

doc due
15-10-14

PLANNING REPORT

File No.: 14/562

Applicant: BRANDON PRODUCTS LTD.

Proposed development: CONSTRUCT A 25 METRE HIGH STACK TO REPLACE EXISTING 15 METRE STACK. THIS APPLICATION RELATES TO DEVELOPMENT WHICH COMPRISES OR IS FOR THE PURPOSES OF AN ACTIVITY REQUIRING AN INTEGRATED POLLUTION, PREVENTION AND CONTROL LICENCE

Location: KILCOLMAN, ASDEE, CO. KERRY

Date received and information lodged: 21/08/2014 & 13/10/2014

Site inspection: 17/09/2014

Proposed development

Permission sought to CONSTRUCT A 25 METRE HIGH STACK TO REPLACE EXISTING 15 METRE STACK. THIS APPLICATION RELATES TO DEVELOPMENT WHICH COMPRISES OR IS FOR THE PURPOSES OF AN ACTIVITY REQUIRING AN INTEGRATED POLLUTION, PREVENTION AND CONTROL LICENCE.

The following reports and plans have been submitted in support of the application:

A landscape and visual assessment report along with photomontages.

A landscaping plan.

A stack height determination and air dispersion modeling assessment report.

An appropriate assessment screening document.

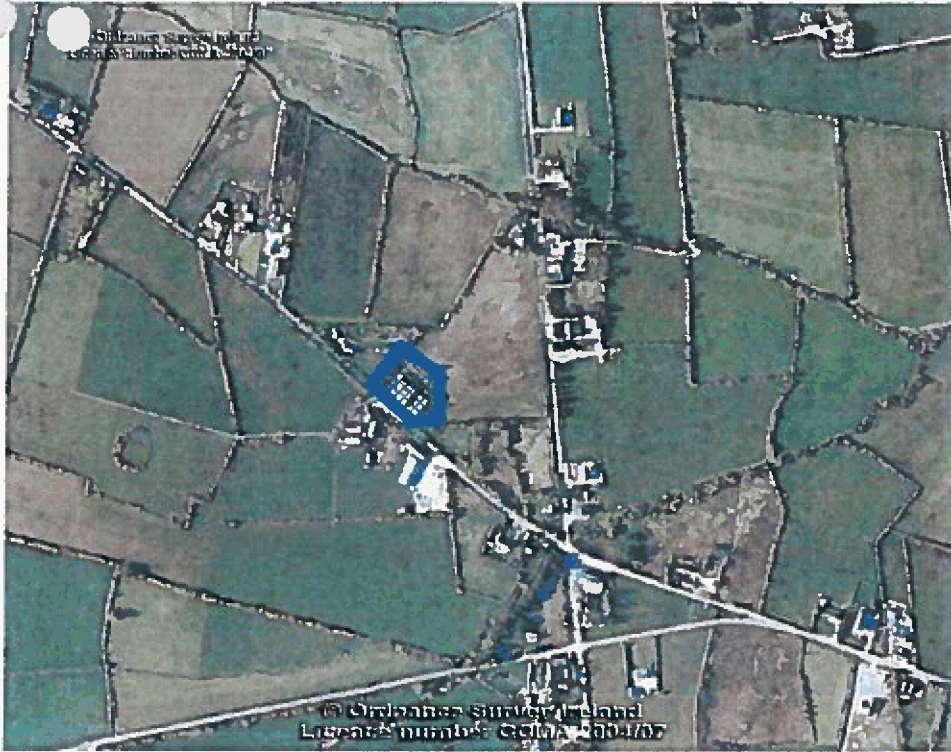
An engineering report.

Location and site description

The existing Brandon Products factory is located in KILCOLMAN, ASDEE on the L-1000 circa 1.2km north west of Asdee village and circa 8km north east of Ballybunion town. Existing factory operational on site. Trees have been planted around the site boundary to rear, north and east of site. Site area - .412ha.



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Development in the vicinity of the site (Aerial photograph 2004)



