

Date: 14<sup>th</sup> April 05

Ref: P.05/223

Planning & Development Act, 2000  
Planning & Development Regulations, 2001

Applicant: **W Connolly & Sons, c/o Richard Gypps, 7 Cedarwood Drive,  
Loughboy, Kilkenny.**

Subject: **Permission to erect a new block of outloading bins at existing  
mill at Lower Grange, Goresbridge, Co. Kilkenny.**

This application is for permission to construct two new 28 metres tall grain silos including external cladded structure, within an existing mill at 'Redmills', Lowergrange, Goresbridge, Co. Kilkenny.

Water Supply for the mill is from a public supply.

There were no 3<sup>rd</sup> Party objections or observations made on the application.

This file was discussed with the Environment Section who had no objection subject to condition.

Development Contribution applies for Class 6.

Having regard to the policies and objectives of the current County Kilkenny Development Plan, the location and design of the proposed development, it is considered that it would not seriously injure the amenities of the area, and if constructed and operated in accordance with the attached conditions, would accord with the proper planning and sustainable development of the area.

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

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**John Nolan**  
**Executive Engineer.**

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

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**J. Wall,**  
**Senior Executive Engineer.**

## **FIRST SCHEDULE**

### **REASONS AND CONSIDERATIONS FOR DECISION ON PLANNING REFERENCE P.05/223**

Having regard to the policies and objectives of the current County Kilkenny Development Plan, the location and design of the proposed development, it is considered that it would not seriously injure the amenities of the area and if constructed and operated in accordance with the attached conditions, would accord with the proper planning and sustainable development of the area.

## **SECOND SCHEDULE**

### **5 NO. CONDITIONS ATTACHED TO PLANNING REFERENCE P.05/223**

#### **Cond. No. 1**

The development shall be carried out in accordance with the plans and particulars lodged with the application on 21<sup>st</sup> February 2005, except as may otherwise be required in order to comply with the following conditions:

#### **Reason:**

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

#### **Cond. No. 2**

All oxidisable and galvanised surfaces of the proposed structure, railings, gates etc. shall be painted 'Hamlet SC Grey' RAL 9002 and shall be maintained and renewed as necessary.

#### **Reason:**

In the interests of visual amenity.

#### **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.

**Ref: P.05/223**

**Cond. No. 4**

The developer shall ensure that all operations on site are carried out in a manner such that air emissions, noise 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. 5**

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 €2,340.00 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.

**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.