

Comhairle Contae Chorcaí Cork County Council

Mr. John Paul Murphy, Farm Manager,
Teagasc,
C/O C.J. Falconer & Associates,
St. Patrick's House,
Newtown,
Waterford.

18th December, 2024

REF: D/268/24
LOCATION: Moorepark Food Research Centre, Teagasc, Fermoy, Co. Cork.

**RE: DECLARATION OF EXEMPTED DEVELOPMENT UNDER SECTION 5 OF THE
PLANNING & DEVELOPMENT ACT 2000 - 2010.**

Dear Sir/Madam,

On the basis of the information submitted by you on 14th October & 27th November, 2024 the Planning Authority, having considered whether the proposed construction of modular calf units/a cattle shed with a floor area of 180sqm at **Moorepark Food Research Centre, Teagasc, Fermoy, Co. Cork** is or is not development or is or is not exempted development, has declared that it is **not exempted development**.

Reason for Decision

The Planning Authority in considering this referral, had particular regard to

- The particulars received by the Planning Authority on 14th October 2024 and the further information received on the 27th November 2024,
- Section 2(1) of the Planning and Development Act, 2000, as amended,
- Section 3(1) of the Planning and Development Act, 2000,
- Section 4(1)(a) of the Planning and Development Act, 2000, as amended,
- Article 9(1) of the Planning and Development Regulations, 2001, as amended,
- Class 6 of Part 3 of Schedule 2 to the Planning and Development Regulations, 2001, as amended

And Whereas the Planning Authority hereby concludes that

The construction of modular calf units / a cattle shed constitutes 'works' and 'development' as defined in Sections 2 and 3 of the Planning and Development Act. The proposed development does not come within the scope of the exemption for such agricultural buildings provided by Section 4(1)(a) of the Planning and Development Act 2000 as it does not come within the scope of Class 6 of Part 3 Schedule 2 of the Planning and Development Regulations 2001 (as amended) as it does not comply

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We are Cork.



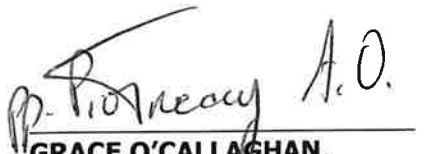
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with the relevant conditions and limitations. Namely, the gross floor space of such structure together with other such structures situated within the same farmyard complex or within 100m of that complex exceeds 300sq.m. gross floor space in aggregate.

On this basis it is considered that the proposed development at Moorepark Food Research Centre, Teagasc, Fermoy, Co. Cork is development and is **not exempted development**.

Please note that under Section 5 Subsection 3(a) where a declaration is issued under this section, any person issued with a declaration under subsection 2(a) may, on payment to the Board of such fee as may be prescribed, refer a declaration for review by the Board within 4 weeks of the date of the issuing of the declaration.

Yours faithfully,


GRACE O'CALLAGHAN,
SENIOR EXECUTIVE OFFICER,
PLANNING DEPARTMENT.

In order to process your query, it may be necessary for Cork County Council to collect Personal information from you. Such information will be processed in line with our privacy statement which is available to view at <https://www.corkcoco.ie/privacy-statement-cork-county-council>

SECTION 5 DECLARATION – PLANNER’S REPORT

File Reference: D/268/24

Description: Whether the construction of modular calf units / a cattle shed with a floor area of 180sqm is or is not development or is or is not exempted development.

Applicant: Teagasc

Location: Moorepark Food Research Centre, Teagasc, Fermoy, Co. Cork

Date: 17th December 2024

SUMMARY OF RECOMMENDATION

It is concluded that the construction of modular calf units / a cattle shed constitutes ‘works’ and ‘development’ as defined in Sections 2 and 3 of the Planning and Development Act. The proposed development does not come within the scope of the exemption for such agricultural buildings provided by Section 4(1)(a) of the Planning and Development Act 2000 as it does not come within the scope of Class 6 of Part 3 Schedule 2 of the Planning and Development Regulations 2001 (as amended) as it does not comply with the relevant conditions and limitations. Namely, the gross floor space of such structure together with other such structures situated within the same farmyard complex or within 100m of that complex exceeds 300sq.m. gross floor space in aggregate.

On this basis it is considered that the proposed development is development and is not exempted development.

PURPOSE OF REPORT

Under Section 5 of the Planning and Development Act, 2000 (as amended), if any question arises as to what, in any particular case, is or is not development and is or is not exempted development within the meaning of the Act, any person may, on payment of the prescribed fee, request in writing from the relevant planning authority a declaration on that question, and that person shall provide to the planning authority any information necessary to enable the authority to make its decision on the matter.

SITE LOCATION

The subject site forms part of the extensive and long established Moorepark Animal and Grassland Research Facility on the outskirts of Fermoy. At the localised level, the site occurs within a part of the campus that operates as an education and innovation centre in the eastern part of the wider campus which is itself well separated from the public road and any third-party dwellings. The existing facility includes numerous agricultural sheds within the immediate surrounding area, as well as offices and research facilities within proximity. Details of the other buildings on the campus have not been provided.

SUBJECT DEVELOPMENT

It is proposed to construct an 18.1m x 15m shed with a total stated floor area of 180sqm on the southeastern side of the existing campus. The new shed is to provide modular housing for calves with 12 no. approx. 5m x 3m pens with each pen housing 8 – 10 calves.

There is to be an open passage between two rows of pens with a slope towards the centre line of the passage. The submitted drawings show that the maximum height of the proposed structure will be 2.92m and that it is located at a distance in excess of 10m from the public road.

PLANNING HISTORY

A review of the Council's Planning Enquiry System shows there have been numerous planning applications made in respect of the overall landholding. The most recent of which are as follows:

24/5197 – Permission for: a) Demolition of our existing single storey grasslands laboratory unit and adjoining agricultural buildings, b) Construction of a new two storey laboratory building with single storey office and storage facility, c) Construction of a new agricultural animal nutrition building, d) Construction of a new ESB substation, e) Undertake all associated ancillary accommodation and site works and construction of new carpark on our site. (granted).

22/6512 – permission for construction of agricultural Mill building and canopy link to existing building, all associated site works. (granted).

21/6797 – Permission for the construction of low emissions piggery building, 4 number feeding silos and all associated site works (granted).

20/6904 – Permission for the construction of a two-storey office development (with pedestrian link bridge) extension to the side and rear of the Paddy O'Keeffe Innovation Centre and also undertake remodelling and expansion of the existing carpark and road network. All the above works to be inclusive of associated ancillary accommodation and site works (granted).

20/5476 – Permission for the development consisting of the relocation of the current R639 (AGRI Centre) vehicular entrance from its current location to a new vehicular entrance location serviced from the existing roundabout located at R639, Junction 14, M8 roundabout (inclusive of all associated site works) to service the campus (withdrawn).

18/7004 – Permission for a development to be constructed in two phases. The development will consist of the construction of a new three storey extension (with rooftop plant and equipment), containing laboratories and office accommodation, extension to the canteen facilities, and all associated site works, carparking and road network (granted).

17/4320 – Permission for extensions to the existing MTL building as follows:- Construction of two storey and single storey extensions to the south to contain offices, laboratories, canteen, including renovation works to the existing staff changing area, also extension to the north to contain new processing areas and storage facilities [to match height of existing building] and the construction of a new plant room above height of existing roof level. In addition, the construction of a new lift shaft attached to the existing drying tower building coupled with the redesign and new roof treatment of the drying tower building and relocation of existing 11m high effluent tank. All the above works to be undertaken inclusive of additional car parking spaces, revisions to internal road access roadway and all associated site works including services and ancillary accommodation on site (granted).

17/5729 – Permission for the construction of a single storey extension infill building in existing courtyard to include open plan write up office area and all associated site works (granted).

14/5935 – Permission for the development will consist of the construction of a single storey extension (in 2 phases) infill building in existing courtyard to include 2 no. laboratories, hot desks/write up areas and circulation area and all associated site works (granted).

14/5693 – Permission for the construction of a 200 integrated sow unit, fattener building and weaner/farrow building with covered links to existing piggery and new integrated office area, a feed distribution building, ancillary feed silos and construction of food test/research facility with covered link to adjacent gilt isolation building. Demolition of existing office building. Construction of additional car park facilities, concrete yards and associated site works including gravel tracks and services and undertake all associated site works (alterations to layout and reduction in scale to permission granted for piggery development under Planning Reg. No. 13/4193) (granted).

14/4701 – Permission for the demolition of existing farmyard buildings and the construction of hay barn, machinery shed, 4 no. feed silos, calving box building, refurbishment and extension to cow unit, new calf unit, new bunded slurry storage tank, rainwater store, slatted yards and additional car parking facilities, new well and associated pump house, new farm road network and associated site works including services and undertake all associated site works (granted).

13/4193 – Permission for the demolition of existing piggery buildings including part demolition of 1 no. building and the construction of new piggery buildings consisting of fatterer building, weaner/farrow building with covered links to existing piggery and existing office building and replacement of roof and internal alterations to existing office building, construction of feed tote unit and grain silos and construction of food test/research facility with covered link to adjacent gilt isolation building. Construction of additional car parking facilities, concrete yards and associated site works including gravel tracks and services and undertake all associated site works (granted).

12/6095 – Permission for the construction of a two storey building to contain offices, research educational facilities and associated ancillary accommodation. The building will be linked to the existing office building with a covered walkway. Siteworks will include removal of existing prefab research educational buildings and office buildings, the construction of additional carparking facilities, alterations to existing carpark and undertake all associated siteworks.

12/5193 – Permission for the Construction of a two storey dry goods store and new roofed walkway area between the existing and proposed buildings (granted).

11/5632 – Permission for the construction of a single storey autoclave room between the existing boiler house and library building and a single storey extension to the existing technology building to consist of a general office/student room and ancillary facilities (granted).

11/5473 – Permission for the construction of 3 no. new research and development units, each 2/3 storeys high, including single storey link corridor to existing building, car parking and ancillary facilities (granted).

11/5384 – Permission for the construction of a single storey office extension to rear of existing Technology Hall (granted).

07/4571 – Permission for the construction of two storey extension to laboratory facility to include laboratories, offices, toilets, ancillary accommodation with ancillary infrastructure and partially enclosed courtyard (granted).

06/12095 – Permission to complete construction of single storey extension to research laboratory with conference centre and extension to central kitchen originally granted permission under pl. reg. no. 01/3178 (granted).

05/5591 – Permission for the construction of 4 no. research and development units including a link corridor, extension to existing corridor adjoining permitted powder store, relocation of powder mill room and waste packaging recycling facilities and associated works (granted).

05/348 – Permission for extension to store (granted).

04/2548 – Permission for milking parlour (granted).

01/3178 – Permission for the construction of single storey extension to research laboratory with conference facility & extension to central kitchen (granted).

LEGISLATIVE CONTEXT

Planning and Development Act, 2000

Section 3(1) of the Act states the following in respect of ‘development’: “In this Act, ‘development’ means, except where the context otherwise requires, the carrying out of any works on, in, over or under land or the making of any material change in the use of any structures or other land.”

Section 2(1) of the Act states the following in respect of ‘works’: “Any act or operation of construction, excavation, demolition, extension, alteration, repair or renewal...”

Section 4(1) sets out various forms and circumstances in which development is exempted development for the purposes of the Act. Section 4 (1) (a) states that development consisting of the use of any land for the purposes of agriculture and development consisting of the use for that purpose of any building occupied together with land so used.

Section 4 (2)(a) of the Act enables certain classes of development to be deemed exempted development by way of regulation.

Section 4(4) states that notwithstanding paragraph (a) of subsection (1) and any regulations under subsection (2), development shall not be exempted development if an environmental impact assessment or an appropriate assessment is required.

Planning and Development Regulations, 2001 as amended.

Article 6(3) states: Subject to Article 9, in areas other than a city, a town or an area specified in section 19 (1) (b) of the Act or the excluded areas as defined in section 9 of the Local Government (Reorganisation) Act, 1985 (No.7 of 1985), development of a class specified in Column 1 of Part 3 of Schedule 2 shall be exempted development for the purposes of the Act, provided that such development complies with the conditions and limitations specified in column 2 of the said Part 3 opposite the mention of that class in the said column 1.

Schedule 2, Part 3 – Exempted Development

Class 6: Class 6 of Part 3 of Schedule 2 of the Planning and Development Regulations states that the following are exempted development:

Works consisting of the provision of a roofed structure for the housing of cattle, sheep, goats, donkeys, horses, deer or rabbits, having a gross floor space not exceeding 200sq.m. (whether or not by extension of an existing structure), and any ancillary provision for effluent storage. Conditions and limitations associated with Class 6 of Part 3 Schedule 2 of the Planning and Development Regulations, 2001 to 2015 state that:

1. No such structure shall be used for any purpose other than the purpose of agriculture.
2. The gross floor space of such structure together with any other structures situated within the same farmyard complex or within 100m of that complex shall not exceed 300sq.m. gross floor space in aggregate.
3. Effluent storage facilities adequate to serve the structure having regard to its size, use and location shall be constructed in line with Department of Agriculture, Food and Rural Development and Department of Environment and Local Government requirements and shall have regard to the need to avoid water pollution.
4. No such structure shall be situated, and no effluent from such structure shall be stored, within 10m of any public road.
5. No such structure shall be situated, and no effluent from such structure shall be stored, within 100m of any house (other than the house of the person providing the structure) or other residential building or school, hospital, church or building used for public assembly, save with the consent on writing of the owner and, as may be appropriate, the occupier or person in charge.

6. No unpainted metal sheeting shall be used for roofing or on the external finish of the structure.

Restrictions on exemption by virtue of Article 9(1)(a) of the Planning and Development Regulations 2001 (as amended)

Article 9 (1) (a) provides that certain development to which Article 6 relates (i.e. exempted development) shall not be exempted in various circumstances. Article 9(1) states that: Development to which Article 6 relates shall not be exempted development for the purposes of the Act – (a) if the carrying out of such development would:

(iii) endanger public safety by reason of traffic hazard or obstruction of road users,

(viiB) comprise development in relation to which a planning authority or An Bord Pleanála is the competent authority in relation to appropriate assessment and the development would require an appropriate assessment because it would be likely to have a significant effect on the integrity of a European site.