Front elevation

Front of building



Front of building

Front and north west side of building



Side of building- view to public road



Rear of building



Rear and side of building



South east side of building



Rear of building



Field to rear of building

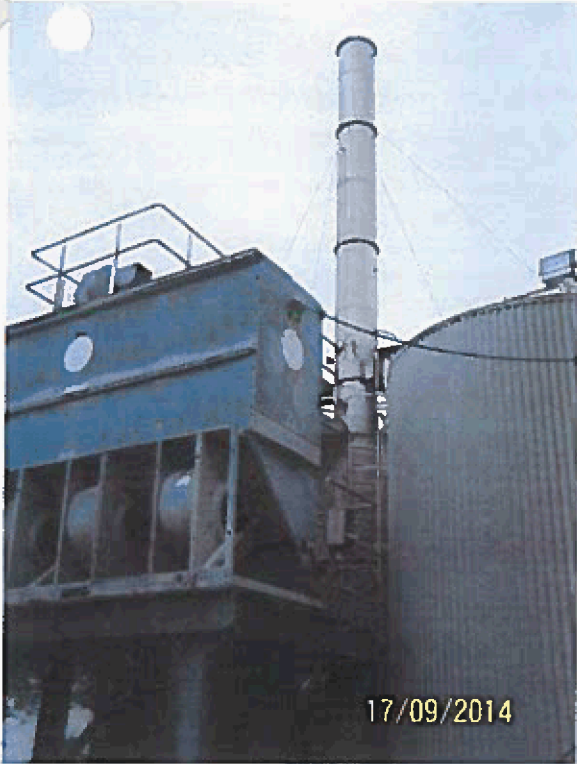


Field to rear/side of building



View of existing building from Letter road

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Existing chimney stack on site

Pre planning

Yes, date 19/03/2014. Outcome – the proposal can be considered. Visual impact and Secondary Special Amenity status of the area outlined.

Site notice

The site notice was in place, legible and correctly worded on the day of the site inspection.

