



**Kerry County Council**  
**Comhairle Contae Chiarraí**  
Áras an Chontae, Trá Lí, Co. Chiarraí.  
Guthán: (066) 7183582 E-mail: plan@kerrycoco.ie Faics: (066) 7120328

**Appeal Reference: PL.08.24100**

**KERRY COUNTY COUNCIL REFERENCE: 14/562**

I certify that this is a true copy of the said  
Manager's Order dated the 01<sup>st</sup> December 2014.

Signed:

  
\_\_\_\_\_

Dated:

  
\_\_\_\_\_

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Order No. PL/ 14

PLANNING

Subject: Planning and Development Acts 2000 to 2014

Planning Reg. No. **14/562 (Listowel)**

Application of: **Brandon Products Ltd., Kilcolman, Asdec, Ballybunion, Co. Kerry**  
Per: **AWN Consulting, The Teepro Building, Clonsaugh Business & Technology Park, Dublin 17**

**ORDER:** By virtue of the provisions of the Local Government Act, 2001 and pursuant to Kerry County Chief Executive's Order No: S/2014/239, delegating powers, duties and functions to me, IT IS HEREBY ORDERED and decided that in accordance with the recommendation contained in the Planning Report dated 14th October, 2014 on this application and for the reason set out hereunder in the first schedule to grant **Permission** under the Planning and Development Acts 2000 to 2014.

**to:** **Brandon Products Ltd., Kilcolman, Asdec, Ballybunion, Co. Kerry**

**in respect of:** **the construction of a 25 metre high stack to replace existing 15 metre stack for the purposes of an activity requiring an integrated pollution, prevention and control licence**

**at:** **Kilcolman, Asdec, Co. Kerry**  
in accordance with the plans and particulars submitted by applicant

**on:** **21/08/2014 and 13/10/2014**  
subject to the conditions set out in the second schedule hereto: **(Three Conditions)**

**SCHEDULE (1)**

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.

AND IT IS HEREBY ORDERED that said Permission, subject to the following conditions, shall be deemed to be granted and is hereby granted in respect of said development unless an appeal is lodged with An Bord Pleanala, against the decision to grant said Permission within four weeks of the date of this Order.

Signed by me at Áras An Chontae, Tralee  
on this 15th day of October, 2014

M. McMahon  
Delegated Executive

SCHEDULE (Continued)

**SCHEDULE (2)**

*Permission for the construction of a 25 metre high stack to replace existing 15 metre stack for the purposes of an activity requiring an integrated pollution, prevention and control licence*

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.

Signed by me at Áras An Chontae, Tralee  
on this 15th day of October, 2014

  
M. McMahon  
Delegated Executive

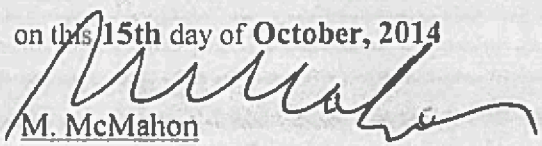
83  
SCHEDULE (Continued)

Reference No. in  
Planning Reg. 14/562

**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.

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Signed by me at Áras An Chontae, Tralee  
on this 15th day of October, 2014

  
M. McMahon  
Delegated Executive

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