.e. dig 2 no. trial holes (outside but in the vicinity of the footprint of the works) at a minimum depth of 3.0m and check the is no bed rock.

It is extremely difficult to alter the design once work has commenced and excavating in rock is often NOT financially justifiable.

These trial holes should be fenced off, stepped in construction to enable anyone who falls in to climb out and left open for 48 hours to ascertain the water table – It may be necessary to agree a method of keeping the excavations free of water whilst constructing the works.

DESIGN OF TANKS

General Design

A minimum of 16, 18, 20 or 22 weeks storage shall be provided in all new and converted structures in line with the requirements of S.I. 788 of 2005 European Communities (Good Agricultural Practice for Protection of Waters) Regulations and any subsequent amendments to the regulations. However, where the Local Authority has specified a higher winter storage period, then this must be complied with.

General note for Buildings over slatted tanks (where applicable)

Walls shall not be built directly onto slats under any circumstances. As walls are not mandatory in most houses steel barriers may instead be installed across the gable end of a building, with or without steel cladding. Prefabricated concrete wall panels may also be installed (Clause B9.2 in S.101), positioned at least 10mm above the top of the slats. If it is decided to install a blockwork or mass-concrete gable wall, then it shall be positioned on a supporting beam. This beam may either be prefabricated, or constructed on site and shall have at least 150 mm support at each end. If it is decided to extend the slats under the beam, there shall be a gap of at least 10mm between the beam and the top of the slats. In all circumstances there shall be sufficient space outside the house to install a 1.2m wide slab or manhole slab on the walls of the extended tank.

Where a wall is erected on a tank wall, the tank wall shall be wide enough to carry the full width of wall and provide a full slab bearing of 150mm. Where walls are 200mm, 350mm (min.) tank walls are necessary.

SAFETY AND HEALTH PLAN

FOR SAFETY DURING CONSTRUCTION

Also refer to Dept. of Agriculture Health and Safety Guide including Form AF1

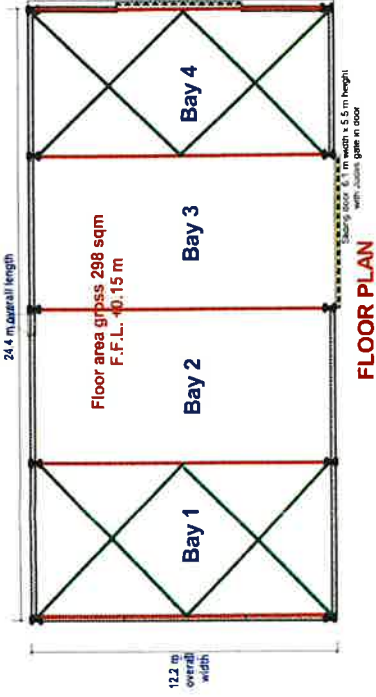
This document is not part of the planning documentation but is prepared and given to the client at the time of planning submission. It is available to the planning Authority on request.

NOTE: The ESB will be notified by the applicant to move any of their installations which /if they impact on this development following grant of planning permission (usually within 10 metres of the development and applicable in this case).

RECEIVED
 PLANNING DEPT.
 23 SEP 2024
 POST TRASS2471
 REFERENCE NO.