ASSESSMENT

The question which arises in this case is whether the construction of a modular animal building / cattle shed with a proposed floor area of 180sqm is or is not development or is or is not exempted development.

Is or is not development?

Development is defined, under Section 3(1) of the Planning and Development Act, 2000 (as amended), as “the carrying out of works on, in, over or under land...” Works are defined, under Section 2(1) of this Act, as including “any act or operation of construction, excavation, demolition, extension.

The construction of the proposed cattle shed with slatted tank and adjoining straw storage shed consists of the carrying out of ‘works’ and therefore **constitute ‘development’**, as defined in Section 3 of the Planning and Development Act 2000, as amended.

Is or is not exempted development?

Schedule 2, Part 3 of the Planning and Development Regulations 2001-2020 sets out classes of agricultural development which are deemed to constitute exempted development.

Class 6 of Part 3 relates to ‘the provision of a roofed structure for the housing of...cattle...having a gross floor space not exceeding 200 square metres’, however; condition 2 of this Class stipulates that the gross floor space of such a structure together with any other such structures situated within the same farmyard complex or within 100 metres of that complex shall not exceed 300 square metres gross floor space in aggregate.

In considering the relevant conditions and limitations associated with Class 6 of Part 3 Schedule 2 I note the following:

1. No such structure shall be used for any purpose other than the purpose of agriculture. - The intended use is for housing cattle for the purposes of agriculture.
2. The gross floor space of such structure together with any other such structures situated within the same farmyard complex or within 100m of that complex shall not exceed 300sq.m. gross floor space in aggregate. - Based on the submitted details the proposed cattle shed has a proposed floor area of 180sqm and so falls below the maximum size threshold for an individual structure. There are numerous other existing such structures within the overall site, clarity was sought in this regard and

further information was submitted on the 27th November 2024. The site layout plan and farm structures table confirms that the aggregate floor area of such structures within the farmyard complex is in excess of 300sq.m.

3. Effluent storage facilities adequate to serve the structure having regard to its size, use and location shall be constructed in line with Department of Agriculture, Food and Rural Development and Department of Environment and Local Government requirements and shall have regard to the need to avoid water pollution. – The further information response confirmed that the subject structure would be constructed in line with the Department of Agriculture, Food and Rural Development and Department of Environment and Local Government requirements.
4. No such structure shall be situated, and no effluent from such structure shall be stored, within 10m of any public road. – The structure is in excess of 10m from the public road.
5. No such structure within 100m of any public road shall exceed 8m in height. – The maximum height of the structure is stated as being 2.92m.
6. No such structure shall be situated, and no effluent from such structure shall be stored, within 100m of any house (other than the house of the person providing the structure) or other residential building or school, hospital, church or building used for public assembly, save with the consent on writing of the owner and, as may be appropriate, the occupier or person in charge. – None within 100m of site.
7. No unpainted metal sheeting shall be used for roofing or on the external finish of the structure. The proposed structure will have insulated panels with a powder coated finish to walls and roof.

Having reviewed the application drawings/ documents and further information submitted, the proposed development does not come within the scope of the exemption for such agricultural buildings provided by Class 6 of Part 3 Schedule 2 of the Planning and Development Regulations 2001 (as amended) as it does not comply with the relevant conditions and limitations. Namely, the gross floor space of such structure together with other such structures situated within the same farmyard complex or within 100m of that complex exceeds 300sq.m. gross floor space in aggregate.

EIAR and SUB-THRESHOLD EIAR

Projects which are likely to have significant effects on the environment are identified in Annex I and Annex II of the EIA Directive, which have been transposed into Irish legislation by Part I and Part II, Schedule 5 of the Planning and Development Regulations 2001 (as amended). Agricultural sheds are not of a Class of development listed under Part 1 or 2 (Schedule 5) of the Planning and Development Regulations 2001. As such, Environmental Impact Assessment does not apply in this case. Thus, the provisions of Section 4(4) of the Planning and Development Act 2000 (as amended) are not relevant.

Having regard to the contents of Article 103 (as amended by Article 14 of the Planning and Development (Amendment) (No3) Regulations 2011) and Schedule 7 of the Planning and Development Regulations 2001 (as amended) it is considered that the proposed development by reason of its nature, scale and location would not be likely to have significant effects on the environment. Accordingly, it is considered that a sub-threshold EIAR is not required to be submitted.

APPROPRIATE ASSESSMENT

As regards Appropriate Assessment Section 4(4) of the Planning and Development Act restricts exemption where development needs an appropriate assessment. In view of the scale and the nature and extent of the development, together with the separation and hydrological distances from the nearest European sites, it is

considered that no appropriate assessment issues arise. It is considered that the development would not be likely to have a significant effect individually or in combination with other plans or projects on a European site. Appropriate Assessment is not therefore required, and the provisions of Section 4(4) of the Planning and Development Act 2000 (as amended) are not relevant.

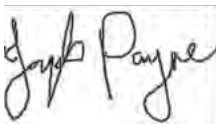
CONCLUSION

Having regard to:

- the particulars received by the Planning Authority on 14th October 2024 and the further information received on the 27th November 2024,
- Section 2(1) of the Planning and Development Act, 2000, as amended,
- Section 3(1) of the Planning and Development Act, 2000,
- Section 4(1)(a) of the Planning and Development Act, 2000, as amended,
- Article 9(1) of the Planning and Development Regulations, 2001, as amended,
- Class 6 of Part 3 of Schedule 2 to the Planning and Development Regulations, 2001, as amended.

It is concluded that the construction of modular calf units / a cattle shed constitutes 'works' and 'development' as defined in Sections 2 and 3 of the Planning and Development Act. The proposed development does not come within the scope of the exemption for such agricultural buildings provided by Section 4(1)(a) of the Planning and Development Act 2000 as it does not come within the scope of Class 6 of Part 3 Schedule 2 of the Planning and Development Regulations 2001 (as amended) as it does not comply with the relevant conditions and limitations. Namely, the gross floor space of such structure together with other such structures situated within the same farmyard complex or within 100m of that complex exceeds 300sq.m. gross floor space in aggregate.

On this basis it is considered that the proposed development is development and is not exempted development.



Janet Payne
Executive Planner
17/12/2024



Louise Ahern
A/Senior Executive Planner
17/12/2024



Planning Dept.
County Hall,
Carrigrohane Road,
Cork,
T12 R2NC

Our ref: 2024016 .FileRef.GMF/KG/AD
Date: 25th November 2024

RE: Declaration of Exempted Development Under Section 5 of The Planning & Development Act 2000 – 2010.

Whether the construction of modular calf units/ a cattle shed with a floor area of 180sqm at Moorepark Food Research Centre, Teagasc Fermoy, Co. Cork is or is not development or is or is not exempted development.

Your ref. D/268/24

Dear Sir / Madam,

Further to your letter of the 12th November 2024 requesting Further Information, we confirm our responses as follows.

1. Please confirm the gross floor space of any other such structures situated within the same farmyard complex or within 100m of that complex and submit a revised site layout plan clearly identifying each structure, confirming the use and floor area of each structure within the complex or within 100m of that complex.

Response: Attached is the Farm Structures Table and Site Map 0105 for the Farmyard.

2. Also confirm the proposed external material finish of the subject structure, bearing in mind that the relevant exemption does not allow for the use of unpainted metal sheeting for roofing or on the external finish of the structure.

Response: The roof sheeting proposed is to be an insulated cladding panel with powder coated finish, wall to be insulated panel with powder coated finish. Attached is the proposed brochure of information.

3. Confirm that the proposed calf housing will be constructed in compliance with Department of Agriculture, Food and the Marine specification S.124: Minimum Specification for Calf Housing.

Response: This is noted and shall be complied with.



4. Please clarify how it is proposed to manage the farm effluents generated in the calf housing in relation to:

a. Effluent seepage from the pens

Response: Effluent seepage from the pens is to the existing tanks to the side of the Weanling Shed 15A.

b. Soiled bedding.

Response: Solids to dungsted.

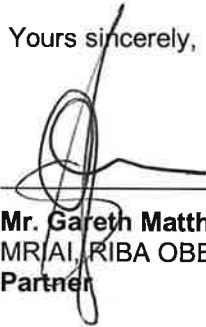
c. Rainwater falling on the open centre passage

Response: This will be collected in the existing tank to side of Weanling Shed 15A

Generally, for Item 4 see updated Drawing 0103 attached.

Trusting the above is the information required, but should you need any further clarification, please do not hesitate to contact us.

Yours sincerely,



Mr. Gareth Matthew Falconer

MR/Al, RIBA OBE, RIAI Arch. Tech., ACABE, AMIAS, RIAI PSDP, RIAI Conservation Architect G3
Partner

Encs:



County Hall Office
Planning Department
County Hall
Carrigrohane Road,
Cork
T12 R2NC

25th November 2024

Our ref: 2024016 File Ref. KG/KG

**RE: Proposed Modular Calf Unit at Teagasc Moorepark, Co. Cork P61 C996
Section 5 Declaration of Exemption Application**

THE FARM STRUCTURES TABLE.

Class 6 ANIMAL HOUSING							
ID. No.	Description of structure	Animal Type	Animal No's	Discharge to: (ID No.)	Length (metres)	Width (metres)	Area (m ²)
A. EXISTING STRUCTURES IN FARMYARD							
1	Cubicle House	Cows	160	8 + 13	33.3	22.7	756
16	Cubicle House	Cows	93	13	52.6	20	1052
17	Milking Parlor	Cows	300	7	44	26.2	1153
13	Cubicle House	Cows	142	13	64	14.9	953.6
15	Weanling	Cows	120	15A+13	52.8	13.3	702.2
B. PROPOSED NEW STRUCTURES							
24	Animal Nutrition Unit	Cow	16	25	43.2	28.8	1088.25
Total Area (m²)							5,705.05

Class 8 DAIRY(etc); SILOS; SOILED YARDS						
ID. No.	Description of structure	Discharge to: (ID No.)	Length (metres)	Width (metres)	Area (m ²)	
A. EXISTING STRUCTURES IN FARMYARD						
22	Soiled Area	7	25	10	250	
B. PROPOSED NEW STRUCTURES						
Total Area (m²)						250



Partners:
Christopher John Falconer FRIAI, RIBA, ARB, CIArb, Dip. Arch.
Gareth Matthew Falconer MRIAI, RIBA OBE, ACABE, RIAI Arch. Tech.
Juneanne Falconer MRIAI, RIBA, ARB, B.Arch. (Hons), B.Sc. (Hons)

Associates:
Colin Falconer MRIAI, RIBA, ARB, Prof. Dip. (Arch), Dip. Arch, Dip. Arch. Tech.
Philip Blake MRIAI, Prof. Dip. (Arch), Dip. Arch., Dip. Arch. Tech.
David Falconer MRIAI, Prof. Dip. (Arch), B.Arch. (Hons), B.Sc. (Hons)



Class 9 STORAGE BUILDINGS; CLEAN YARDS				
ID. No.	Description of structure	Length (metres)	Width (metres)	Area (m ²)
A. EXISTING STRUCTURES IN FARMYARD				
22	Milking Equipment Store			308
B. PROPOSED NEW STRUCTURES				
Total Area (m²)				308

C. EXISTING SLURRY AND SOILED WATER STORAGE FACILITIES						
ID	Description	Effluent type stored	Length	Width	Depth	Volume (m ³)
7	Soil Water Lagoon	Soil Water	37.5	36	3.81	5141
8	Existing Tank House 1 (A)	Slurry	32	2.4	1.4	107.5
8	Existing Tank House 1 (B)	Slurry	19.2	2.4	1.4	64.5
9	Existing Tank House 2	Slurry	19.5	4.4	2.5	214.5
16	Slurry Shed	Slurry	13.5	5.6	1.4	106
13	Slurry Shed	Slurry	63.5	12.4	3	2362.2
15A	Slurry Tank	Slurry	18.75	6.2	3	348.75
25	Slurry Tank	Slurry	23.75	6.95	2	330.13
Total Volume (m³)						8,674.58

D. PROPOSED SLURRY AND SOILED WATER STORAGE FACILITIES						
ID	Description	Effluent type stored	Length	Width	Depth	Volume (m ³)
7	Soil Water Lagoon	Soil Water	37.5	36	3.81	5141
8	Existing Tank House 1 (A)	Slurry	32	2.4	1.4	107.5
8	Existing Tank House 1 (B)	Slurry	19.2	2.4	1.4	64.5
9	Existing Tank House 2	Slurry	19.5	4.4	2.5	214.5
16	Slurry Shed	Slurry	13.5	5.6	1.4	106
13	Slurry Shed	Slurry	63.5	12.4	3	2362.2
Total Volume (m³)						7995.7

Should you require any further information or clarity with respect to any aspect of this planning application, please do not hesitate to contact the undersigned.

