



PLANNING AND DEVELOPMENT ACTS, 2000 - 2014
NOTIFICATION OF DECISION TO GRANT PERMISSION (SUBJECT TO CONDITIONS)
UNDER SECTION 34 OF THE ACT
KERRY COUNTY COUNCIL

Ref. No. in
Planning Register: 14/562

Agent: AWN Consulting, The Tecpro Building, Clonshaugh Business & Technology Park, Dublin 17	Applicant: Brandon Products Ltd., Kilcolman, Asdee, Ballybunion, Co. Kerry
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Documents Recd.: 21/08/2014

In pursuance of the powers, conferred upon them by the above named Acts, Kerry County Council have by Order dated **15th October, 2014** decided for the reasons set out in the first schedule to grant a Permission for the development of land namely:-

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, Asdee, Co. Kerry as outlined in plans and particulars received on 21/08/2014 and further information received on 13/10/2014.

SUBJECT to the conditions set out in the Second Schedule hereto. **(Three Conditions)**

If there is no appeal against the said decision, a grant of Permission in accordance with the decision will be issued as soon as possible after the expiration of the period of four weeks (see footnote).

It should be noted that until a **Grant of Permission** has been issued the development in question is **NOT AUTHORISED**.

SIGNED ON BEHALF OF
THE SAID COUNCIL:


A. O. Planning

SCHEDULE CONTINUED OVERLEAF

NOTE: An Appeal against a decision of a Planning Authority under Section 34 or Section 35 of the Act of 2000 may be made to An Bord Pleanala within *four weeks* beginning on the date of the making of the decision by the Planning Authority. *An Appeal to An Bord Pleanala will be invalid unless it is accompanied by the appropriate fee. (Please refer to the attached guide for fees payable to An Bord Pleanala).* Appeals should be addressed to: *An Bord Pleanala, 64 Marlborough Street, Dublin 1.* An appeal by the applicant for permission should be accompanied by this form. In the case of an appeal by any other person, the name of the applicant, particulars of the proposed development or structure proposed to be retained and the date of the decision of the Planning Authority should be stated. The acknowledgement of receipt of a valid submission/objection as issued by the Planning Authority should also be submitted with the appeal.

SCHEDULE (Continued)

DATE: 15th October, 2014

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.

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).

SCHEDULE (Continued)

- 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.

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