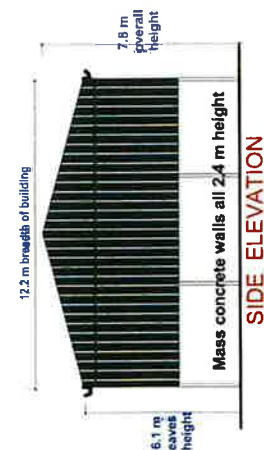
FRONT ELEVATION



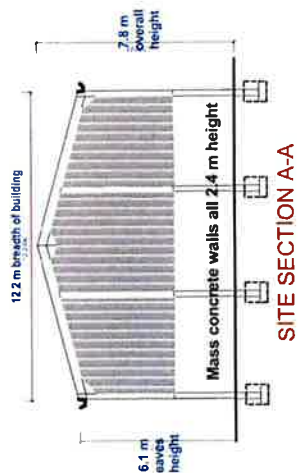
FLOOR PLAN



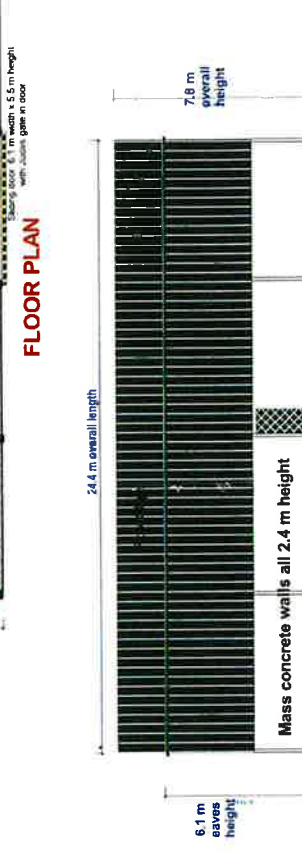
This shed can be a Portal frame or a Simple steel frame with internal stanchions constructed to Department of Agriculture S-101 for steel sizes etc. Red lines are rafter lines and green lines indicate the cross bracing to roof in each end bay. All foundations need to be taken down to original firm and suitable structure bearing subsoil.
 Skirting door 4.8 m width x 5.5 m height with Jubas gate in door



SIDE ELEVATION



SITE SECTION A-A



REAR ELEVATION



SIDE ELEVATION

General purpose Shed

Christopher Kinghan & Associates

CHARTERED SURVEYOR
 ARCHITECTURAL, PLANNING & ENVIRONMENTAL
 DESIGN SOLUTIONS
 Carricknagoan, Coolderry P.O., Carrickmacross,
 Co. Monaghan. A81 E720
 Tel: 085 164 6179 Email: kinghanchris@yahoo.com

Copyright Christopher Kinghan & Associates
 Do not scale: Use written dimensions
 This is an A3 size drawing

ALL DRAWINGS MUST BE READ
 IN ACCORDANCE
 WITH SAFETY NOTES AND SPECIFICATION

Application to Meath County Council – Brian McDermott is applying for Confirmation of Exempted development to construct a General Purpose shed to store fodder, straw and grain, solely for agricultural use and ancillary works, i.e. concrete yards, farm road etc. utilising the farm's existing public road entrance at Garadice, Summerhill, Co. Meath

MEATH COUNTY COUNCIL

Planning Department

Buvinda House

Dublin Road

Navan

Co Meath

046 - 9097500

Planning & Development Act 2000- 2022

DECLARATION

To: Brian McDermott
c/o Christopher Kinghan
Carricknagoan
Coolderry P.O.
Carrickmacross
Co Monaghan

PLANNING REFERENCE NUMBER: TA/S52471
APPLICATION RECEIPT DATE: 23/09/2024
FURTHER INFORMATION DATE: 27/11/2024

In pursuance of the powers conferred upon them by the Planning and Development Act 2000-2022, Meath County Council has by order dated 05/12/2024 decided to Declare the following :

NOW THEREFORE Meath County Council, in exercise of the powers conferred on it by Section 5(2)(a) of the Planning and Development Act 2000 (as amended), hereby decides that

- (a) The construction of a general purpose shed to store fodder, straw and grain solely for agricultural use and concrete yard is development which **is Exempted Development**
- (b) The construction of a farm road is development which **is NOT Exempted Development.**

Date: 05/12/2024 Triona Keating
On Behalf of Meath County Council

NOTE:

1. Any appeal against a Declaration of a Planning Authority under Section 5, sub-section 3(a) of the Planning and Development Act 2000 may be made to An Bord Pleanala by the applicant **WITHIN FOUR WEEKS** beginning on the date of issue of the Declaration.
2. Appeals should be addressed to An Bord Pleanala, 64 Marlborough Street, Dublin 1. An appeal by the applicant should be accompanied by this form. The fee for an appeal against a Declaration of the Planning Authority is € 220.

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

Tel: 01 - 8588100 or LoCall: 1890 275 175

Fax: 01 - 8722684

E-mail: bord@pleanala.ie Web: www.pleanala.ie

Meath County Council



Response to Further Information - Planning Report

To:	Deirdre Fallon, Senior Executive Planner
From:	Nathan Cooney, Executive Planner
Date:	02/12/2024
File Number:	TAS52471
Applicant:	Brian McDermott
Development Address:	Garadice, Summerhill, Co. Meath
Application Type:	Section 5 of the Planning & Development Acts 2000 (as amended): Declaration on Development/ Exempted Development.
Development Description:	Construct a general purpose shed to store fodder, straw and grain solely for agricultural use and ancillary works i.e concrete yards, farm road etc utilising the farm's existing public entrance.
Date Decision Due:	17/12/2024

1.0 Further Information Response & Assessment

The Further Information Request (R.F.I.) was issued on 16/10/2024. The Further Information Response was received on 28/11/2024. As such, the following should be read in conjunction with the initial Planning Report.