Yours sincerely,

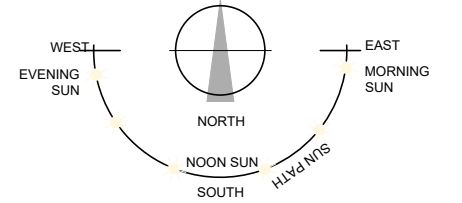


Kevin N'Guinan



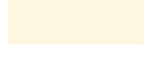



DO NOT SCALE FROM THIS DRAWING. USE FIGURED DIMENSIONS IN ALL CASES.
 VERIFY DIMENSIONS ON SITE AND REPORT ANY DISCREPANCIES TO THE ARCHITECTS IMMEDIATELY.
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NOTES



REFER TO SITE LOCATION MAP PL-101 FOR
 OVERALL SITE AND SITE NOTICE LOCATIONS

-  SITE BOUNDARY
-  ANIMAL AREA
-  PROPOSED BUILDINGS SUBJECT TO PLANNING APPLICATION
-  BUILDINGS BEEN RETAINED and SUBJECT TO PLANNING APPLICATION

REV	DATE	DRAWN	NOTES

CJFA ARCHITECTS +
C.J. Falconer + Associates
 ARCHITECTS

St. Patrick's House, Newtown, Waterford, X91-RR76, Ireland
 t: +353 (0)51 878888 e: mail@cjfa.ie w: www.cjfa.ie

JOB NUMBER: 2024016	DWG. SERIES: PLANNING	STATUS CODE: S6
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CLIENT: TEAGASC
 JOB: PROPOSED MODULAR CALF UNIT AT Teagasc Moorepark, Co. Cork
 DRAWING: FARM STRUCTURES TABLE LEGEND

DATE: 29 04 2024	SCALE: 1:100
DRAWN: Kevin N'Guinan	CHECKED:

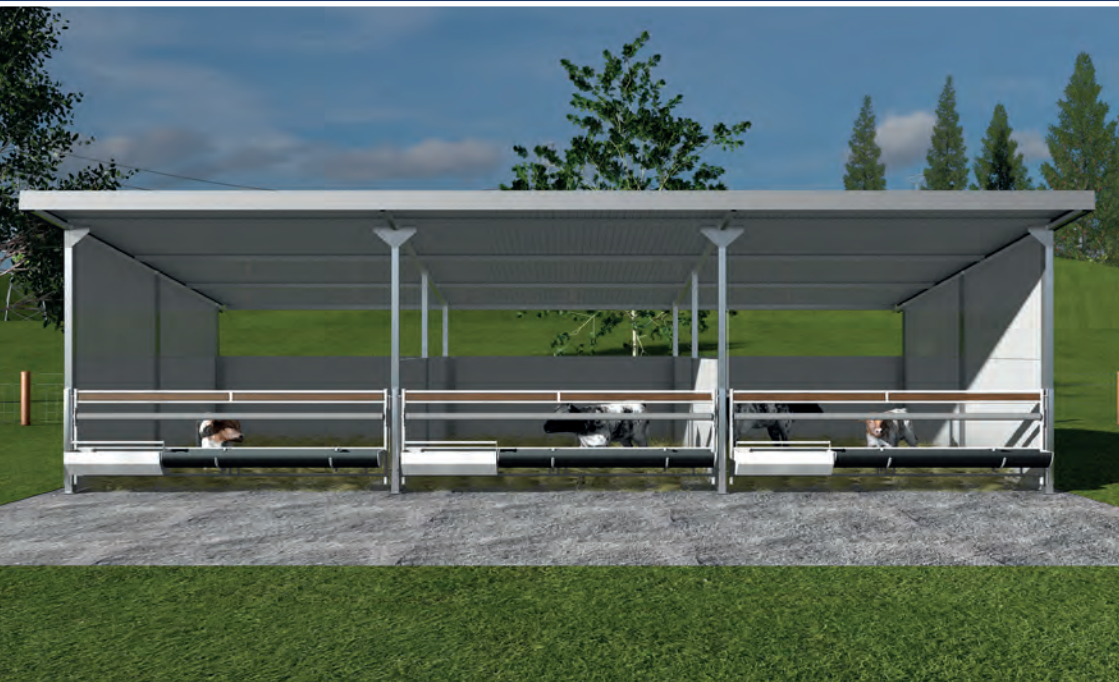
PROJECT: MCU	ORIGINATOR: CJFA	ZONE: ZZ	LEVEL: 00	TYPE: DR	DISC: A	NUMBER: 0105	REVISION:
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SINCE **B** 1922

BUITELAAR
GROUP

THE MOBILE HIGH HEALTH UNIT

DESIGNED WITH OVER 50 YEARS OF CALF REARING EXPERIENCE



PROVEN BENEFITS

- ✓ 1.3kg daily live weight gain (DLWG)
- ✓ Hygienic materials & easy clean
- ✓ Reduced antibiotic use
- ✓ Insulated roof & walls for thermo-regulation
- ✓ Modular & free standing
- ✓ Easy feed trough system
- ✓ Calf social grouping

40,000
CALVES

“ In a world where farming without antibiotics looks inevitable, we have concentrated on creating the perfect environment for the young calf. Led by our extensive results and evidence-based knowledge, the HHU is designed to stay cool in the summer and warm in the winter, providing optimal conditions for calves. ”

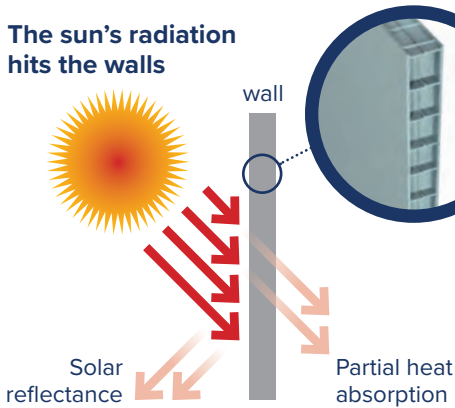
Adam Buitelaar, CEO

HYGIENIC



ROBUST PARTITION WALLS

The sun's radiation hits the walls



Thermal K-Value
0.56 m²K/W

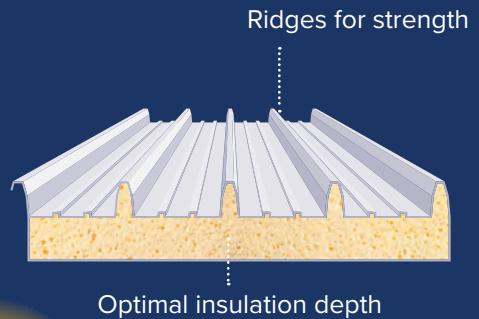
The K value in the walls ensures a steady state of heat flow, reducing heat spikes.

- ✓ **Low thermal conduction**
- ✓ **Enclosed wall cells provide insulation benefits**

INSULATED ROOF

The insulated roof panels enable heat transmission from a warm to a cold space and vice versa.

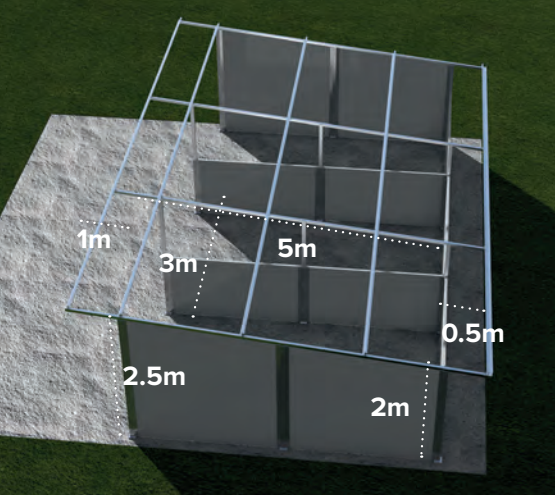
The U value keeps the calves cool in the summer and warm in the winter.



OPTIMUM INSULATION

U Value
0.46 m²K/W

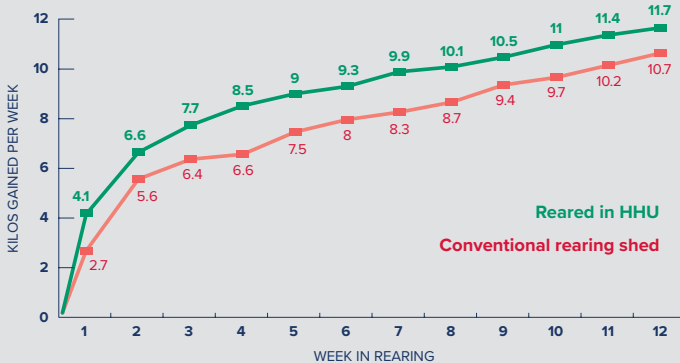
- ✓ **Modular structure - allows for later HHU additions**
- ✓ **Ideal for block calving & TB relief**
- ✓ **Alleviates space restrictions in young stock housing**
- ✓ **Fast assembly & portable structure (potentially no planning)**
- ✓ **Designed to keep bedding dry & prevent bacteria growth**



Calf Capacity	
8 - 10 per unit	
Age	Up to 12 weeks
Maximum Weight per Calf	Up to 100kg

The HHU's can be extended and arranged to requirements.

PROVEN WEIGHT GAIN AND BENEFITS



Exceeds Red Tractor and UK Government guidance for stocking density.

Research at our Development Farm found that calves were reaching 1.3kg average daily live weight gain across three calf batches.

**Trials were carried out between 1 Feb 2020 - 1 Jan 2021.*

Our Tech Team are always on hand for guidance and assistance.

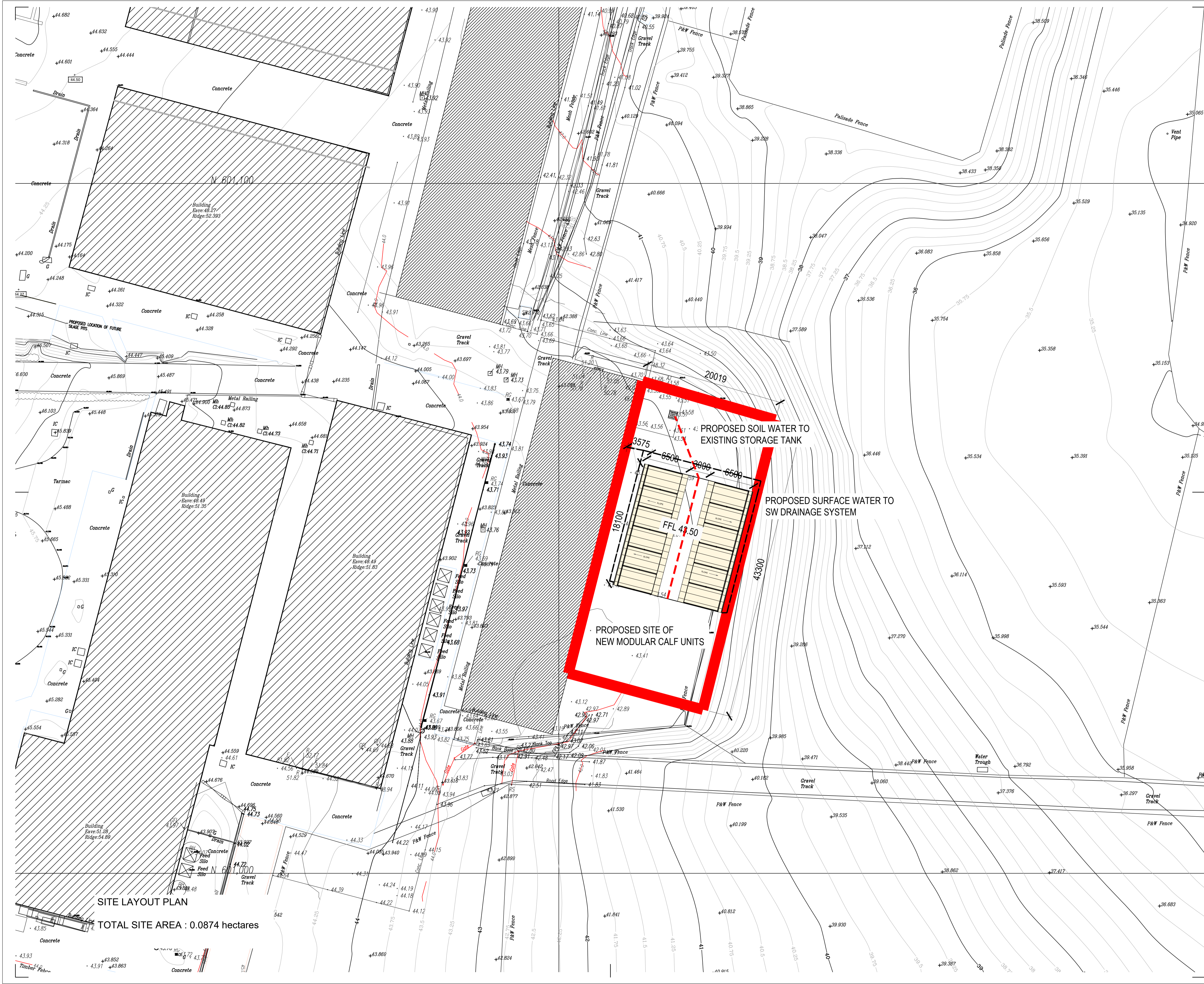
For more information contact our Customer Care Team

- 01244 293130
- info@buitelaargroup.com
- www.buitelaargroup.com
-

SINCE **B** 1922

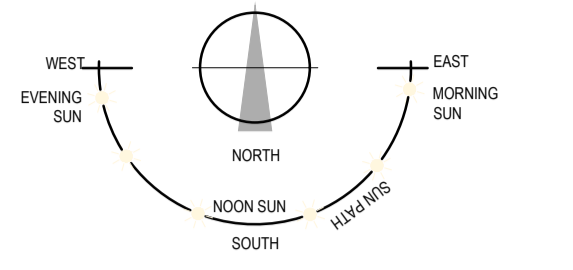
BUITELAAR
GROUP





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NOTES



REFER TO SITE LOCATION MAP PL-101 FOR OVERALL SITE AND SITE NOTICE LOCATIONS

- SITE BOUNDARY
- PROPOSED BUILDINGS SUBJECT TO PLANNING APPLICATION
- EXISTING STRUCTURES
- PROPOSED SOIL WATER RUNOFF TO EXISTING TANK
- PROPOSED SURFACE WATER RUNOFF TO EXISTING SW DRAINAGE SYSTEM

PROPOSED SOIL WATER TO EXISTING STORAGE TANK

PROPOSED SURFACE WATER TO SW DRAINAGE SYSTEM

PROPOSED SITE OF NEW MODULAR CALF UNITS

SITE LAYOUT PLAN

TOTAL SITE AREA : 0.0874 hectares

REV	DATE	DRAWN	NOTES

CJFA C.J. Falconer
ARCHITECTS + Associates
ARCHITECTS

St. Patrick's House, Newtown, Waterford, X91-RR76, Ireland.
t: +353 (0)51 878888 e: mail@cjfa.ie w: www.cjfa.ie

JOB NUMBER 2024016	DWG SERIES PLANNING	STATUS CODE S6
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CLIENT: TEAGASC
JOB: Modular Calf Unit at Teagasc Moorepark, Co. Cork

DRAWING: Proposed Site Plan

DATE: 08.10.2024	SCALE: 1:250
DRAWN: Kevin N'Guanan	CHECKED:

PROJECT: MCU	ORIGINATOR: CJFA	ZONE: ZZ	LEVEL: 00	TYPE: DR	DISC: A	NUMBER: 0103	REVISION:
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Comhairle Contae Chorcaí Cork County Council

Teagasc,
c/o C. J. Falconer & Associates,
Architects,
St. Patrick's House,
Newtown,
Waterford

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Email: planninginfo@corkcoco.ie
Web: www.corkcoco.ie



12th November, 2024

Our Ref.: D/268/24

Re: Declaration of Exempted Development under Section 5 of The Planning and Development Act 2000 – 2010.

