

Date:3/11/04
Our Ref: P04/1204

Mr. J. Wall
Senior Executive Engineer
Planning Section

Planning & Development Act 2000
Planning and Development Regulations 2001

Applicant: William Connolly and Sons, c/o Milltown Engineering , Garyhill,
Bagnalstown, Co. Carlow.
Subject: Planning permission for the demolition of existing 2,100 sq.m.
grain store and full planning permission for new 2,100 sq.m. grain
store at Grange Lower, Goresbridge, Co. Kilkenny

Dear Mr. Wall

This application is for demolition of existing 2100 sqm grain store and permission for new 2100 sqm grain store at Grange Lower, in the townland of Grange Lower. The proposed site adjoins the public road leading from Goresbridge to Paulstown Local Road No.LP2639

Services are proposed from:

Water supply	: From public mains
Effluent disposal	: To existing septic tank

Development Plan

The proposed site is located within the Designated settlement of Goresbridge. Goersbridge has been one of the towns chosen as a designated town due to its ability to sustain growth. The site is located within the village of goersbridge and within the 30mph speed limit where appropriate development is encouraged subject to services. Due to the above a village plan will be prepared by Kilkenny County Council to allow for the orderly economic, social and physical expansion of Goersbridge

The proposed development is partially located within a Special Area of Conservation (SAC) and the file has been referred to Department of Environment- National Park and Wildlife division.

The proposed development is located outside the areas of High Amenity as designated by the Current County development Plan

Assessment

The proposal forms part of Red mills scheme.

The proposal involves demolition of an existing grain store and to rebuild a grain store on the site of one the same size

The design of the new store will be more in keeping with existing adjoining building. The floor plan will be changed from 4 stores to 3 stores.

The file was referred to

Roads Design

Sanitary services

Environment

Department of Environment- National Park and Wildlife division.

It is considered the proposal is a replacement structure and is more visually in keeping with the surrounding buildings.

Development Contribution

Class 6

Having regard to the Development Plan and all other material considerations it is considered that, the proposed development would not seriously injure the amenity of the area or the property in the vicinity and would be acceptable in terms of traffic safety and convenience. The proposal does not conflict with the objectives of the Development Plan and would therefore, be in accordance with the proper planning and sustainable development of the area.

I recommend that **Permission be Granted** subject to the following conditions.

Yours sincerely

C Walsh
A/ Exec Planner

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I agree with the above report and recommend that **Permission be Granted** subject to the attached conditions.

J. Wall
Senior Executive Engineer

I agree with the above recommendation

M. Delahunty
Senior Executive Officer

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First Schedule

Reasons & Considerations for Decision on Planning Ref. P. 04/1204

Having regard to the Development Plan, and all other material considerations it is considered that, the proposed development would not seriously injure the amenity of the area or the property in the vicinity and would be acceptable in terms of traffic safety and convenience. The proposal does not conflict with the objectives of the Development Plan and would therefore, be in accordance with the proper planning and sustainable development of the area.

Second Schedule

10 No. of Conditions attached to Planning Ref. P. 04/1204

COND NO. 1

All surface water run-off from roofs, driveways and paved areas shall be collected and disposed of within the curtilage of the site by means of soakpits or in the event of an alternative method being proposed full details of same should be submitted to and agreed with the Planning Authority. Surface water run-off shall not be allowed to discharge onto the public road or to adjoining properties.

Reason:

To avoid interference with other properties and to prevent damage to the public road with consequent traffic hazard.

COND NO. 2

On commencement of development, a contribution shall be payable to Kilkenny County Council in respect of public infrastructure and facilities benefiting development in Kilkenny County Council's administrative area and that is provided or that it is intended will be provided by, or on behalf of a Local Authority.

The amount of the contribution will be the rate of contribution in existence on commencement of development and not the rate in existence at the time of this permission. The amount of the development contribution is €24,400 and is subject to revision with reference to the Wholesale Price Index, and penalty interest in accordance with the terms of Kilkenny County Council's Development Contribution Scheme.

Reason:

It is considered reasonable that the developer should contribute towards the expenditure incurred or proposed to be incurred by

Kilkenny County Council in respect of the provision/improvement of public services facilitating the proposed development.

COND NO. 3

Waste sent off site for recovery or disposal shall only be conveyed by an authorised waste contractor and transported from the proposed development site to an authorised site of recovery/disposal in a manner which will not adversely affect the environment.

Reason: To provide for the recovery/disposal of waste and the protection of the environment.

COND NO. 4

Operations at the site shall be managed and programmed in such a manner as to minimise waste production.

Reason: To control waste production at the site and to provide for the protection of the environment.

COND NO. 5

Activities at the site shall not give rise to noise levels off-site, at noise sensitive locations, which exceed the following sound pressure limits (Leq,T).

Day 55 dB(A)LAeq(30 Minutes) (0800 hrs. to 2200hrs)

Night 45 dB(A)LAeq(30 Minutes) 2200hrs to 0800 hrs)

There shall be no audible tonal component or impulsive component in the noise emission from the activity at any noise sensitive location.

Reason: To control emissions from the facility and provide for the protection of the environment.

COND NO. 6

Trade effluent shall only be discharged to the foul drainage system.

Reason: In the interest of public health and for the protection of the environment.

COND NO. 7

Clean water only shall be discharged to the surface water drainage system. A visual examination of the surface water sewer shall be carried out every day to confirm this.

Reason: In the interest of public health and for the protection of the environment.

COND NO. 8

All tank and drum areas shall be rendered impervious to the materials stored therein. In addition, tank and drum storage areas shall be bunded either locally or remotely to a volume not less than 110% of the capacity of the largest tank or drum within the bunded area. Drainage from the bunded area shall be diverted for collection and safe disposal.

Reason: In the interests of protection of the environment.

COND NO. 9

The developer shall ensure that all operations on site are carried out in a manner such that air emissions and/or odours do not result in significant impairment of, or significant interference with, amenities or the environment beyond the site boundary.

Reason: to control emissions and provide for the protection of the environment.

COND NO. 10

The development shall be carried out and completed strictly in accordance with:

- (i) the conditions of this permission
- (ii) (a) the documents lodged with this application
- (b) the submission/further information date stamped 8/10/04.

except as otherwise required by the conditions of this permission.

Reason: To ensure that the development strictly accords with the permission and to ensure that effective control is maintained.

FOOTNOTE

Section 34 (13) of the Planning & Development Act, 2000 states:

“A person shall not be entitled solely by reason of a Permission under this section to carry out any development.”

Developers are obliged to comply with other legislation and to avoid infringement of third party rights.

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