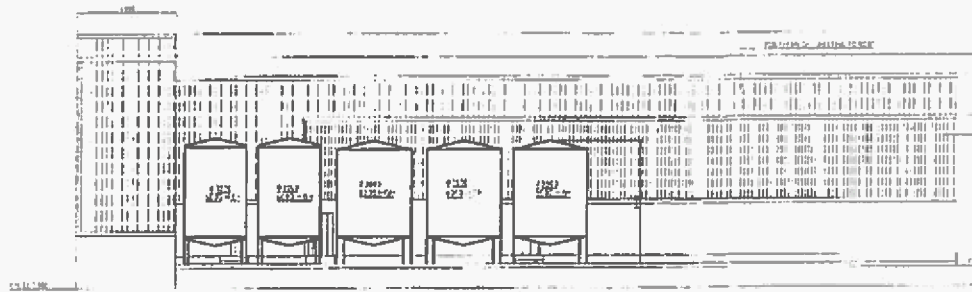


Planning history

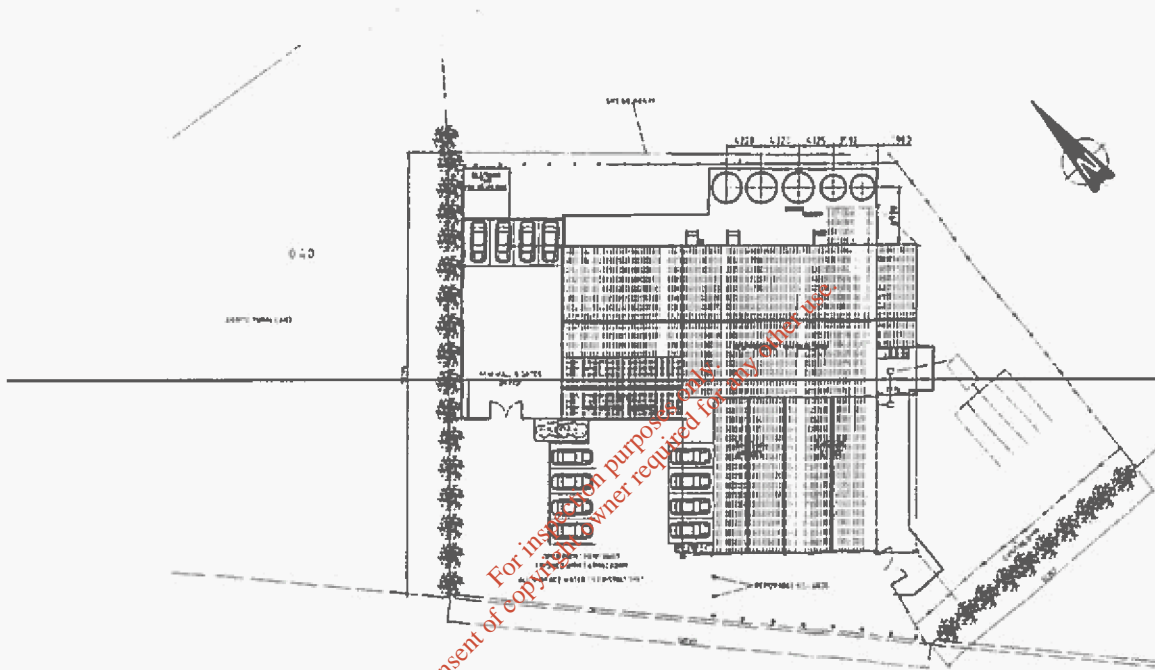
14/384 – Invalid

06/3080 – Permission granted in respect of the demolition of existing annex to rear of existing creamery and existing toilets, 2. the extension of existing warehouse incorporating existing creamery building and office building (this new extension will be a store and seaweed processing facility), 3. the construction of new roof over existing office building, 4. the construction of a concrete bunded yard at rear of building for process storage tanks, 5. the change of use of creamery to boiler house and store, 6. the construction of perimeter fence and the revision of front elevation of creamery, 7. the installation of new sewage treatment unit and percolation area, 8. the construction of new entrance gates to new extension, the drilling of well for water supply on site and 9. the supply of car parking and truck turntable on site and traffic safety audit.

14 conditions attached.



REAR ELEVATION SHOWING TANKS TO REAR OF BUILDING (1:200)



PLAN SHOWING LOCATION OF TANKS AT REAR OF BUILDING (1:500)

5 tanks indicated to rear of building

Condition 3. - Details of any plant, machinery, chimneys, ducting, filters or extraction vents to be used in connection with the development and their location shall be submitted to the planning authority for written agreement prior to the erection of any such features. This shall include details of proposed visual and sound amelioration measures to be incorporated within such plant, machinery, chimneys, ducting, filters or extraction vents.

Reason: In order to protect the amenities of the area and in order to provide for an adequate standard of development.

Condition 12(ii). - No further elevation alterations including the provision of canopies or devices of any kind whatsoever other than those shown on the plans and particulars lodged or to be lodged as part of this application, shall be erected or placed on the premises/buildings, including on the roofs or within the curtilage of the development site, without the written agreement of the Planning Authority or any necessary grant of a separate planning permission.

Reason: In the interests of orderly development and in order to protect the amenities of the area.

The Planning Authority (senior management) subsequently received information from applicant in relation to further plant/chimney etc. erected on site, which were deemed by the Planning Authority to be acceptable and exempt from planning.

Development plan policy and objectives

Kerry County Development Plan 2009-2015

Chapter 3, Part 2 sets out Rural Development Policies.

Section 3.7 deals with Amenity Areas and policies designed to protect the landscape of the county. The Plan identifies three types of rural landscape as follows:

- (a) Rural General,
- (b) Rural Secondary Special Amenity and
- (c) Rural Prime Special Amenity.

The site is located in an area zoned Rural Secondary Special Amenity which is covered by Section 3.7.8 of the Plan.

Areas of secondary special amenity constitute sensitive landscapes which can accommodate a limited level of development. The level of development will depend on the degree to which it can be integrated into the landscape.

Chapter 12 of the County Development Plan deals specifically with Zoning and Landscape. Policy relating to areas zoned Rural Secondary Special Amenity in Section 12.2.8 states that 'permission will not be granted for development which cannot be integrated into its surroundings'.

Chapter 12 sets out objectives for landscape protection:

ZL 12-1 Protect the landscape of the county as a major economic asset as well as for its invaluable amenity value and beauty.

Chapter 13 sets out the Development Management considerations.

13.12 Industrial and Commercial Developments

13.12.1 Adequate provision shall be made on the site for parking of vehicles, storage and stacking space. Storage and stacking areas shall be located to the rear of the building or where such facilities are located at the side, provision for screening shall be made. The building should not encroach within 4.5 metres of the side party boundaries.

13.12.2 The front building line shall be as determined in consultation with the Planning Authority and, where required, the existing roadside boundary shall be set back.

13.12.3 Any industrial or commercial development shall not by way of noise, odors, pollution, and traffic or in any other way, be injurious to the residential amenity of adjoining properties.

13.12.4 The expansion of industrial and commercial developments in rural areas will not be permitted where the new scale of the extended/new structure and commercial activity can not be accommodated by virtue of infrastructural limits or through any adverse impact on the environment.

Reports and referrals

EPA – Letter received states an IPPC Licence application has been made. This application will be assessed as an IED (Industrial Emissions Directive) activity. The EPA determined that an EIA is required. An EIS was subsequently submitted. The licence application is currently under assessment. All matters to do with emissions to the environment from the activities proposed and the licence application document will be considered by the Agency. If the Agency deems that the proposed activities cannot be effectively regulated under a licence then the Agency cannot grant a licence. If the Agency is to grant a licence it will incorporate conditions to ensure that appropriate National and EU standards are applied and Best Available Techniques will be used in the carrying on of the activities.

HSE – The department has no objections to the proposed development.

Bio Diversity Officer – Report states no significant effects from the construction of the development.

