

Comhairle Chontae Chill Chainnigh

Kilkenny County Council

Planning Report



Planning & Development Act, 2000 - 2017
Planning & Development Regulations, 2001 - 2018

Reg. Ref. P.17/641
Applicant: William Connolly & Sons

Due Date: 2/05/2018

Development: Permission for development at their site for the following: 1. Demolition of existing habitable dwelling and ancillary storage buildings, 2. Construction of new extension to existing warehouse/production facility, 3. Construction of a new extension to existing out loading bins/silos building, 4. Proposed boundary treatments and all ancillary site development works, at Grange Lower, Goresbridge, Co. Kilkenny.

Site Location & Description:

The site is located within the Connolly's Redmills facility at Lower Grange, Goresbridge, Co. Kilkenny. The site operates on both sides of L8888. There are a large number of industrial type structures on both sides of the road. The current site is located on the south side of the local road. The Goresbridge Redmills Plant is involved in the manufacture of animal feeds which are exported around the world. The site currently employs 200 staff at this location with production and group headquarters run from this site. It is stated the proposed extension will support 4-8 jobs.

Planning History:

P.13/196 Permission granted to construct an integrated constructed wetlands system and associated site works. The proposed integrated constructed wetlands system shall be located on lands directly opposite the existing Connolly's Redmills facility at Lower Grange, Goresbridge

P08/126 Permission granted to erect a pallet storage building. New building will replace the pallet storage building that was destroyed by fire during October, 2007

P07/625 Permission granted to construct a new wastewater treatment system comprising proprietary effluent treatment plant, soil polishing filter and associated site works. The proposed treatment system shall be located on lands directly opposite the existing Connolly's Redmills facility,

07/97 Permission for demolition of glazed entrance porch and toilet block, construction of new entrance porch, canopy and extension to existing shop facilities at ground floor level and office facilities at first floor level along with internal modifications which include new toilet block and alterations to existing facilities, signage and all associated site development works

05/223 Permission granted to erect a new block of outloading bins at existing mill at Lower Grange, Goresbridge, Co. Kilkenny.

P04/1204 permission granted for demolition of existing 2,100 sq.m. grain store and full planning permission for new 2,100 sq.m. grain store

P01/1170 retention permission granted for the retention of extension to existing grain store

P01/381 permission granted to erect a grain store and dryer

Other permissions relate to the site are as follows 88/607, 89/38, 89/39, 89/736, 91/475 and 91/742

Third party submissions:

None on file

Referrals:

- Environment – request further information. Following receipt of further information the Environment Section have no objection subject to condition.
- DoAHG (Wildlife) –following receipt of further information no comments to make on this application (see email)
- Roads – request further information. Following receipt of further information the Roads Section have no objection subject to condition.

Proposed Development:

Permission is sought for the following

- a) Demolition of existing habitable dwelling and ancillary storage buildings. The dwelling is a two storey dwelling located adjacent to existing industrial type buildings which are used for plant packaging. The house is the original Connolly family home and is no longer in use by family members. The house is not on the list of protected structures or on the NIAH. It is stated that the plant packaging line is in urgent need of upgrading and expansion. Given the dwelling house location adjacent to the existing industrial type use, it is considered that demolition of the house is warranted in this case.
- b) Construction of new extension to existing the warehouse/production facility. It is stated that the proposed extension will have floor area of 2323m². The extension will facilitate the packaging line upgrade. The proposed extension will have a height of 17.26m. The proposed extension is substantially lower than the existing adjoining mill and will be clad in the same colour and material.
- c) Construction of a new extension to the existing out loading bins/silos building which will have a height of 22. 8m. The proposed silos are substantially lower than the adjoining structures. It is stated that the additional silos will cater for top bulk loading of trailers

Having regard to the existing use on site ,the design, height and scale of the existing buildings it is considered the proposed extensions and silos will have not have a negative visual impact and will be in keeping with the surrounding building form.

- d) Proposed boundary treatments and all ancillary site development works. It is proposed to construct an in situ concrete cast wall new 2m high sliding gate

Services

It is proposed that all surface water drainage is connected to existing reed bed treatment area and disposed to the river. Water is via a private well .The file was referred to the Environment Section who have requested further information.

Access

There are a number of existing accesses off the Local road serving the development with Carparking area located across from the proposed development.

The applicant state that the extension will not significantly increase goods traffic on site. The file was referred to Roads section who have stated the following

“The existing development is bisected by the public road L8888. The junction of the L8888 and the L2639 is poorly defined with a large open area incorporating the developments weighbridge facilities. The sight lines to the left exiting junction are restricted by the existing hedgerow. The development itself has a number of access points onto the public road all of which have substandard

sight lines. It is noted that mirrors are provided at a number of locations to aid sight lines at these access points. There does not appear to be any pedestrian facilities provided to aid the safe movement of staff throughout the site and across the public road.”

The roads section have requested for further information.

Appropriate Assessment

An integrated constructed wetlands system was granted under planning reference P 13/196 . In the application documents it is stated that reed filter beds will accommodate the surface water outfall from the overall site before it is discharged to the adjoining watersource. From the Environment section report it is noted the technical reports which accompanied planning application P13/196 would confirm that this is not the case .The ICW was designed for a discrete area of the site at the northern end of the overall development with a surface area of 1.2 Ha. The current proposal would increase the contributing area to 1.7 Ha – an increase of approximately 40%. The impact of this on the operation of the ICW and the water quality in the River Barrow has not been assessed

A Natura Impact Statement was submitted as part of this application to assess the anticipated impact of the proposed development on the adjoining SAC. The report considered whether the project, alone or in combination of others, will have any significant negative impact on the integrity of the River Barrow and River Nore Natura 2000 site.