Whether the construction of modular calf units / a cattle shed with a floor area of 180sqm at Moorepark Food Research Centre, Teagasc, Fermoy, Co. Cork is or is not development or is or is not exempted development.

Dear Sir/Madam,

I refer to your application for a Declaration of Exemption in relation to the above.

It is considered that the information submitted with the Section 5 Declaration application is insufficient to enable the Planning Authority to make a determination in this case. You are therefore requested to submit the following further information:

1. Please confirm the gross floor space of any other such structures situated within the same farmyard complex or within 100m of that complex and submit a revised site layout plan clearly identifying each structure, confirming the use and floor area of each structure within the complex or within 100m of that complex.
2. Also confirm the proposed external material finish of the subject structure, bearing in mind that the relevant exemption does not allow for the use of unpainted metal sheeting for roofing or on the external finish of the structure.
3. Confirm that the proposed calf housing will be constructed in compliance with Department of Agriculture, Food and the Marine specification S.124: Minimum Specification for Calf Housing.

4. Please also clarify how it is proposed to manage the farm effluents generated in the calf housing in relation to:
 - a. Effluent seepage from the pens.
 - b. Soiled bedding.
 - c. Rainwater falling on the open centre passage.

Yours faithfully,

A handwritten signature in blue ink, reading "Eveleen Crowley", is written over a horizontal line.

Eveleen Crowley
Clerical Officer
Planning Department

SECTION 5 DECLARATION – PLANNER’S REPORT

File Reference: D/268/24

Description: Whether the construction of modular calf units / a cattle shed with a floor area of 180sqm is or is not development or is or is not exempted development.

Applicant: Teagasc

Location: Moorepark Food Research Centre, Teagasc, Fermoy, Co. Cork

Date: 1st of November 2024

SUMMARY OF RECOMMENDATION

It is recommended that the application is deferred, on the basis that there is insufficient information to enable a decision to be made.

1. The applicant is requested to confirm the gross floor space of any other such structures situated within the same farmyard complex or within 100m of that complex.
2. The applicant is requested to confirm the proposed external material finish of the subject structure, bearing in mind that the relevant exemption does not allow for the use of unpainted metal sheeting for roofing or on the external finish of the structure.
3. The Applicant should be asked to confirm that the proposed calf housing will be constructed in compliance with Dept. of Agriculture, Food and the Marine specification S.124: Minimum Specification for Calf Housing.
4. The Applicant should be asked to clarify how it is proposed to manage the farm effluents generated in the calf housing in relation to:
 - a. Effluent seepage from the pens.
 - b. Soiled bedding.
 - c. Rainwater falling on the open centre passage.

PURPOSE OF REPORT

Under Section 5 of the Planning and Development Act, 2000 (as amended), if any question arises as to what, in any particular case, is or is not development and is or is not exempted development within the meaning of the Act, any person may, on payment of the prescribed fee, request in writing from the relevant planning authority a declaration on that question, and that person shall provide to the planning authority any information necessary to enable the authority to make its decision on the matter.

SITE LOCATION

The subject site forms part of the extensive and long established Moorepark Animal and Grassland Research Facility on the outskirts of Fermoy. At the localised level, the site occurs within a part of the campus that operates as an education and innovation centre in the eastern part of the wider campus which is itself well separated from the public road and any third-party dwellings. The existing facility includes numerous agricultural sheds within the immediate surrounding area, as well as offices and research facilities within proximity. Details of the other buildings on the campus have not been provided.

SUBJECT DEVELOPMENT

It is proposed to construct an 18.1m x 15m shed with a total stated floor area of 180sqm on the southeastern side of the existing campus. The new shed is to provide modular housing for calves with 12 no. approx. 5m x 3m pens with each pen housing 8 – 10 calves.

There is to be an open passage between two rows of pens with a slope towards the centre line of the passage. The submitted drawings show that the maximum height of the proposed structure will be 2.92m and that it is located at a distance in excess of 10m from the public road.

PLANNING HISTORY

A review of the Council's Planning Enquiry System shows there have been numerous planning applications made in respect of the overall landholding. The most recent of which are as follows:

24/5197 – Permission for: a) Demolition of our existing single storey grasslands laboratory unit and adjoining agricultural buildings, b) Construction of a new two storey laboratory building with single storey office and storage facility, c) Construction of a new agricultural animal nutrition building, d) Construction of a new ESB substation, e) Undertake all associated ancillary accommodation and site works and construction of new carpark on our site. (granted).

22/6512 – permission for construction of agricultural Mill building and canopy link to existing building, all associated site works. (granted).

21/6797 – Permission for the construction of low emissions piggery building, 4 number feeding silos and all associated site works (granted).

20/6904 – Permission for the construction of a two-storey office development (with pedestrian link bridge) extension to the side and rear of the Paddy O'Keeffe Innovation Centre and also undertake remodelling and expansion of the existing carpark and road network. All the above works to be inclusive of associated ancillary accommodation and site works (granted).

20/5476 – Permission for the development consisting of the relocation of the current R639 (AGRI Centre) vehicular entrance from its current location to a new vehicular entrance location serviced from the existing roundabout located at R639, Junction 14, M8 roundabout (inclusive of all associated site works) to service the campus (withdrawn).

18/7004 – Permission for a development to be constructed in two phases. The development will consist of the construction of a new three storey extension (with rooftop plant and equipment), containing laboratories and office accommodation, extension to the canteen facilities, and all associated site works, carparking and road network (granted).

17/4320 – Permission for extensions to the existing MTL building as follows:- Construction of two storey and single storey extensions to the south to contain offices, laboratories, canteen, including renovation works to the existing staff changing area, also extension to the north to contain new processing areas and storage facilities [to match height of existing building] and the construction of a new plant room above height of existing roof level. In addition, the construction of a new lift shaft attached to the existing drying tower building coupled with the redesign and new roof treatment of the drying tower building and relocation of existing 11m high effluent tank. All the above works to be undertaken inclusive of additional car parking spaces, revisions to internal road access roadway and all associated site works including services and ancillary accommodation on site (granted).

17/5729 – Permission for the construction of a single storey extension infill building in existing courtyard to include open plan write up office area and all associated site works (granted).

14/5935 – Permission for the development will consist of the construction of a single storey extension (in 2 phases) infill building in existing courtyard to include 2 no. laboratories, hot desks/write up areas and circulation area and all associated site works (granted).

14/5693 – Permission for the construction of a 200 integrated sow unit, fattener building and weaner/farrow building with covered links to existing piggery and new integrated office area, a feed distribution building, ancillary feed silos and construction of food test/research facility with covered link to adjacent gilt isolation building. Demolition of existing office building. Construction of additional car park facilities, concrete yards and associated site works including gravel tracks and services and undertake all associated site works (alterations to layout and reduction in scale to permission granted for piggery development under Planning Reg. No. 13/4193) (granted).

14/4701 – Permission for the demolition of existing farmyard buildings and the construction of hay barn, machinery shed, 4 no. feed silos, calving box building, refurbishment and extension to cow unit, new calf unit, new bunded slurry storage tank, rainwater store, slatted yards and additional car parking facilities, new well and associated pump house, new farm road network and associated site works including services and undertake all associated site works (granted).

13/4193 – Permission for the demolition of existing piggery buildings including part demolition of 1 no. building and the construction of new piggery buildings consisting of fattener building, weaner/farrow building with covered links to existing piggery and existing office building and replacement of roof and internal alterations to existing office building, construction of feed tote unit and grain silos and construction of food test/research facility with covered link to adjacent gilt isolation building. Construction of additional car parking facilities, concrete yards and associated site works including gravel tracks and services and undertake all associated site works (granted).

12/6095 – Permission for the construction of a two storey building to contain offices, research educational facilities and associated ancillary accommodation. The building will be linked to the existing office building with a covered walkway. Siteworks will include removal of existing prefab research educational buildings and office buildings, the construction of additional carparking facilities, alterations to existing carpark and undertake all associated siteworks.

12/5193 – Permission for the Construction of a two storey dry goods store and new roofed walkway area between the existing and proposed buildings (granted).

11/5632 – Permission for the construction of a single storey autoclave room between the existing boiler house and library building and a single storey extension to the existing technology building to consist of a general office/student room and ancillary facilities (granted).

11/5473 – Permission for the construction of 3 no. new research and development units, each 2/3 storeys high, including single storey link corridor to existing building, car parking and ancillary facilities (granted).

11/5384 – Permission for the construction of a single storey office extension to rear of existing Technology Hall (granted).

07/4571 – Permission for the construction of two storey extension to laboratory facility to include laboratories, offices, toilets, ancillary accommodation with ancillary infrastructure and partially enclosed courtyard (granted).

06/12095 – Permission to complete construction of single storey extension to research laboratory with conference centre and extension to central kitchen originally granted permission under pl. reg. no. 01/3178 (granted).

05/5591 – Permission for the construction of 4 no. research and development units including a link corridor, extension to existing corridor adjoining permitted powder store, relocation of powder mill room and waste packaging recycling facilities and associated works (granted).

05/348 – Permission for extension to store (granted).

04/2548 – Permission for milking parlour (granted).

01/3178 – Permission for the construction of single storey extension to research laboratory with conference facility & extension to central kitchen (granted).

LEGISLATIVE CONTEXT

Planning and Development Act, 2000

Section 3(1) of the Act states the following in respect of ‘development’: “In this Act, ‘development’ means, except where the context otherwise requires, the carrying out of any works on, in, over or under land or the making of any material change in the use of any structures or other land.”

Section 2(1) of the Act states the following in respect of ‘works’: “Any act or operation of construction, excavation, demolition, extension, alteration, repair or renewal...”

Section 4(1) sets out various forms and circumstances in which development is exempted development for the purposes of the Act. Section 4 (1) (a) states that development consisting of the use of any land for the purposes of agriculture and development consisting of the use for that purpose of any building occupied together with land so used.

Section 4 (2)(a) of the Act enables certain classes of development to be deemed exempted development by way of regulation.

Section 4(4) states that notwithstanding paragraph (a) of subsection (1) and any regulations under subsection (2), development shall not be exempted development if an environmental impact assessment or an appropriate assessment is required.

Planning and Development Regulations, 2001 as amended.

Article 6(3) states: Subject to Article 9, in areas other than a city, a town or an area specified in section 19 (1) (b) of the Act or the excluded areas as defined in section 9 of the Local Government (Reorganisation) Act, 1985 (No.7 of 1985), development of a class specified in Column 1 of Part 3 of Schedule 2 shall be exempted development for the purposes of the Act, provided that such development complies with the conditions and limitations specified in column 2 of the said Part 3 opposite the mention of that class in the said column 1.

Schedule 2, Part 3 – Exempted Development

Class 6: Class 6 of Part 3 of Schedule 2 of the Planning and Development Regulations states that the following are exempted development:

Works consisting of the provision of a roofed structure for the housing of cattle, sheep, goats, donkeys, horses, deer or rabbits, having a gross floor space not exceeding 200sq.m. (whether or not by extension of an existing structure), and any ancillary provision for effluent storage. Conditions and limitations associated with Class 6 of Part 3 Schedule 2 of the Planning and Development Regulations, 2001 to 2015 state that:

1. No such structure shall be used for any purpose other than the purpose of agriculture.
2. The gross floor space of such structure together with any other structures situated within the same farmyard complex or within 100m of that complex shall not exceed 300sq.m. gross floor space in aggregate.
3. Effluent storage facilities adequate to serve the structure having regard to its size, use and location shall be constructed in line with Department of Agriculture, Food and Rural Development and

Department of Environment and Local Government requirements and shall have regard to the need to avoid water pollution.

4. No such structure shall be situated, and no effluent from such structure shall be stored, within 10m of any public road.
5. No such structure shall be situated, and no effluent from such structure shall be stored, within 100m of any house (other than the house of the person providing the structure) or other residential building or school, hospital, church or building used for public assembly, save with the consent on writing of the owner and, as may be appropriate, the occupier or person in charge.
6. No unpainted metal sheeting shall be used for roofing or on the external finish of the structure.

Restrictions on exemption by virtue of Article 9(1)(a) of the Planning and Development Regulations 2001 (as amended)

Article 9 (1) (a) provides that certain development to which Article 6 relates (i.e. exempted development) shall not be exempted in various circumstances. Article 9(1) states that: Development to which Article 6 relates shall not be exempted development for the purposes of the Act – (a) if the carrying out of such development would:

(iii) endanger public safety by reason of traffic hazard or obstruction of road users,

(viiB) comprise development in relation to which a planning authority or An Bord Pleanála is the competent authority in relation to appropriate assessment and the development would require an appropriate assessment because it would be likely to have a significant effect on the integrity of a European site.