Third party submissions/objections

1. Jerry & Marie Quane – Main issues outlined include the following: malodour implications, residents in the area have been ignored by the company, EPA licence required for the original application, non compliance with conditions 9 & 12 of the original application. Proposal will not be a solution to malodour. Visual impact of the stack.

Assessment

Zoning & Location: The existing Brandon Products factory is located in a rural location on the L-1000 to the north west of Asdee village on lands zoned Secondary Special Amenity in the current Kerry County Development Plan 2009-2015.

Need for the Proposed Development: A stack height of 25m was selected on the basis of an optimum solution to ensure that any risk of odour nuisance is minimised even though a stack height of 17m was stated to be likely to be sufficient.

Planning history: Permission was granted for the existing factory on site as per Planning Reg. No. 06/3080. This permission saw a proposal for 5 tanks in the bunded area to the rear of the factory. The current site layout map and situation on the ground shows in excess of 10 tanks and a 15m chimney stack to the rear of the building which were not indicated on the '06 application. Condition 3 of Reg. no. 06/3080 is noted which states '*Details of any plant, machinery, chimneys, ducting, filters or extraction vents to be used in connection with the development and their location shall be submitted to the planning authority for written agreement prior to the erection of any such features. This shall include details of proposed visual and sound amelioration measures to be incorporated within such plant, machinery, chimneys, ducting, filters or extraction vents*'. In addition Condition 12(ii) states '*No further elevation alterations including the provision of canopies or devices of any kind whatsoever other than those shown on the plans and particulars lodged or to be lodged as part of this application, shall be erected or placed on the premises/buildings, including on the roofs or within the curtilage of the development site, without the written agreement of the Planning Authority or any necessary grant of a separate planning permission.*'

The Planning Authority (senior management) received information from applicant in relation to further plant/chimney etc. erected on site, which were deemed by the Planning Authority to be acceptable and exempt from planning.

Visual impact: A visual impact assessment report and photomontages have been submitted. These are acceptable. It is considered that the proposed development will not have a significant impact on visual amenities in the area and will integrate with the existing industrial activity on site.

A landscaping plan has been submitted which shows a proposal for screen planting along the L-6004 to the east of the site outside the current site boundaries. The applicants have submitted legal details outlining their ownership of this field whereon the proposed planting is shown. This is acceptable. ✓

Road Safety/Traffic: No change proposed.

Residential amenity: The emissions from the proposed development will be regulated by the EPA under the Industrial Emissions Directive through the IE licensing process.

Third Party Submissions/Objections: The third party submission has been noted.

Habitats Directive Screening Report

Planning Reference Number:	14/562
Description of the proposed development (including a brief outline of its nature and size):	CONSTRUCT A 25 METRE HIGH STACK TO REPLACE EXISTING 15 METRE STACK. THIS APPLICATION RELATES TO DEVELOPMENT WHICH COMPRISES OR IS FOR THE PURPOSES OF AN ACTIVITY REQUIRING AN INTEGRATED POLLUTION, PREVENTION AND CONTROL LICENCE
Is the proposed development directly connected with or necessary to the nature conservation management of a Natura 2000 site	NO (if yes, following consultation and agreement with NPWS, then proceed directly to 4(a))

1. Proposed development site location relative to that of Natura 2000 Sites

Description of the development	The following Natura 2000 sites are within or partially within
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1. Proposed development site location relative to that of Natura 2000 Sites

site location, relative to Natura 2000 sites, having particular regard to Natura 2000 sites located within 15Km of the proposed site or within the same water catchment as the proposed site

15km of the development site (distance from Natura 2000 site to proposed development in brackets):

cSAC:

- Lower Shannon (1.70km)

SPA:

- River Shannon and River Fergus Estuaries (1.70km)
- Kerry Head (2.60km)

Of the Natura 2000 sites listed above all three sites are considered likely to be potentially significantly affected by the development due to the proximity of the sites to the development. These Natura 2000 sites are described in greater detail below.

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Table 1 The cSAC sites most likely to be potentially affected by way of the current proposal.