Based on the information submitted and having regard to the initial Planning Report, I consider that the applicant has formally responded to the Request for Further Information and that the proposed development must now be fully assessed. The following provides the items of the Request for Further Information; the applicant's response; and, the assessment of the Planning Authority.

1.1 Further Information Request Item No. 1 – No. 2

1. The applicant has submitted a drawing prepared by Christopher Kingham & Associates, which is for an application to Westmeath County Council for a different applicant. The applicant is requested to submit the correct site layout drawing for this application.
2. Some of the applicant's supporting documentation (Site Layout Notes) refers to the treatment of effluent on the site. The application is for a general purpose shed to store fodder, straw under Class 9. Class 9 excludes the housing of animals or the storing of effluent. The applicant is requested to clarify the intended use of the agricultural shed.

1.1.1 Applicants Response to Item No. 1 – No. 2

In response to the further information request the applicant has submitted a letter addressed to the Planning Authority stating that there was a fault on the site layout drawing (wrong name and address). The applicant has submitted two revised drawings to amend this error.

1.1.2 Further Assessment of Item No. 1 – No.2

The submitted drawings have now amended the error which stated the development was for a different applicant, and the application was to Westmeath County Council. The revised drawings indicate that Brian McDermott is the applicant, and is submitted to Meath County Council.

The notes of these drawings have also been amended to stated that the applicant is applying for confirmation that the construction of a general purpose shed to store fodder, straw and grain solely for agricultural use, and ancillary works is exempted development.

It is considered that the applicant has now amended the errors which required further information.

2.0 Assessment

The development which is subject to this application consists of a general purpose shed, concrete yards and farm road. As per the site layout plan submitted, the farm road is a new road accessed from an existing entrance and leading to the proposed shed and would be 3.5m in width.

Based on the details submitted, the proposal would comply with the conditions and limitations associated with open loose yards set out in Class 8 and for a store/shed as per Class 9 of Part 3 to Schedule 2 of the Planning and Development Regulations 2001-2024.

The applicant is also proposing to construct a farm road as part of this development. The Planning Authority have assessed this element of the development against the Planning and Development Act 2000 – 2022 and the Planning and Development Regulations 2001 – 2024. From a review of this legislation, it is considered that the proposed road would not come within a specific class of development stated in Schedule 2 or elsewhere within the Act or Regulations and therefore it would not constitute exempted development.

3.0 Recommendation

It is therefore recommended that a declaration in respect of construction of a general purpose shed to store fodder, straw and grain solely for agricultural use and ancillary works i.e concrete yards, farm road etc utilising the farm's existing public entrance as indicated on the submitted plans and particulars be issued as follows:

The proposed shed and concrete yard would be considered exempted development and the access road would not be considered exempted development.

WHEREAS the question has arisen as to whether

- "Whether the construction of a general purpose shed to store fodder, straw and grain solely for agriculture use and ancillary works i.e concrete yards, farm road etc, and utilising the farm's existing public entrance is or is not development and is or is not exempted development."

AND WHEREAS Meath County Council in consideration of this question has had regard particularly to:

- (a) Sections 2(1), & 3(1) of the Planning and Development Act 2000 – 2022,
- (b) Article 6 & 9 of the Planning and Development Regulations, 2001-2024,
- (c) Class 8 and 9 of the Planning and Development Regulations 2001-2024,
- (c) Information provided.

AND WHEREAS Meath County Council has concluded: -

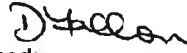
- (a) The construction of a general purpose shed to store fodder, straw and grain solely for agriculture use and ancillary works i.e concrete yards, farm road etc, and utilising the farm's existing public entrance represent works which are development.
- (b) The construction of a general purpose shed to store fodder, straw and grain solely for agricultural use complies with the conditions and limitations of Class 9 of the Planning and Development Regulations 2001-2024.
- (c) The construction of a concrete yard complies with the conditions and limitations of Class 8 of the Planning and Development Regulations 2001-2024.
- (d) The proposed road would not be exempted development as there are no provisions in the Planning and Development Act 2000-2022 or Planning and Development Regulations 2001-2024 by which the proposal is exempted development.

NOW THEREFORE Meath County Council, in exercise of the powers conferred on it by Section 5(2)(a) of the Planning and Development Act 2000 (as amended), hereby decides that:

- (a) The construction of a general purpose shed to store fodder, straw and grain solely for agricultural use and concrete yard is development which is exempted development;
- (b) The construction of a farm road is development which is not exempted development.



Nathan Cooney
Executive Planner
Date: 02/12/2024

**RECOMMENDATION
ACCEPTED**
- 5 DEC 2024

Signed: _____

Deirdre Fallon
Senior Executive Planner
Date: 5th December 2024