ASSESSMENT

The question which arises in this case is whether the construction of a modular animal building / cattle shed with a proposed floor area of 180sqm is or is not development or is or is not exempted development.

Is or is not development?

Development is defined, under Section 3(1) of the Planning and Development Act, 2000 (as amended), as “the carrying out of works on, in, over or under land...” Works are defined, under Section 2(1) of this Act, as including “any act or operation of construction, excavation, demolition, extension.

The construction of the proposed cattle shed with slatted tank and adjoining straw storage shed consists of the carrying out of ‘works’ and therefore **constitute ‘development’**, as defined in Section 3 of the Planning and Development Act 2000, as amended.

Is or is not exempted development?

Schedule 2, Part 3 of the Planning and Development Regulations 2001-2020 sets out classes of agricultural development which are deemed to constitute exempted development.

Class 6 of Part 3 relates to ‘the provision of a roofed structure for the housing of...cattle...having a gross floor space not exceeding 200 square metres’, however; condition 2 of this Class stipulates that the gross floor space of such a structure together with any other such structures situated within the same farmyard complex or within 100 metres of that complex shall not exceed 300 square metres gross floor space in aggregate.

In considering the relevant conditions and limitations associated with Class 6 of Part 3 Schedule 2 I note the following:

1. No such structure shall be used for any purpose other than the purpose of agriculture. - The intended use is for housing cattle for the purposes of agriculture.
2. The gross floor space of such structure together with any other such structures situated within the same farmyard complex or within 100m of that complex shall not exceed 300sq.m. gross floor space in aggregate. - Based on the submitted details the proposed cattle shed has a proposed floor area of 180sqm and so falls below the maximum size threshold for an individual structure. **There are numerous other existing such structures within the overall site, clarity should be sought in this regard.**
3. Effluent storage facilities adequate to serve the structure having regard to its size, use and location shall be constructed in line with Department of Agriculture, Food and Rural Development and Department of Environment and Local Government requirements and shall have regard to the need to avoid water pollution. – **I note the report from Environment which states that the Applicant should be asked to clarify how it is proposed to manage the farm effluents generated in the calf housing in relation to:**
 - a. **Effluent seepage from the pens.**
 - b. **Soiled bedding.**
 - c. **Rainwater falling on the open centre passage.**
4. No such structure shall be situated, and no effluent from such structure shall be stored, within 10m of any public road. – The structure is in excess of 10m from the public road.
5. No such structure within 100m of any public road shall exceed 8m in height. – The maximum height of the structure is stated as being 2.92m.
6. No such structure shall be situated, and no effluent from such structure shall be stored, within 100m of any house (other than the house of the person providing the structure) or other residential building or school, hospital, church or building used for public assembly, save with the consent on writing of the owner and, as may be appropriate, the occupier or person in charge. – None within 100m of site.
7. No unpainted metal sheeting shall be used for roofing or on the external finish of the structure. – Proposed external finishes appear to include mass concrete on the lower half of some of the walls and cladding to the upper walls and roof. **It is not stated whether the proposed finish will be a painted/coated metal sheeting. Clarity should be sought in this regard.**

Having reviewed the application drawings/ documents, further information is required to ascertain whether the proposed cattle shed accords with the requirements of Class 6.

In relation to restrictions on exemptions by virtue of Article 9(1)(a) of the Planning and Development Regulations 2001 (as amended) I note the following:

Article 9 (1) (a) provides that certain development to which Article 6 relates (i.e. exempted development) shall not be exempted in various circumstances. Article 9(1) states that: Development to which Article 6 relates shall not be exempted development for the purposes of the Act – (a) if the carrying out of such development would:

(iii) endanger public safety by reason of traffic hazard or obstruction of road users, - The subject site lies within the southeastern end of the overall landholding/ Moorepark facility. It is considered that the proposed development would not require farm machinery to enter / use the public road network. It is considered that the overall nature and scale of the proposed development would not constitute intensification of use.

Therefore, it is considered that the proposed development would not endanger public safety by reason of traffic hazard or obstruction of road users.

(viiB) comprise development in relation to which a planning authority or An Bord Pleanála is the competent authority in relation to appropriate assessment and the development would require an appropriate assessment because it would be likely to have a significant effect on the integrity of a European site.

EIAR and SUB-THRESHOLD EIAR

Projects which are likely to have significant effects on the environment are identified in Annex I and Annex II of the EIA Directive, which have been transposed into Irish legislation by Part I and Part II, Schedule 5 of the Planning and Development Regulations 2001 (as amended). Agricultural sheds are not of a Class of development listed under Part 1 or 2 (Schedule 5) of the Planning and Development Regulations 2001. As such, Environmental Impact Assessment does not apply in this case. Thus, the provisions of Section 4(4) of the Planning and Development Act 2000 (as amended) are not relevant.

Having regard to the contents of Article 103 (as amended by Article 14 of the Planning and Development (Amendment) (No3) Regulations 2011) and Schedule 7 of the Planning and Development Regulations 2001 (as amended) it is considered that the proposed development by reason of its nature, scale and location would not be likely to have significant effects on the environment. Accordingly, it is considered that a sub-threshold EIAR is not required to be submitted.

APPROPRIATE ASSESSMENT

As regards Appropriate Assessment Section 4(4) of the Planning and Development Act restricts exemption where development needs an appropriate assessment. In view of the scale and the nature and extent of the development, together with the separation and hydrological distances from the nearest European sites, it is considered that no appropriate assessment issues arise. It is considered that the development would not be likely to have a significant effect individually or in combination with other plans or projects on a European site. Appropriate Assessment is not therefore required, and the provisions of Section 4(4) of the Planning and Development Act 2000 (as amended) are not relevant.

CONCLUSION

Having regard to:


- the particulars received by the Planning Authority on 14th October 2024,
- Section 2(1) of the Planning and Development Act, 2000, as amended,
- Section 3(1) of the Planning and Development Act, 2000,
- Section 4(1)(a) of the Planning and Development Act, 2000, as amended,
- Article 9(1) of the Planning and Development Regulations, 2001, as amended,
- Class 6 of Part 3 of Schedule 2 to the Planning and Development Regulations, 2001, as amended.

It is recommended that the application is deferred, on the basis that there is insufficient information to enable a decision to be made.

1. The applicant is requested to confirm the gross floor space of any other such structures situated within the same farmyard complex or within 100m of that complex and submit a revised site layout plan

clearly identifying each structure and confirming the use and floor area of each structure within that complex or within 100m of that complex.

2. The applicant is requested to confirm the proposed external material finish of the subject structure, bearing in mind that the relevant exemption does not allow for the use of unpainted metal sheeting for roofing or on the external finish of the structure.
3. The Applicant should be asked to confirm that the proposed calf housing will be constructed in compliance with Dept. of Agriculture, Food and the Marine specification S.124: Minimum Specification for Calf Housing.
4. The Applicant should be asked to clarify how it is proposed to manage the farm effluents generated in the calf housing in relation to:
 - a. Effluent seepage from the pens.
 - b. Soiled bedding.
 - c. Rainwater falling on the open centre passage.



Janet Payne
Executive Planner
01/11/2024



L Ahern
A/Senior Executive Planner
11/11/2024

Application for Planning Exemption

Reference: D/268/24

Applicant: Teagasc, Moorepark Food Research Centre, Fermoy, Co. Cork

Date: 23rd Oct '24

By: Kevin Murphy

Existing Site

The proposed development is on the Teagasc Moorepark Food Research Centre at Moorepark, Fermoy, Co. Cork. The existing facility includes agricultural sheds, offices and research facilities; details of other buildings on the campus have not been provided.

Details of Application

It is proposed to construct an 18.1m x 15m shed on the east side of the existing campus. The new shed is to provide modular housing for calves with 12 no. approx. 5m x 3m pens with each pen housing 8 – 10 calves. There is to be an open passage between two rows of pens with a slope towards the centre line of the passage.

Assessment of Application

The proposed shed is to be used to house up to 120 calves. No details have been provided for the collection and storage of soiled bedding or effluent seepage.

It appears that rainwater falling on the open passage is to be discharged to the centre of the passage prior to discharging to one or both ends of the building.

The proposed shed will be at approx. 50m from a pond on the east side of the Moorepark Food Research Centre and at approx. 400m from the River Funshion.

Conclusions

The proposed modular calf housing appears to comply with the Conditions and Limitations for a Class 6 structure and, subject to good management, should not be a source of water pollution.

1. The Applicant should be asked to confirm that the proposed calf housing will be constructed in compliance with Dept. of Agriculture, Food and the Marine specification S.124: Minimum Specification for Calf Housing.
2. The Applicant should be asked to clarify how it is proposed to manage the farm effluents generated in the calf housing and rainwater falling on the centre passage:
 - a. Effluent seepage from the pens.
 - b. Soiled bedding.
 - c. Rainwater falling on the open centre passage.

END



Planning Dept.
County Hall,
Carrigrohane Road,
Cork,
T12 R2NC

Our ref: 2024016 .FileRef.GMF/AD
Date: 10th October 2024



RE: 2024016 - Teagasc - Modular Calf Unit at Teagasc Moorepark, Co. Cork
Section 5 Declaration of Exemption Application

Dear Sir / Madam,

We write on behalf of our client John Paul Murphy, Farm Manager at Teagasc Moorepark.

We enclose a Section 5 Declaration Application and drawings for an agricultural building on their agricultural campus. Also enclosed is a cheque for the application fee in the amount of €80.

We would be very grateful if could review our application at your earliest convenience.

Yours sincerely,

Mr. Gareth Matthew Falconer
MRIAI, RIBA OBE, RIAI Arch. Tech., ACABE, AMIAS, RIAI PSDP, RIAI Conservation Architect G3
Partner

Encs: Application Form x 4 No x copies.
4 No. Drawings x 4 No copies
Cheque €80





CORK COUNTY COUNCIL APPLICATION FOR SECTION 5 DECLARATION OF EXEMPTION

APPLICANT CHECKLIST

(Please tick ✓)

4 No. Copies of Application Form:

1 No. Copy of Contact Details:

4 No. Copies 6" O.S. Maps:

4 No. Copies 25" O.S. Maps:

4 No. Copies of Site Layout Plan:

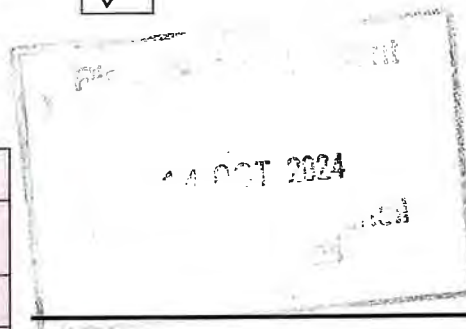
4 No. Copies Scaled Drawings of Development:

€80 Application Fee:

✓
✓
✓
✓
✓
✓
✓

FOR OFFICE USE ONLY

Receipt No.	PL2000 2421
Cash/Cheque/ Credit Card	Cheque
Date	14/10/24
Declaration Ref. No.	D/268/24



DATE STAMP HERE

You should make sure that you are satisfied that any information/documentation that you submit is appropriate to be viewed by the public. Please do not submit any information that you do not want 3rd parties to view.

In the case of a Declaration of Exemption for Land Reclamation, the following additional information is required:

- A copy of the details submitted to the Council's Environment Department (Inniscarra) for a Waste Licence Permit
- Correspondence from Teagasc (detailing how the land reclamation would benefit the land in question for agricultural purposes)
- Details of existing and proposed levels
- Details of fill material and duration of fill.

DATA PROTECTION

The planning process is an open and public one. In that context, all applications for Declarations of Exemption are made available for public inspection.

Personal information collected by Cork County Council is done so in order for us to process your application for a Section 5 Declaration of Exemption. Legally we can process this information as it is necessary for us to comply with our statutory/legal obligations. The protection of our personal data is a key priority for the Council and your data will be processed in line with our Privacy policy which is available at <http://www.corkcoco.ie/Privacy-Policy> or hardcopy from our offices at County Hall, Carrigrohane Road, Cork, Ireland. Should you have any questions about our privacy policy or the information we hold about you, please contact us by email to dpo@corkcoco.ie or write to us at Data Protection Officer, Cork County Council, County Hall, Carrigrohane Road, Cork, Ireland.

1. NAME OF APPLICANT: (ADDRESS TO BE SUPPLIED AT QUESTION A – CONTACT DETAILS)

Mr. John Paul Murphy (Farm Manager)
Teagasc, Moorepark, Fermoy,
Co. Cork.

2. POSTAL ADDRESS OF LAND OR STRUCTURE FOR WHICH DECLARATION OF EXEMPTION IS SOUGHT:

Moorepark Food Research Centre,
Teagasc, Fermoy, Co. Cork.
(in the townland of Shanacloon)

3. QUESTION/DECLARATION DETAILS:

Please state the specific question for which a Declaration of Exemption is sought

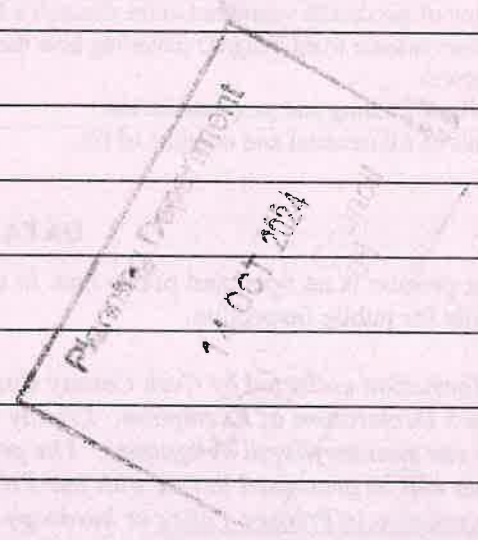
Note: Only works listed and described under this section will be assessed under the Section 5 Declaration of Exemption

Teagasc Moorepark wish to install a modular animal building on their farm at Moorepark.