cSAC Site Name and Code	Qualifying interests		Conservation Objectives		Environmental conditions necessary to support site integrity
	Habitat – Annex I (*Priority Habitat)	Species – Annex II			
Lower River Shannon 002165	<ul style="list-style-type: none"> Sandbanks which are slightly covered by sea water all the time [1110] Estuaries [1130] Mudflats and sandflats not covered by seawater at low tide [1140] *Coastal lagoons [1150] Large shallow inlets and bays [1160] Reefs [1170] Perennial vegetation of stony banks [1220] Vegetated sea cliffs of the Atlantic and Baltic coasts [1230] Salicornia and other annuals colonizing mud and sand [1310] Spartina swards (Spartinion maritima) [1320] Atlantic salt meadows (Glauco-Puccinellietalia maritima) [1330] Mediterranean salt meadows (Juncetalia 	<ul style="list-style-type: none"> Freshwater pearl mussel (Margaritifera margaritifera) [1029] Sea lamprey (Petromyzon marinus) [1095] Brook lamprey (Lampetra planeri) [1096] River lamprey (Lampetra fluviatilis) [1099] Salmon (Salmo salar) [1106] Bottle-nosed dolphin (Tursiops truncatus) [1349] Otter (Lutra lutra) [1355] 	<p>To maintain or restore the favourable conservation condition of the Annex I habitat(s) and/or the Annex II species for which the SAC has been selected:</p> <p>Large shallow inlets and bays; annuals; <i>Salicornia</i> and other annuals colonising mud and sand; Vegetated sea cliffs of the Atlantic and Baltic coasts; Mediterranean salt meadows (<i>Juncetalia maritima</i>); Coastal lagoons; Mudflats and sandflats not covered by seawater at low tide; Atlantic salt meadows (Glauco-Puccinellietalia maritima); Sandbanks which are slightly covered by sea water all the time; Reefs; Perennial vegetation of stony banks; Water courses of plain to montane levels with the Ranunculion fluitantis and Callitriche-<i>Batrachion</i> vegetation; <i>Molinia</i> meadows on calcareous, peaty or clayey-silt-laden soils (Molinion caeruleae); Alluvial forests with <i>Alnus glutinosa</i> and <i>Fragaria excelsior</i> (Alno-Pedion, Alnion incanae, Salicion albae) And <i>Lampetra fluviatilis</i>, <i>Lampetra planeri</i>, <i>Petromyzon marinus</i>, <i>Salmo salar</i>, <i>Margaritifera margaritifera</i>, <i>Tursiops truncatus</i>, <i>Lutra lutra</i></p> <p>Source: NPWS (2011) Conservation objectives for Lower River Shannon SAC [002165]. Generic Version 3.0. Department of Arts, Heritage & the Gaeltacht.</p>	<p>Habitat Management (control of drainage, grazing / mowing, burning, fertiliser / lime input, reseeding, fishing, aquaculture dumping, tree felling, killing / removal of significant biological material, pesticide use etc)</p> <p>No significant erosion / trampling associated with human impacts (drainage, fires, livestock grazing, motorised vehicles recreational activities etc).</p> <p>Adequate water supply</p> <p>Adequate water quality (limited sediment input, limited nutrient input etc)</p> <p>Limited alteration of the banks, bed or flow of watercourses</p> <p>No change in land use which would result in significant habitat loss or fragmentation (human activities such as land improvement / reclamation, deforestation, development, track / roadway provision etc)</p> <p>Limited disturbance (light, noise, human activity including recreational pressure etc)</p> <p>Control on fish stocking and introduced or invasive species including Japanese Knotweed.</p> <p>Presence of suitable quiet stretches of river for Otters</p> <p>No artificial barriers significantly impairing adult salmon and lamprey from reaching existing and historical spawning grounds and smolts from reaching the sea</p> <p>Limited dredging activities</p> <p>No physical barriers to significantly restrict movement of sand and communities associated with mobile substrate</p> <p>No significant change in water clarity and average light attenuation</p> <p>No significant change in temperature and salinity of the water</p> <p>Maintain natural regeneration and diverse vegetation structure of woodland</p> <p>No significant aggregate extraction</p>	

cSAC Site Name and Code	Qualifying Interests	Conservation Objectives	Environmental conditions necessary to support site integrity
	<p>Habitat – Annex I ("Priority Habitat) [1410]</p> <ul style="list-style-type: none"> Water courses of plain to montane levels with the Ranunculion fluitantis and Callitriche-Batrachion vegetation [3260] Molinia meadows on calcareous, peaty or clayey-silt-laden soils (Molinion caeruleae) [6410] *Alluvial forests with <i>Alnus glutinosa</i> and <i>Fraxinus excelsior</i> (Alno-Padion, Alnion incanae, Salicion albae) [91E0] 	Species – Annex II	

Table 2 The SPA sites most likely to be potentially affected by way of the current proposal

