

# Comhairle Chontae Chill Chainnigh

## Kilkenny County Council

### Planning Report



Planning & Development Act, 2000  
Planning & Development Regulations, 2001 - 2007

Planning Ref. 08/126

Date: 20<sup>th</sup> March 2008

**Applicant:** William Connolly & Sons

**Subject:** Permission to erect pallet storage building. New building will replace the pallet storage building that was destroyed by fire in October 2007 at Grange Lower, Goresbridge, Co. Kilkenny.

#### **Site Location & Description:**

The site is located on a local primary route 1km. north of the village of Goresbridge. It is part of a large complex producing animal feeds. There has been a large number of previous applications on this site as the business has expanded over the years.

#### **Proposed Development:**

The present application is to replace the pallet store destroyed by fire last year. The proposed building is somewhat larger than the original structure but is similar in style to surrounding buildings.

**Services:** The site is serviced by a public watermain.

**Development Contribution:- Class 6**

**Referrals:**

The file was referred to Roads Section and Environment Section.

**Third Party Submissions:**

None

**Conclusion:**

The application is for the provision of a pallet store somewhat larger than the original which was destroyed by fire.

Subject to compliance with the conditions below, I consider that the proposed development accords with the proper planning and sustainable development of the area.

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

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**Tom Gunning**  
**Consultant**

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

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**N. Louw**  
**Senior Executive Planner**

I agree with the above recommendation.

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**M. Mullally**  
**Senior Executive Officer**

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**FIRST SCHEDULE**  
**Reasons and Considerations on Decision P.08/126**

Having regard to the Development Plan, the submissions and all other material considerations, the proposed development, if constructed in accordance with the following conditions, would accord with the proper planning and sustainable development of the area.

**SECOND SCHEDULE**  
**5 No. Conditions attached to Planning Reference P.08/126**

1. The proposed development shall be carried out and completed in accordance with the application documents lodged with the Planning Authority on 04/02/08 except as otherwise required in order to comply with the conditions hereunder.

**Reason:** To clarify the detailed development proposals authorised by this permission.

2. The Developer shall pay to the Planning Authority a financial contribution in respect of public infrastructure and facilities benefiting development in Kilkenny County Council's administrative area that is provided or intended to be provided by or on behalf of the Local Authority in accordance with the terms of the Development Contribution Scheme made under section 48 of the Planning and Development Act 2000.

The amount of the financial contribution is €30,340.00 (thirty thousand, three hundred and forty euro) and is subject to revision with reference to the Wholesale Price Index and to penalty interest in accordance with the terms of Kilkenny County Council's Development Contribution Scheme. The contribution shall be paid upon commencement of development, with the amount of the contribution being the rate of contribution in existence on commencement of development.

**Reason:** It is a requirement of the Planning and Development Act 2000 that a condition requiring a contribution in accordance with the Development Contribution Scheme made under section 48 of the Act be applied to the permission.

- ~~2.3.~~ 3. The Developer shall provide and arrange for the continuous and indefinite maintenance of an adequate private foul drainage system.

**Reason:** In the interests of public health.

- ~~3.4.~~ 4. All surface water run-off from roofs, driveway, 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 shall 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.

4.5 All external surfaces shall be painted in a colour similar to the adjacent buildings. The exact colour shall be agreed in writing with the Planning Authority and the painting shall be maintained and renewed as necessary.

**Reason:** In the interests of visual amenity.

**Footnotes:**

Section 34 (13) of the Planning and Development Act 2000 reads  
'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.

If there is no appeal against this decision, a Final Grant of Permission in accordance with the Decision will be issued after the expiration of the period within which an appeal may be made to An Bord Pleanala. (See attached).

**It should be noted that until a Final Grant of Permission has been issued, the development in question is NOT AUTHORISED and works cannot be carried out.**

The Applicant is advised that unless the development described above is carried out within five (5) years from the date of Final Grant of Permission, Planning Permission will cease to have effect. (See Section 40 of the Planning and Development Act 2000)

Applicants are advised to consult with the Chief Fire Officer with regard to the fire safety of this development.

**Please note that the Site Notice shall be removed by the applicant following the notification of the planning authority decision under Article 31.**