The building will consist of Modular Calf Unit in bays of 5m by 3m for the block housing of 8 to 10 calves and all associated site works. Each unit measures 15m² with the area of the subject to this application to include

12 units in two separate runs of 6 units measuring 90m² each. Total area 180m².

All as per attached Drawings.

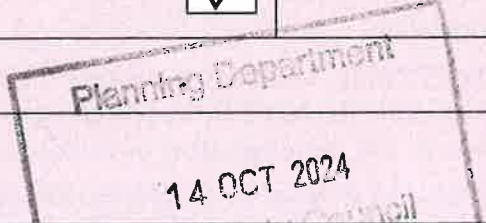


4. APPLICATION DETAILS:

Answer the following if applicable. Note: Floor areas are measured from the inside of the external walls and should be indicated in square metres (m²)

(a) Floor area of existing /proposed structure(s):	180m ²
(b) If a domestic extension is proposed, have any previous extensions/structures been erected at this location after 1 st October, 1964 (including those for which planning permission has been obtained):	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> If yes, please provide floor areas (m ²) and previous planning reference(s) where applicable:
(c) If a change of use of land and/or building(s) is proposed, please state the following: Existing/previous use <hr/> Not Applicable	Proposed use <hr/> Not Applicable
(d) Are you aware of any enforcement proceedings connected to this site?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> If yes, please state relevant reference number(s):

5. LEGAL INTEREST OF APPLICANT IN THE LAND/STRUCTURE:

Please tick appropriate box to show applicant's legal interest in the land or structure:	A. Owner <input checked="" type="checkbox"/>	B. Other <input type="checkbox"/>
Where legal interest is "Other", please state your interest in the land/structure:		
If you are not the legal owner, please state the name of the owner/s (address to be supplied at Question C in Contact Details):		

6. PROTECTED STRUCTURE DETAILS / ARCHITECTURAL CONSERVATION AREA:

Is this a Protected Structure/Proposed Protected Structure or within the curtilage of a Protected Structure: Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
If yes, has a Declaration under Section 57 of the Planning & Development Act 2000 been requested or issued for the property by the Planning Authority: Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
If yes, please state relevant reference No. _____
Is this site located within an Architectural Conservation Area (ACA), as designated in the County Development Plan? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>

7. APPROPRIATE ASSESSMENT:


Would the proposed development require an appropriate assessment because it would be likely to have a significant effect on the integrity of a European site (SAC, SPA etc)? Yes No

8. DATA PROTECTION DECLARATION:

In order for the Planning Authority to process the personal data you have provided, your consent is required. By ticking the box below, you consent to the Planning Authority processing the personal data provided by you in line with the terms of Cork County Council's Privacy Policy available at <http://www.corkcoco.ie/privacy-statement-cork-county-council> or in hardcopy from any Council office; and to having your information processed for the following purposes:

Processing of your Declaration of Exemption application by the Planning Authority

I give permission for my personal information to be processed for the purpose stated above

Signed (By Applicant Only)	
Date	10th October 2024

GDPR Special Categories of data / Sensitive Personal data - Explicit Consent

Where Special Categories of personal data / sensitive personal data are provided as part of / in support of a declaration application, **explicit consent** to the processing of the special categories of data must be given by the person to whom the data refers, namely the Data Subject.

Special Categories of data / Sensitive Personal data include:

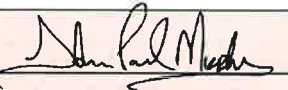
- Race
- Ethnic origin
- Political opinions
- Religion
- Philosophical beliefs
- Trade union membership
- Genetic data
- Biometric data
- Health data
- Concerning a natural person's sex life
- Sexual orientation



In order for the Planning Authority to process the sensitive personal data you have provided, your consent is required. By ticking the box below, you consent to the Planning Authority processing the personal data provided by you in line with the terms of Cork County Council's Privacy Policy available at <https://www.corkcoco.ie/privacy-statement-cork-county-council> or in hardcopy from any Council office; and to having your information processed for the following purposes:

Sensitive personal data being submitted in support of Declaration of Exemption Application

I give permission for my sensitive personal data submitted to the Planning Authority to be processed for the purpose stated above.

Signed	
Date	10th October 2024

You have the right to withdraw your consent by contacting the Planning Department, Ground Floor, County Hall, Carrigrohane Road, Cork. Tel: (021) 4276891 Email: planninginfo@corkcoco.ie or by contacting the Planning Department, Norton House, Cork Road, Skibbereen, Co. Cork. Tel: (028) 40340 Email: westcorkplanninginfo@corkcoco.ie However if consent to the use of personal data is withdrawn during the declaration of exemption decision-making process this information cannot be considered as part of the decision making process. Once a decision has been made, an applicant is not entitled to withdraw consent, as the right of erasure does not apply to a situation where processing is required for compliance with a legal obligation or for the performance of a task carried out in the public interest.

Please note that all information / supporting documentation submitted will be available publicly to view at the Planning Authority offices.

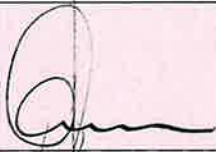
ADVISORY NOTES:

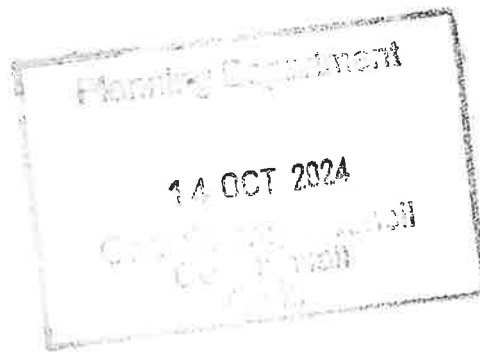
The application must be accompanied by the required fee of €80
 The application must be accompanied by a site location map which is based on the Ordnance Survey map for the area, is a scale not less than 1:1000 and it shall clearly identify the site in question.
 Sufficient information should be submitted to enable the Planning Authority to make a decision. If applicable, any plans submitted should be to scale and based on an accurate survey of the lands/structure in question.
 The application should be sent to the following address:
 The Planning Department, Cork County Council, Floor 2, Co. Hall, Carrigrohane Road, Cork, T12 R2NC; or for applications related to the Western Division, The Planning Department, Cork County Council, Norton House, Cork Road, Skibbereen, Co. Cork, P81 AT28.

- The Planning Authority may require further information to be submitted to enable the authority to issue a decision on the Declaration of Exemption application.
- The Planning Authority may request other person(s), other than the applicant; to submit information on the question which has arisen and on which the Declaration of Exemption is sought.
- Any person issued with a Declaration of Exemption may on payment to An Bord Pleanála refer a Declaration of Exemption for review by the Board within 4 weeks of the date of the issuing of the Declaration of Exemption decision.
- In the event that no Declaration of Exemption is issued by the Planning Authority, any person who made a request may on payment to the Board of such a fee as may be prescribed, refer the question for decision to the Board within 4 weeks of the date that a Declaration of Exemption was due to be issued by the Planning Authority.

The application form and advisory notes are non-statutory documents prepared by Cork County Council for the purpose of advising the type of information which is normally required to enable the Planning Authority to issue a Declaration of Exemption under Section 5. This document does not purport to be a legal interpretation of the statutory legislation nor does it state to be a legal requirement under the Planning and Development Act 2000 as amended, or Planning and Development Regulations, 2001, as amended.

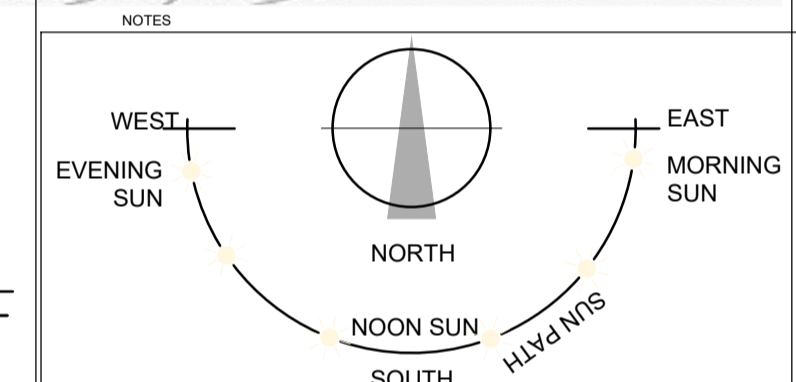
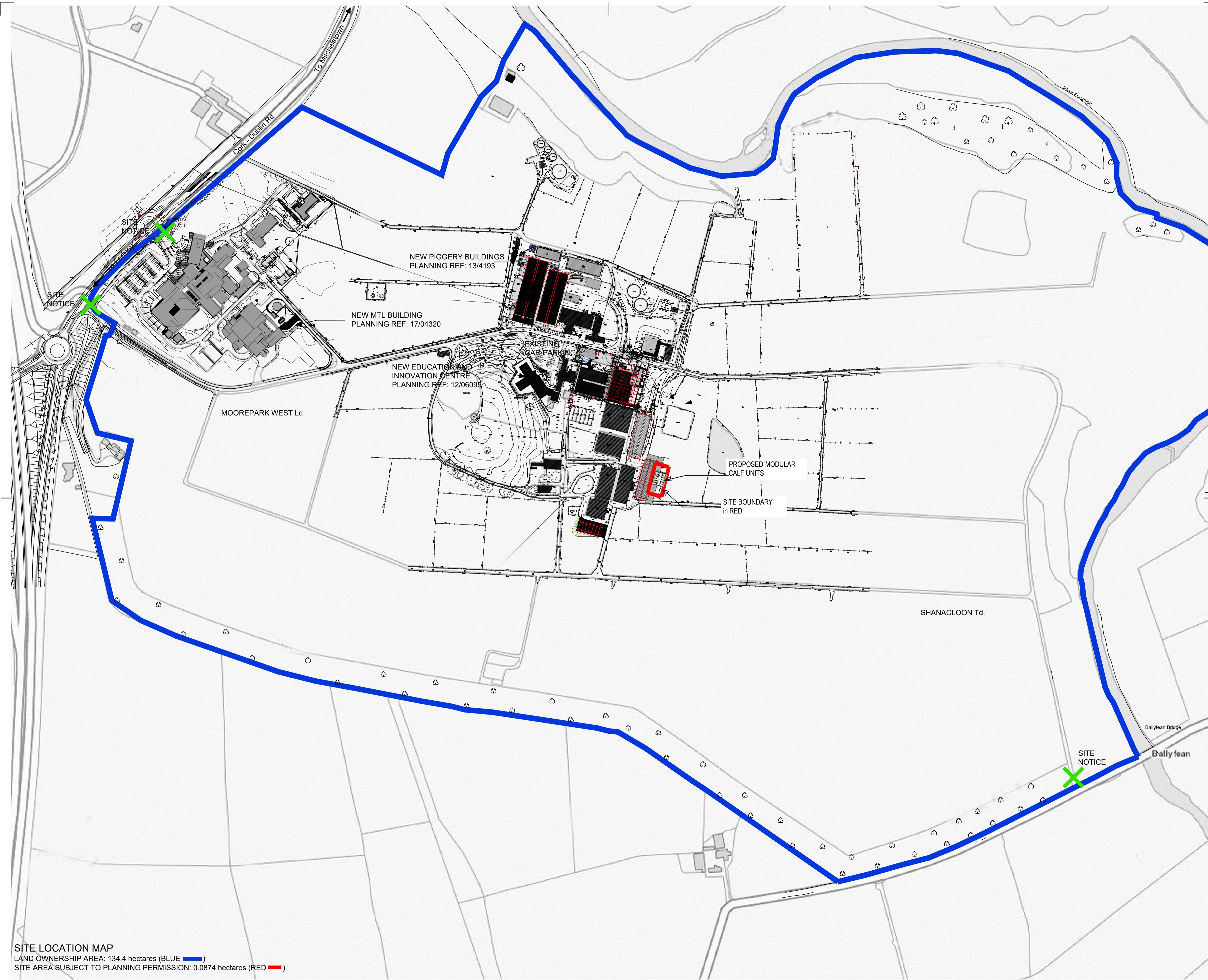
9. I hereby declare that, to the best of my knowledge and belief, the information given in this form is correct, accurate and fully compliant with the Planning and Development Acts 2000, as amended and the Regulations made thereunder:

<i>Signed (Applicant or Agent as appropriate)</i>	
Date	10th October 2024



DO NOT SCALE FROM THIS DRAWING. USE FIGURED DIMENSIONS IN ALL CASES.
 VERIFY DIMENSIONS ON SITE AND REPORT ANY DISCREPANCIES TO THE ARCHITECTS IMMEDIATELY.
 THIS DRAWING IS COPYRIGHT AND MAY ONLY BE REPRODUCED WITH THE ARCHITECTS PERMISSION.