SPA/SPA Site Name and Code	Special Interest	Conservation	Conservation Objectives	Environmental conditions necessary to support site integrity
River Shannon and River Fergus Estuaries 004077	<ul style="list-style-type: none"> • Cormorant • Whooper Swan • Light-bellied Brent Goose • Shelduck • Wigeon • Teal • Pintail • Shoveler • Scaup • Ringed Plover • Golden Plover 	<p>To maintain or restore the favourable conservation condition of the bird species listed as Special Conservation Interests for this SPA</p> <p>Source: NPWS (2011) Conservation objectives for River Shannon and River Fergus Estuaries SPA [004077]. Generic Version 4.0. Department of Arts, Heritage & the Gaeltacht</p>	<p>Habitat Management (control of aquaculture, fishing, grazing, fishing etc) Adequate water quality No significant erosion associated with human impacts (livestock grazing, motorised vehicles, recreational activities etc). No change in land use which would result in significant habitat loss or fragmentation (human activities such as land improvement / reclamation, development (aggregate extraction, coal extraction, wind farm development, track / roadway provision)) etc Limited disturbance (noise, human activity including recreational pressure, boating etc) The control of introduced or invasive species including Cord-grass (<i>Spartina anglica</i>)</p>	

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SPA/SPA Site Name and Code	Special Interest	Conservation	Conservation Objectives	Environmental conditions necessary to support site integrity
	<ul style="list-style-type: none"> • Grey Plover • Lapwing • Knot • Dunlin • Black-tailed Godwit • Bar-tailed Godwit • Curlew • Redshank • Greenshank • Black-headed Gull • Wetlands & Waterbirds 			
Kerry Head 004189	<ul style="list-style-type: none"> • Fulmer • Chough 		<p>To maintain the special conservation interest for this SPA at favourable conservation status</p> <p>Source: NPWS (2011) Conservation Objectives for Kerry Head [004189] Generic Version 4.0, Department of Arts, Heritage & the Gaeltacht</p>	<p>Habitat Management (control of grazing and stocking rates, dumping; peat extraction)</p> <p>No significant erosion / trampling / accretion associated with human impacts (fires, grazing, motorised vehicles, recreational activities etc).</p> <p>No change in land use which would result in significant habitat loss or fragmentation (land improvement / reclamation, dumping; peat extraction, development etc)</p> <p>Limited disturbance (light, noise, human activity including recreational pressures such as motorised and non motorised vehicle use, walking, horse riding etc)</p>

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2. Specialist reports, advice and recommendations received (if any)	
Brief overview of specialist reports, advice, and recommendations received from NPWS / Heritage Officer / other Specialists (where appropriate)	The applicant provided an AA screening report with the application. Although the AA screening report did not follow best practices in the undertaking of an AA screening report, where relevant, information from the consultants' assessment was used to inform this report.

3. Consideration of the potential for significant impacts on Natura 2000 sites, having particular regard to potential significance indicators and to qualifying interests and conservation objectives for Natura 2000 sites	
Potential significance indicators include:	Potential significance impacts on Natura 2000 sites
<ul style="list-style-type: none"> Reduction / erosion / fragmentation of key habitat(s) 	<p>SAC The development is outside the cSAC designation. There will be no direct loss of habitats in the cSAC site listed above in Table 1. The annexed habitats listed for the cSAC are unlikely to be indirectly impacted by the development at construction or operational stage. There is a considerable distance for any hydrological impacts on annexed water dependent habitats and species.</p> <p>Kerry Head SPA The SPA is designated for Fulmar and Chough. Fulmar is a seabird that nests on high cliffs. Chough tend to forage within 300m of cliffs in semi-improved coastal grassland with a tight grazed sward. The site of the proposed works is outside the SPA and does not contain supporting habitat. No likely impacts from the proposed development are considered likely.</p> <p>River Fergus and River Shannon Estuaries SPA. This large SPA is designated for wintering waterfowl and wetlands. Again the habitat of the proposed development site is not supporting habitat for these species and it is outside the SPA.</p>
<ul style="list-style-type: none"> Disturbance / mortality / harm of key species (e.g. noise or light pollution, trampling, general disturbance) 	<p>cSAC The works relate to development within an existing site – no direct impacts are considered likely from the development on annexed species.</p> <p>SPAs As above, no significant effects are considered likely from the extension of an existing stack from 15m to 25m.</p>
<ul style="list-style-type: none"> Alteration of key environmental conditions (e.g. water quality, water supply, air quality) 	<p>The development relates to the extension of an existing stack from 15m to 25m. Construction works could impact on water quality however, considering the scale of the works and the fact there is no major watercourse near the site, it is unlikely to significantly affect water quality.</p> <p>Emissions from the stack are existing and relate to air that has an odour. Emissions will be assessed under the IPCC licence application and do not form part of this assessment. However it is noted that the extension of the stack aims to improve odour emissions from the site.</p>

3. Consideration of the potential for significant impacts on Natura 2000 sites, having particular regard to potential significance indicators and to qualifying interests and conservation objectives for Natura 2000 sites	
<ul style="list-style-type: none"> Facilitation of the introduction / spread of exotic invasive species within Natura 2000 sites 	No evidence of invasive species onsite.
<ul style="list-style-type: none"> Interference with the movement of key species within, between or in the vicinity of Natura 2000 sites 	Not applicable, no coastal habitats in the vicinity of the site.
<ul style="list-style-type: none"> Interference with the movement of mobile dune and intertidal Natura 2000 habitats 	
<ul style="list-style-type: none"> Interactive / cumulative / in combination impacts including potential climate change impacts and those with other plans and projects <p>In line with the precautionary principle, where doubt exists, it should be assumed that effects could be significant.</p>	As noted the development requires an IPCC licence from the EPA. That application will be screened for significant effects in relation to emissions by the EPA. An IPCC licence can not be granted if significant effects from emission are not ruled out.

