

From: John Walsh [mailto:angwash@hotmail.com]
Sent: 07 August 2009 16:07
To: Licensing Staff
Subject: Further Submission to W0250-01 Kerry Central Recycling

Dear Mr MacEntagart,

The relevent file is unavailbale on your website I would be obliged if you would add this to the file.

Please find attached a further submission we have made in relation to the above application for a Waste license. This is in response to Further information requested by Kerry County Council re the Planning application. There are plannig issue listed however as our concerns are mainly Environmental concerns we still have given our proximity to the proposed development, I have copied this to you also

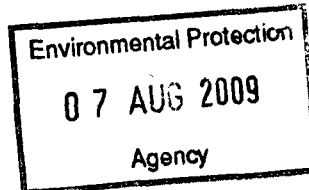
Regards

Angela & John Walsh

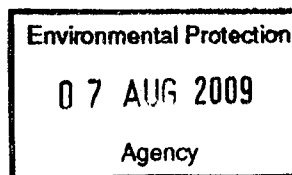
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Scart Cross
Farranfore
Co Kerry
7/8/2009



Attn Director of Planning Michael McMahon
Cc Mr McEntagart EPA Inspector

I have made a previous submission in relation to planning application 08/2415, this is a further submission in relation to Further Information submitted by the applicant in response to a request by Kerry County Council.

The following are my concerns in relation to the proposed development to which I object on the following grounds.

- **Loss of Residential Amenity**

The layout of the proposed development indicates that ALL traffic entering the site will pass within 20 metres of our boundary. The proposed development is also situated at a ground level lower than that of our home so not only do we have concerns re increased levels of noise, odour and dust, we have concerns in particular given the anticipated volume of heavy vehicles onto the development, and increased levels of associated noise and lights from vehicles shining up into the windows of my home 24/7.

The tipping of 95,000 tonnes of waste will be tipped and sorted in sheds across the road from my home.

Thirty shutter doors will open and shut all day for a constant stream of waste trucks. These shutter doors are listed as a mitigation against dust, odour, noise etc. Given the volume of trucks entering the development on a daily basis, I cannot see how these shutter doors will be closed a 'majority' of the time (as stated in the FI), thus limiting the impact of any mitigation.

The timber shredder and noisiest plant is located at a point closest to our home.

Our home is located northeast of the proposed development the prevailing winds are predominately south west, this combined with the development's lower site level will result in all dust, odour, insects, birds, noise directly blown up onto our home.

The applicants request for 7 day opening and 24 hour processing indicates his disregard for existing home owners in the immediate area, the night time is especially quiet in the area, this proposal will eliminate this amenity.

We cannot see where a noise impact assessment was carried out at night to assess the impact to the 'sensitive receptors', also an assessment of the type of noise, in particular noise with a tonal element has not been assessed.

What will happen during the operational phase in the event of a utility outage?, eg Electricity, Water. What will the impact on us, the 'sensitive receptors' be on that day?

Site access is currently temporary, based on an assumption that in 5 years time all vehicles can access the 'old' N22 if 'new' N22 is built, it is the developers intention in

the future to access the 'old' N22, which would further impact on us the existing homeowner on the N22.

Our initial submission highlighted our concerns as to vagueness of mitigations proposed by the applicant. The FI response re-lists all the mitigations, generally without thresholds/triggers - the responsible body for each point being the applicant, concluding with a promise signed by the applicant, I take no comfort from this, any lapse or non compliance either directly or indirectly by the applicant with a mitigation will directly affect my residential amenity as a 'sensitive receptor' to the development in every respect.

- **Visual Amenity**

Photomontage 27.1 and 27.2 give a view from the 'front', in these photomontages the applicant has taken out all existing hedgerow and trees in the boundary between Irish Independent Wholefoods and the applicants proposed development. The maps supplied with the FI indicate that the hedgerow and existing treeline will be left in where possible. This is a mature hedgerow with mature trees, it will provide much needed screening from the Tralee approach. I have concerns that the applicant intends to obliterate this hedgerow and existing treeline to achieve cost savings during the construction phase. Our view to the left of the Gap of Dunloe will be replaced with buildings. The Planting will take many years to grow, as it is only inches high, no plan seems to be included to deal with the visual aspect of the 2.5 metre stack on top of building no 1 and no reference is made to the existing hedgerow at the roadside of the N22. The revised road layout has a greater impact on our night time visual amenity of darkness in a rural area which will be replaced with streetlamps running parallel with the N22.

- **Proximity Principle**

The proximity principle does not apply to the majority of waste processed/transferred at this development as waste is to be collected from all of Munster, with the exception of Co Cork. The waste is then transferred within Ireland and to the Continent.

- **Depreciation of our Property**

Depreciation of property- our property will depreciate in value if this development is given planning permission.

- **Road Safety**

We are concerned for road safety arising from intensification of traffic resulting from the development. I am particularly concerned for our safety, as residents entering and exiting our home, with the extra volume of vehicles generated by the development.

The applicant proposes to limit access to the site during peak hours, traffic- either waste operators or the public arriving early will have nowhere to wait, only in existing driveways of homes on the N22 and the Ballyhar road. Surely the fact that the applicant is willing to compromise on peak hours indicates that there is an issue with traffic congestion the site.

- **Site Justification**

The applicant cites the site's central location as a justification for site location – it is only central if the waste is transported from Kerry, how is Scart Cross centrally located if waste is collected from as far away as Donegal.? Most of the waste will be transported back out of the county/ country after processing, again hardly a 'central' location. The applicant also cites that road safety was an issue with a previous site investigated in Farranfore village in particular given the junction in Farranfore village with the N22. How can that junction be cited as an issue with a speed limit of 50 kmh and this junction acceptable at speeds of over 100 kmh?

The Farranfore Local Area Plan does not extend to Scart Cross, the applicant cannot use Irish Independent Wholefoods building as a precedent, planning permission was granted many years ago for that development, any intensification of which is discouraged (references previous applications for planning permission by owners of site).

Is Scart Cross now to be developed as an industrial zone? We cannot see provision for this in the County Development Plan.

- **Proximity to Airport:**

We have experience of flights crossing the site, and non-commercial air traffic have been omitted -coastguard, private aviation etc. It will be impossible to fully police the covering of all HGVs from operators from various parts of the country, and trailers of members of the public which may attract birds and may lead to bird strikes.

- **Capacity of Site**

The KCC F.I. asked 'Is 95,000 tonnes the facility's limit?': This question was simply not answered. As the Bord Pleanala threshold for this type of application as stated by KCC is 100,000 Tonnes (and of course the associated fee of €100,000). The applicant refers to the size of the site as capable of expanding, has expressed his intention to expand with his submission to the Draft County Development Plan, this avoidance in answering the question appears to us to be a connivance to avoid directly dealing with Bord Pleanala.

Given it's proximity to residential properties, this development has the potential to cause serious air pollution, water pollution, noise pollution, vibration and pollution connected with the disposal of waste, it will seriously injure the amenities, and depreciate the value of our home. It has the capacity to interfere with the safety of aircraft and the safe and efficient navigation thereof, it has the potential to adversely affect the use of a national road, and will cause traffic congestion. It will interfere with the character of the landscape and with the view,

For this and the reasons listed above, we ask Kerry County Council planning officials to put our needs as existing home owners over the need to satisfy a Regional Waste Management Plan and refuse planning permission for this development

Yours Sincerely

JOHN & ANGELA WALSH