NOTES



SITE LOCATION MAP
 SCALE 1:2500

SITE BOUNDARY
 DELINEATED IN RED

OTHER LAND OWNED BY
 APPLICANT DELINED IN BLUE

TAKEN FROM O.S. SHEET NO.
 OS CORK 27, 28, 35 & 36

Ordnance Survey Ireland
 Licence No. AR0005424
 © Government of Ireland

X LOCATION OF PUBLIC SITE NOTICES

REV	DATE	DRAWN	NOTES

CJFA ARCHITECTS
C.J. Falconer + Associates ARCHITECTS

St. Patrick's House, Newtown, Waterford, X91-RR76, Ireland.
 t: +353 (0)51 878888 e: mail@cjfa.ie w: www.cjfa.ie

JOB NUMBER: 2024016	DWG SERIES: PLANNING	STATUS CODE: S6
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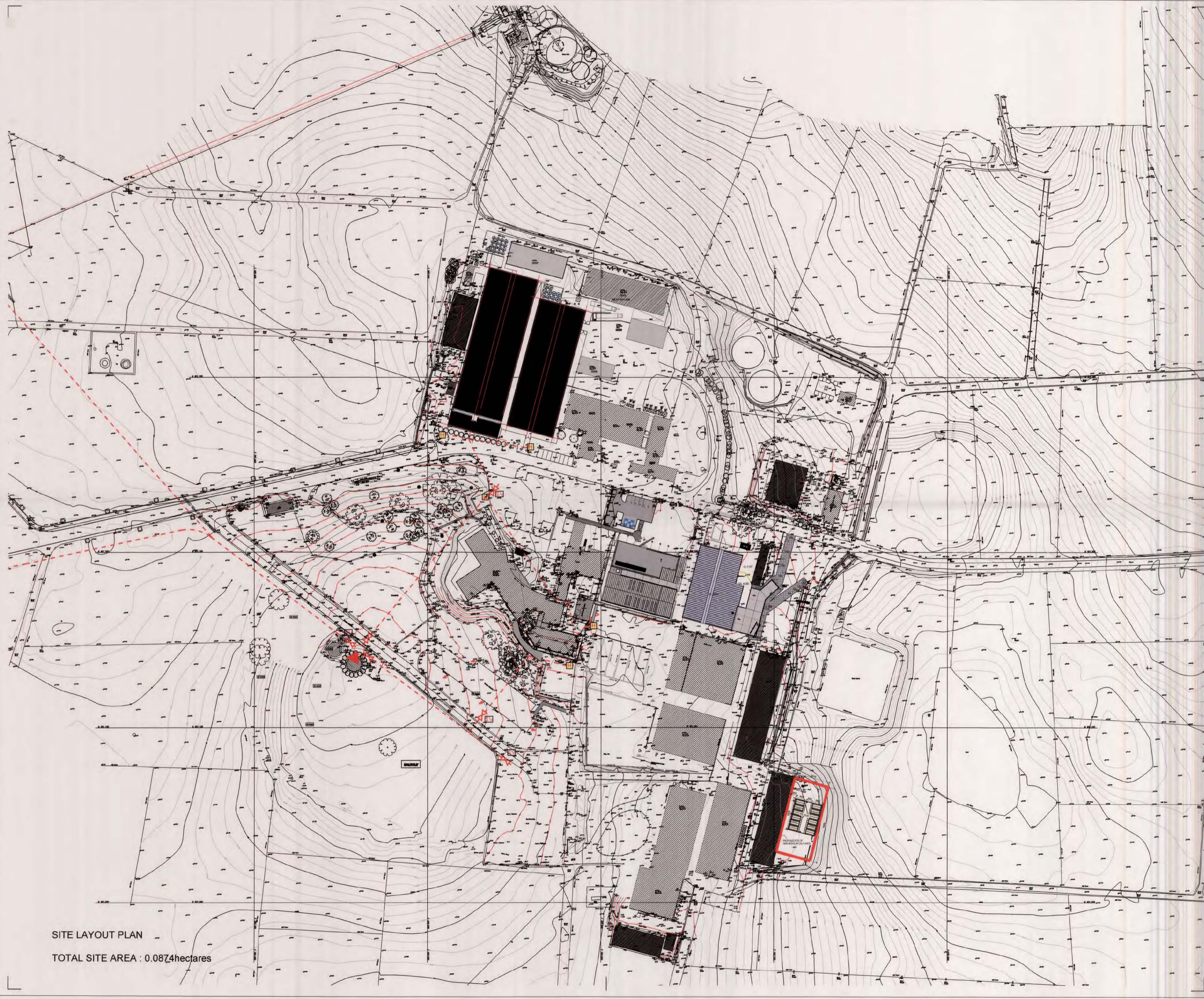
CLIENT: TEAGASC
 JOB: Modular Calf Unit at Teagasc Moorepark, Co. Cork

DRAWING: Proposed Site Location

DATE: 08/10/2024	SCALE: 1:2500
DRAWN: Kevin N'Guanan	CHECKED:

PROJECT	ORIGINATOR	ZONE	LEVEL	TYPE	DISC	NUMBER	REVISION
MCU	CJFA	ZZ	00	DR	A	0101	

SITE LOCATION MAP
 LAND OWNERSHIP AREA: 134.4 hectares (BLUE)
 SITE AREA SUBJECT TO PLANNING PERMISSION: 0.0874 hectares (RED)

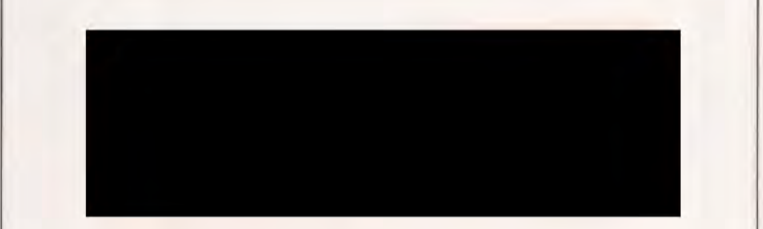


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NOTES

REFER TO SITE LOCATION MAP PL-101 FOR OVERALL SITE AND SITE NOTICE LOCATIONS

- SITE BOUNDARY
- PROPOSED BUILDINGS SUBJECT TO PLANNING APPLICATION
- EXISTING STRUCTURES
- BUILDINGS BEEN DEMOLISHED and SUBJECT TO PLANNING APPLICATION



Planning Department
 14 OCT 2024
 Cork County Council
 County Hall
 CORK

REV	DATE	DRAWN	NOTES

CJFA ARCHITECTS
C.J. Falconer + Associates ARCHITECTS

St. Patrick's House, Newtown, Waterford, X91-RR76, Ireland.
 t: +353 (0)51 878888 e: mail@cjfa.ie w: www.cjfa.ie

JOB NUMBER	DWG. SERIES	STATUS CODE
2024016	PLANNING	S6

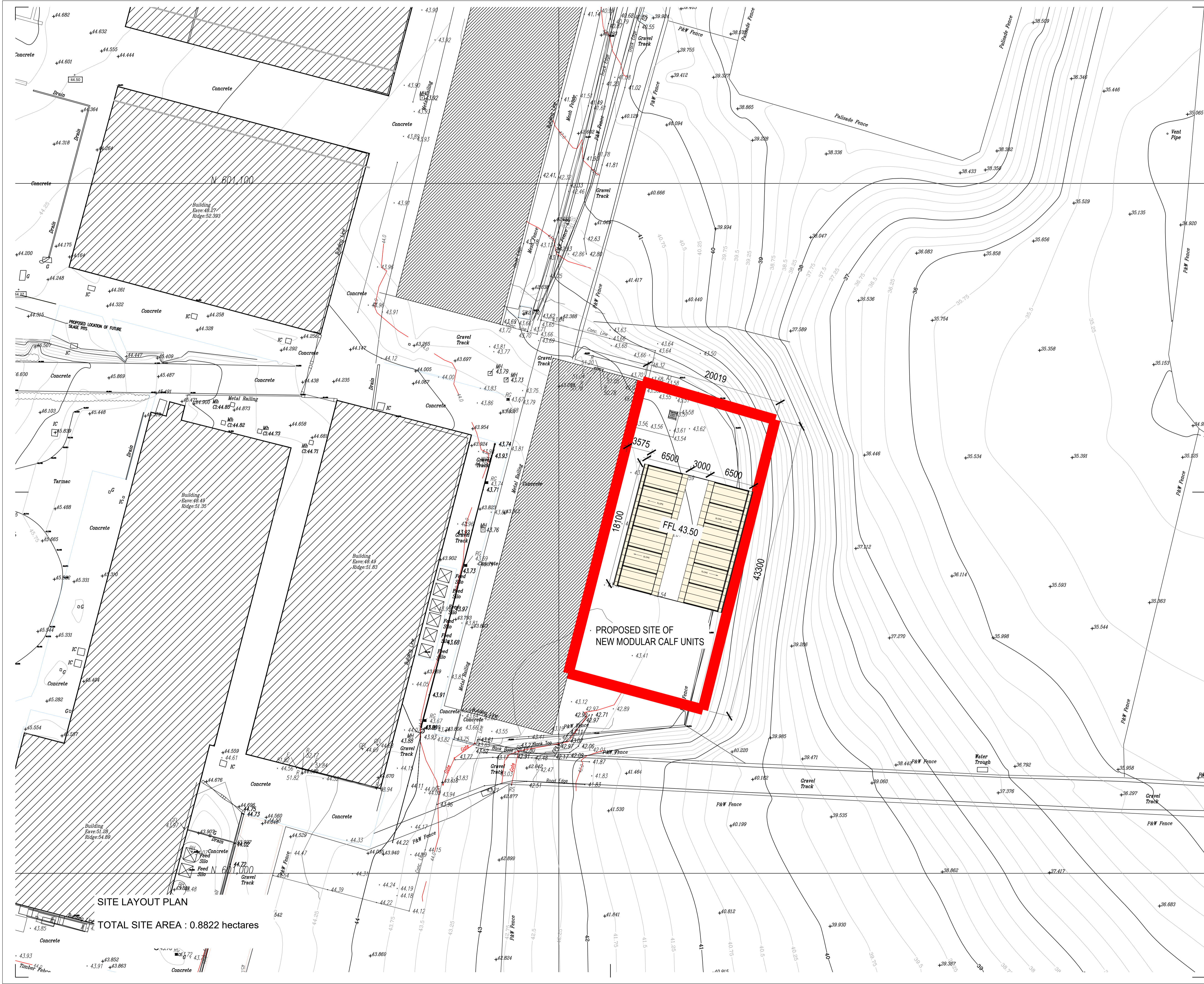
CLIENT: TEAGASC
 JOB: Modular Calf Unit at Teagasc Moorepark, Co. Cork

DRAWING: Proposed Site Layout Plan

DATE	SCALE
18/10/2024	1:1000

PROJECT	ORIGINATOR	ZONE	LEVEL	TYPE	DISC.	NUMBER	REVISION
MCU	CJFA	ZZ	00	DR	A	0102	

SITE LAYOUT PLAN
 TOTAL SITE AREA : 0.0874hectares

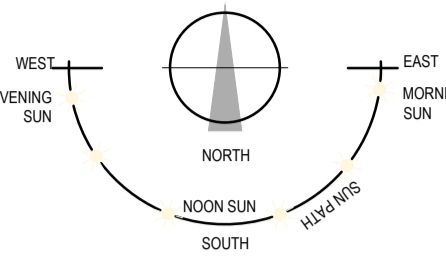


SITE LAYOUT PLAN

TOTAL SITE AREA : 0.8822 hectares

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NOTES



REFER TO SITE LOCATION MAP PL-101 FOR OVERALL SITE AND SITE NOTICE LOCATIONS

- SITE BOUNDARY
- PROPOSED BUILDINGS SUBJECT TO PLANNING APPLICATION
- EXISTING STRUCTURES
- BUILDINGS BEEN DEMOLISHED AND SUBJECT TO PLANNING APPLICATION

REV	DATE	DRAWN	NOTES

CJFA C.J. Falconer
ARCHITECTS + Associates
ARCHITECTS

St. Patrick's House, Newtown, Waterford, X91-RR76, Ireland.
T: +353 (0)51 878888 e: mail@cjfa.ie w: www.cjfa.ie

DWG NUMBER: 2024016 DWG SERIES: PLANNING STATUS CODE: S6

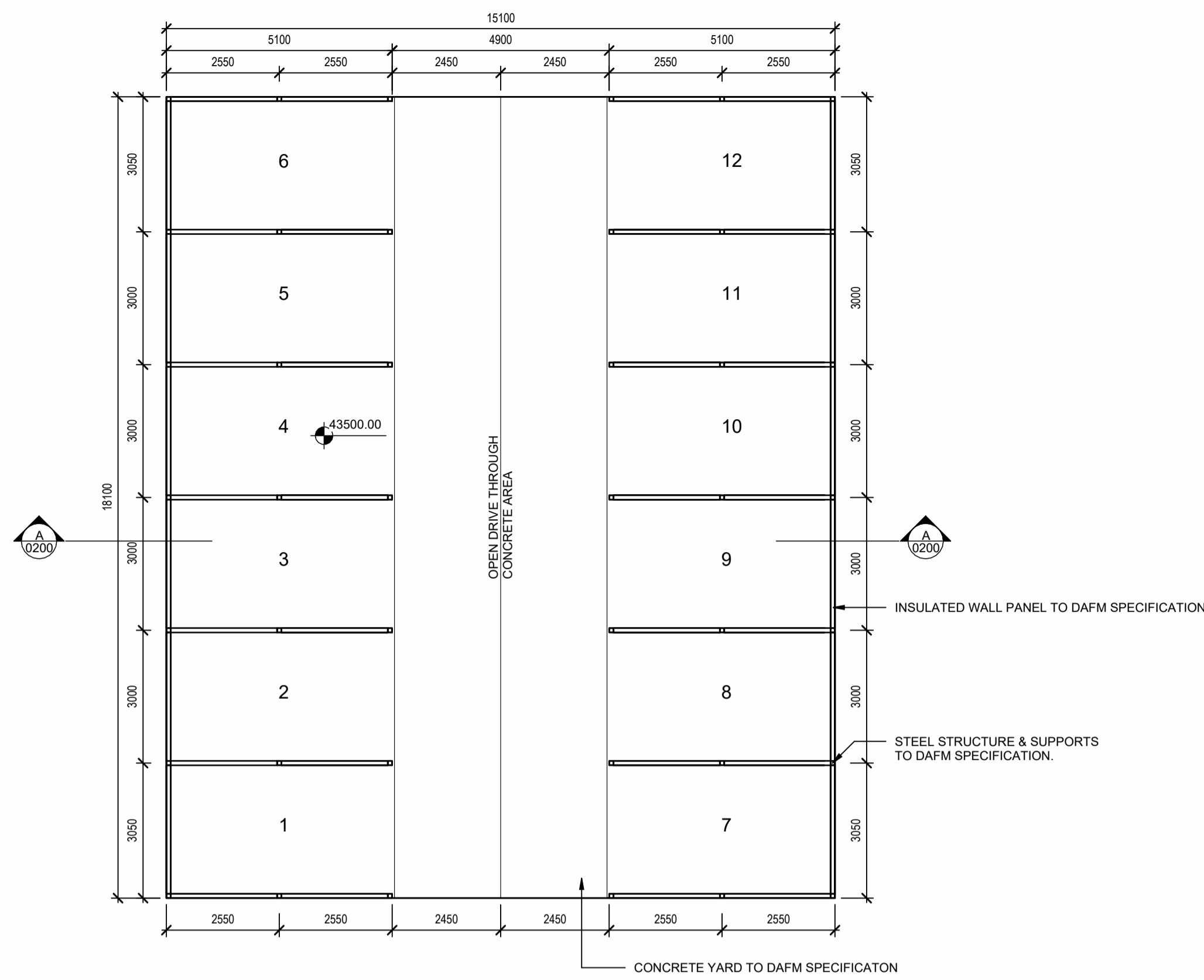
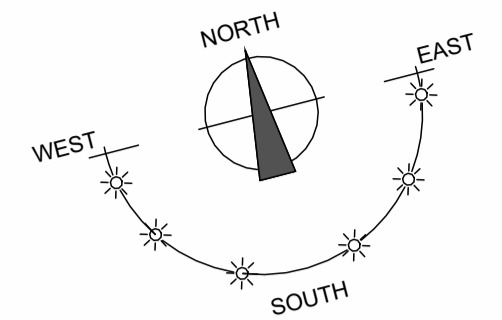
CLIENT: TEAGASC
JOB: Modular Calf Unit at Teagasc Moorepark, Co. Cork