4. Conclusion (a, b, c or d)	
(a) The proposed development is directly connected with or necessary to the nature conservation management of a Natura 2000 site ¹	
(b) There is no potential for significant effects to Natura 2000 sites ¹	No significant effects on Natura 2000 sites are envisaged from the construction of the proposed development.
(c) The potential for significant effects to Natura 2000 sites cannot be ruled out ²	
(d) Significant effects to Natura 2000 sites are certain or likely or where potential for significant effects to Natura 2000 sites remains following receipt of Further Information requested under S177U of the Planning and Development (Amendment) Act 2010 ³	

¹ Appropriate Assessment is not required and therefore Planning permission may be granted at this stage subject to all other planning considerations. However no changes may be made to the proposed development after this conclusion has been reached as this would invalidate the findings of the screening exercise.

² In accordance with S177U of the Planning and Development (Amendment) Act 2010, the applicant should be requested to submit an 'Appropriate Assessment Screening Matrix' completed by a suitably qualified ecologist, by way of Further Information. Following receipt of this information a new Appropriate Screening Report should be completed. The requested 'Appropriate Assessment Screening Matrix' should be in accordance with the template outlined in Annex 2, Figure 1 of the EU (2001) guidance document 'Assessment of plans and projects significantly affecting Natura 2000 sites – Methodological guidance on the provisions of Article 6(3) and (4) of the Habitats Directive 92/43/EEC. This guidance document is available on at: http://ec.europa.eu/environment/nature/natura2000/management/docs/art6/natura_2000_assess_en.pdf Alternatively, where other planning concerns arise the proposal could be refused planning permission.

³ The proposed development must either be refused planning permission or alternatively an 'Appropriate Assessment' (AA) should be carried out by the Planning Authority. In order to facilitate the preparation of an AA the applicant should be requested to submit a Natura Impact Statement (NIS) in accordance with S177 (T) of the Planning and Development (Amendment) Act 2010. However, in the case of an application to retain unauthorised development of land and where the authority decides that an 'appropriate assessment' should have been carried out prior to the commencement of development, the application is required to be invalidated by the Planning Authority as per S34 (12) of the Planning and Development (Amendment) Act 2010 and accordingly an NIS should not be requested in such instances.

Stage 1 Habitats Directive Screening Report Conclusion

In accordance with Section 177U of the Planning and Development Act 2000 (as amended) and on the basis of information provided with application 14562 it is concluded that the development individually or in combination with other plans/projects is not likely to have a significant effect on a European site (Natura 2000 site). An appropriate assessment, under Section 177V of the Planning and Development Act 2000 (as amended), is not required.

Reasons for conclusion

Following the screening of the proposed development for possible significant effects on the Natura 2000 sites detailed in this report, no significant effects were identified.

Signed: Cathy Fisher 13/10/14

Cathy Fisher
Biodiversity Officer

Approved _____

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SUB-THRESHOLD EIA SCREENING REPORT

1. Characteristics of development	
Size	Small scale development – approx 0.412Ha.
Accumulative impacts with other developments / projects	It is noted that there is an existing factory in operation on site. Potential for permanent cumulative impacts in relation to landscape, air quality.
Use of natural resources	Not applicable
The production of wastes	Existing factory in operation on site. Generation of emissions will be assessed and regulated by IE licensing.
Pollution and nuisances	<ul style="list-style-type: none"> No significant nuisances anticipated Generation of emissions will be assessed and regulated by IE licensing.
The risk of accidents having regard to substances or technologies used	No hazardous activity on site posing a significant risk to a habitat or human environment.

PA - EIA
Screening

2. Location of Proposed Development	
Existing land use	Factory
Previous land use	Factory
Relative abundance, quality and regenerative capacity of natural resources in the area	Not applicable
The existing environment and absorption capacity of the natural environment, paying particular attention to the following areas: <ul style="list-style-type: none"> o Wetlands o Coastal zones o Mountain and forest areas o Nature reserves and parks o Natura 2000 sites o Areas in which environmental quality standards laid down by the EU have already been exceeded o Densely populated areas o Landscape of historical, cultural or archaeological significance 	<p>This proposed project is a small-scale development consistent in character with existing development on site.</p> <p>The lands in question are designated for 'secondary special amenity' development purposes.</p> <p>A number of environmentally sensitive sites are located in the wider area, including Natura 2000 sites, wetlands, lands designated for landscape and archaeological purposes and mountain / forest areas. It is considered that these are unlikely to be significantly affected by way of a proposal of this nature at this location.</p> <p>It should be noted that a separate AA Screening Report is being prepared in relation to this proposal.</p>
3. Characteristics of Potential Impacts	
The potential significant effects of the proposed development in relation to the criteria set out in 1 & 2 above and having particular regard to:	
Extent of the Impact (geographical area and size of affected population)	Generally limited to the development site itself and its immediate vicinity. However, the potential for visual impacts extends to the wider area and the potential for air quality impacts extends to the wider water catchment.
Transfrontier nature of the impact	None. No cross border implications anticipated.
Magnitude and complexity of the impact	<p>Main impacts include potential for air pollution and potential for impacts on landscape.</p> <p>It is not anticipated that many people will be adversely affected by the proposal. The magnitude of impacts is not considered to be overly great or complex.</p>
Probability of the impact	Low to moderate. No significant impacts anticipated.
Duration, frequency and reversibility of the Impact	<p>Construction risks (hydrocarbon spillages, sediment loss etc) and nuisances (noise etc) are likely to be temporary in nature.</p> <p>More long term impacts will be associated with the permanent and operational aspects of the project (visual impact, air quality impacts etc).</p> <p>Generation of emissions will be assessed and regulated by IE licensing.</p>

	Subject to IE licence being issued by EPA -No significant impacts anticipated.
4. Recommendation and conclusion	
Having regard to the above and in particular to the nature, scale and location of the proposed project, It is considered that an EIA is not required in this instance.	

Conclusion: Recommend a grant of permission subject to conditions.

Recommendation

Grant permission subject to the following conditions:

FIRST SCHEDULE

Having regard to the existing pattern of development in the area, to the planning history of the site, Planning Reg. No. 06/3080 *and to any submissions received in relation to the application*, it is considered that, subject to compliance with the conditions set out in the Second Schedule, the proposed development would not be visually obtrusive or out of character with the existing pattern of development in the vicinity, would not seriously injure the amenities of properties in the vicinity or be otherwise contrary to the proper planning and sustainable development of the area.

SECOND SCHEDULE

1 The development shall be carried out in accordance with the plans and particulars received by the Planning Authority on 21/08/2014 & 13/10/2014 except for any alterations or modifications specified in this decision.

Reason: To regulate and control the layout of the development.

2 (i) The removal of the existing chimney stack and associated works shall be carried out in a safe and satisfactory manner; materials shall be disposed of to an authorised landfill site or otherwise re-utilised in an authorised manner.

(ii) Such works and proposed development works shall not cause damage to, interfere with nor infringe upon adjoining properties.

(iii) The developer shall be responsible for the cost of repairs for any damage caused to the public road or underground services resulting from development works.

(iv) Prior to the commencement of development, the developer shall liaise with the Environment Section of Kerry County Council to agree a location for the proper and safe disposal of all waste arising as a result of the proposed development. A copy of any agreement reached with the Environment Section shall be forwarded to the Planning Section for their approval, prior to the commencement of development.

Reason: In the interest of orderly development.

3 (a) The site shall be landscaped with suitable indigenous trees, shrubs and hedges to the satisfaction of the Planning Authority in accordance with the Landscaping Layout Map received on 21/08/2014.

- (b) Existing boundary screening shall be retained in full.
(c) All landscaping and screening shall be carried out within the first growing season following completion of the development.
(d) Any trees or shrubs, which die or become diseased, shall be replaced with similar native species.

- Native Evergreens (Holly, Yew, Scots Pine).
- Native Deciduous (Oak, Elm, Ash, Birch, Hazel, Alder, Willow, Whitethorn, Blackthorn, Irish Whitebeam, Rowan).

Exotic species such as Cypress, Escallonia, Griselinia, Leylandii, Rhododendron and Laurel, shall not be used.

(e) Within 1 year of completion of the development, the applicant shall submit a certificate of compliance prepared by a suitably qualified person with professional indemnity insurance stating that all landscaping conditions pertaining to the grant of planning permission have been complied with. Photographic evidence shall also be submitted.

Reason: In order to integrate the development into its setting and in the interests of biodiversity and the proper planning and sustainable development of the area.

REPORTED: _____

S.E.E.: _____

DATE: 14 October 2014

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Noted
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