DRAWING: Proposed Site Plan
DATE: 08/10/2024 SCALE: 1:250
DRAWN: Kevin N'Guan CHECKED: []

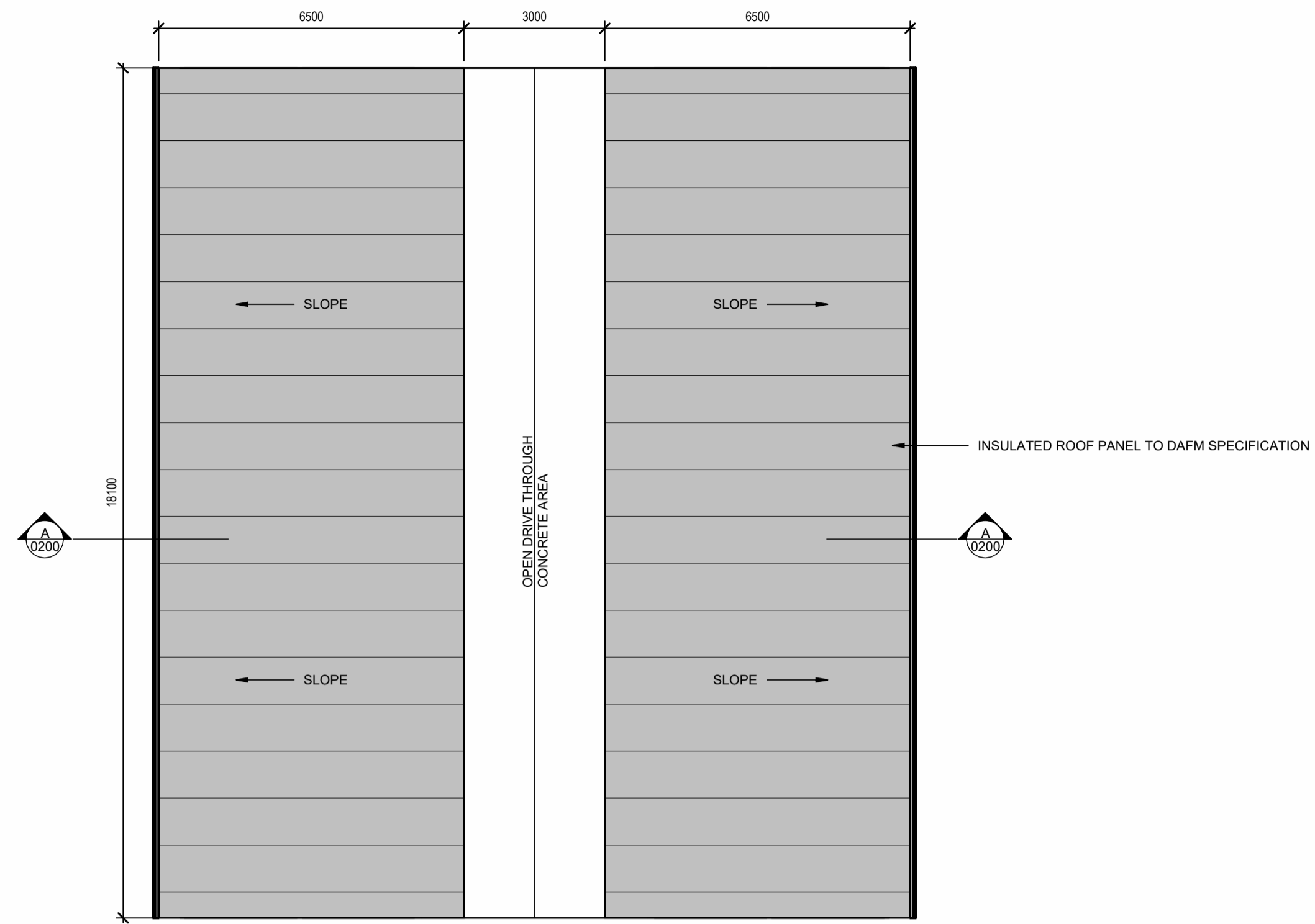
PROJECT	ORIGINATOR	ZONE	LEVEL	TYPE	DISC	NUMBER	REVISION
MCU	CJFA	ZZ	00	DR	A	0103	

DO NOT SCALE FROM THE DRAWING. USE FIGURED DIMENSIONS IN ALL CASES. VERIFY DIMENSIONS ON SITE AND REPORT ANY DISCREPANCIES TO THE ARCHITECTS IMMEDIATELY. THE DRAWING TO BE READ IN CONJUNCTION WITH THE ARCHITECTS SPECIFICATION. © THIS DRAWING IS COPYRIGHT AND MAY ONLY BE REPRODUCED WITH THE ARCHITECTS PERMISSION.

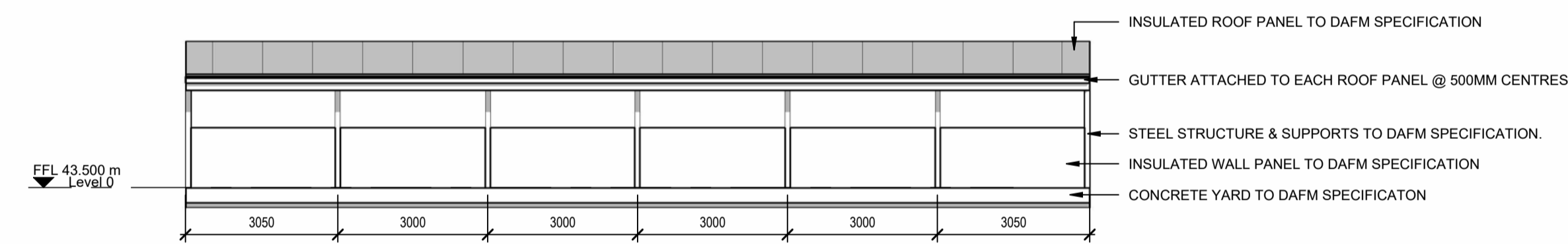
NOTES:



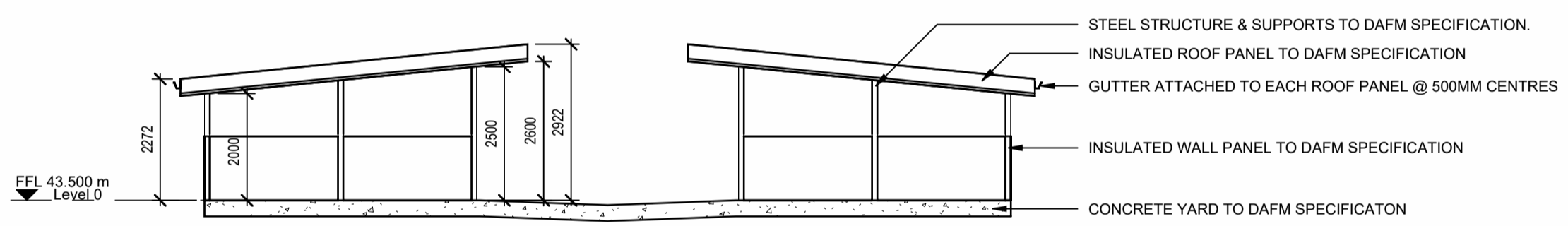
Proposed Floor Plan
1 : 100



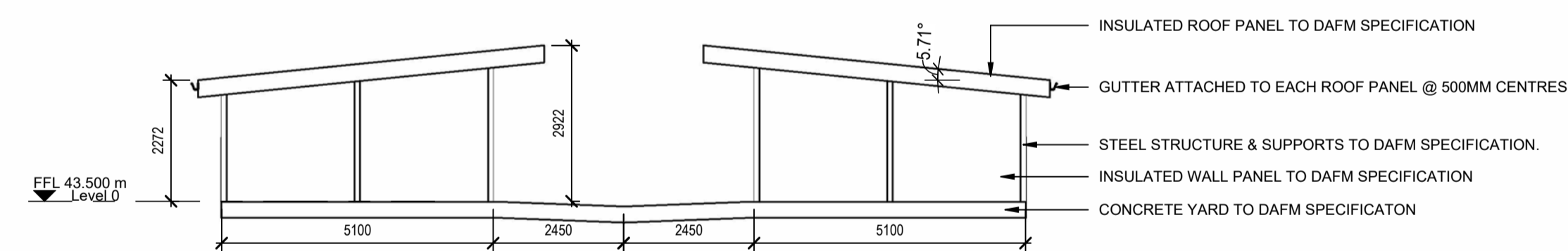
Proposed Roof Plan
1 : 100



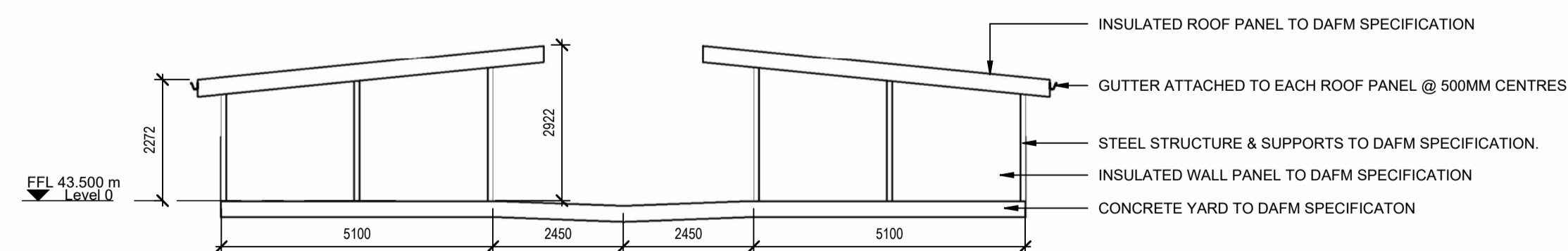
Proposed East Elevation
1 : 100



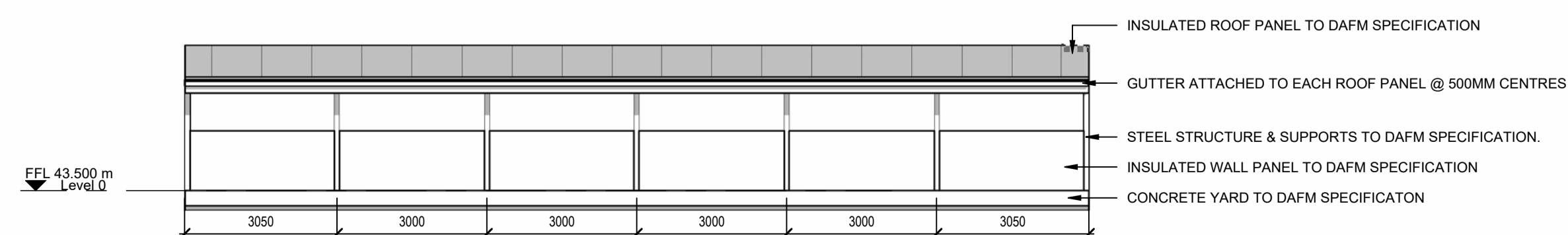
Proposed Section A-A
1 : 100



Proposed South Elevation
1 : 100



Proposed North Elevation
1 : 100



Proposed West Elevation
1 : 100



REV	DATE	DRAWN	NOTES

CJFA ARCHITECTS
C.J. Falconer + Associates ARCHITECTS

St. Patrick's House, Newtown, Waterford, X91 RR76, Ireland
 t: +353 (0)51 878888 e: mail@cjfa.ie w: www.cjfa.ie

JOB NUMBER: 2024016	DWG. SERIES: PLANNING	STATUS CODE: S6
------------------------	--------------------------	--------------------

CLIENT: TEAGASC
 JOB: Modular Calf Unit at Teagasc Moorepark, Co. Cork

DRAWING: PROPOSED PLANS, ELEVATIONS & SECTIONS

DATE: 08/10/2024	SCALE: A1 - 1:100
DRAWN: SEBASTIAN M	CHECKED: KEVIN GUNAN

PROJECT	ORIGINATOR	ZONE	LEVEL	TYPE	DISC.	NUMBER	REVISION
MCU	CJFA	X1	00	DR	A	0200	