In light of the above it is considered that an updated Natural Impact Statement should be carried out to take account of the proposed impact of the extensions on the ICW and in turn the adjoining river Barrow.

Development Contributions:

Class 4

Further Information

The fowling further information was sought and a response was received on 5/04/2018.

The further information was referred to

- A) Roads Section – no objection
- B) Environment Section - no objection
- C) Dept- Parks and Wildlife section - no objection

1. (a) The applicant shall submit a drainage layout plan illustrating how stormwater from the proposed development is to be conveyed to the Integrated Constructed Wetland (ICW) – i.e. route of the pipe(s), size of the pipe(s), invert levels, gradients, etc.

(b) The applicant shall submit a detailed technical report on the design and operation of the existing ICW. The report shall confirm that it is suitably designed to accept the additional discharge without compromising the final effluent quality. Alternatively the report shall detail any necessary upgrading works. The report shall be prepared by a suitably qualified and competent professional with particular expertise in constructed wetland design.

(c) The applicant shall submit, as part of the report under item (ii) above, an assessment of the operation of the ICW since commissioning. This assessment shall include a review of monitoring results and clarify whether it is operating as designed. Copies of all effluent monitoring results over the last 18 months shall be included. The assessment shall also clarify whether all of the routine maintenance as set out in the original technical documentation (under P13/196) has been and is being carried out.

(d)The applicant shall further submit, as part of the report under item (ii) above, an assessment of the flow attenuation capacity of ICW (as may be upgraded). This assessment shall confirm that there will be no increase in the flow rate from the ICW as a result of the increased catchment size.

- Response:** a) A revised drainage layout has been submitted. The proposal will no longer be distributed to the integrated constructed wetland.
b) The proposal no longer proposes to utilise the ICW on site therefore no impact
c) no additional charges proposed to the the ICW.

The response was referred to the Environment Section who have no objection to this proposal

2. A Natura Impact Assessment was submitted with planning application P.13/196 to assess the anticipated impact of the development on the water quality of the River Barrow. The report which was undertaken by Openfield Ecological Consultants determined that subject to mitigation measures, the project would not have an adverse impact on the water quality of the River Barrow.

Having regard to the increase of the contributing area to the Integrated Constructed Wetland (an increase of approximately 40%) the applicant is required to submit an updated Natura Impact Assessment taking into account the changes and the possible impact on the integrity of the Natura 2000 site of the project, alone or in combination of others.

Response: A revised drainage layout has been submitted. The proposal will no longer be distributed to the integrated constructed wetland. The proposal is independent to the ICW therefore there will be no change to the status of the NIS as prepared under P13/196

A screening report for the proposed development was submitted and prepared by Roger Goodwillie and Associates and concludes that the project will not have any significant effect on the Natura 2000 site during construction or operation neither will it compromise the achievement of its conservation objectives. Since this is the case there is no likelihood of in combination effect with other nearby projects.

The response was referred to national Parks and Wildlife Service of the Department who has stated no comments to this proposal.

Having regard to the screening report submitted by Roger Goodwillie and Associates, the referral responses along with the Screening report carried out by the Planning Authority as the competent Authority, it is considered development will have no significant impact on the Natura 2000 site objectives or overall integrity of any of Natura 2000 sites in the vicinity of the development

3. a) The applicant is requested to submit proposals to clearly define the public road and junction and provide clear separation of all the development site activities from the public road.
- b) The applicant is required to submit proposals to provide 145m sight lines at the junction of the L8888 and L2639. The sight lines shall be measured in accordance with the relevant TII standards and carried out using a detailed survey of the existing public road.
- c) The applicant is required to provide details on how the current deliveries to and from the site are managed throughout the development and how it is proposed to manage deliveries to and from the site on completion of the proposed development.
- d) The applicant is requested to detail how internal traffic movements are catered for across the public road.
- e) The applicant is requested to submit proposals to provide 90m sight lines at all access points from the development on to the public road L8888 and where possible reduce the number of access points onto the L8889.

f) The applicant must submit proposals to provide pedestrian facilities throughout the site and across the public road.

g) The applicant is requested to submit details of the traffic volumes and type associated with the current development and the anticipated traffic volumes associated with the proposed development.

h) The above proposals shall be subject to a Stage 1/ 2 Road Safety Audit carried out in accordance with TII publication GE-STY-01024. The above requested information shall be submitted to the Audit Team as part of the assessment. The Audit must be submitted to the Planning Authority for written approval.

Response : a revised site layout plan was submitted which clearly defines the Factory activities and the public road. The site layout plan shows the revised access arrangements and junction details. A road safety audit was prepared. It is stated that the proposed development will not significantly increase the traffic volumes associated with the existing development.

The response was referred to roads section who has stated no objection subject to condition.

Recommendation

Having regard to the policies and objectives of the current Kilkenny County Development Plan, the reports submitted with this application, further information received and the referral reports received and the existing operation on site , it is considered that the proposed development would not seriously injure the amenities of the area and if constructed in accordance with the attached conditions the proposed development would accord with the proper planning and sustainable development of the area.

Executive Planner

I agree with the above recommendation.

Senior Executive Planner

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First Schedule

Reasons & Considerations for Decision on Planning Ref. P.17/641

Having regard to the policies and objectives of the current Kilkenny County Development Plan 2014-2020, the reports submitted with this application, further information received, referral reports received and the existing operation on site, it is considered that the proposed development would not seriously injure the amenities of the area and if constructed in accordance with the attached conditions the proposed development would accord with the proper planning and sustainable development of the area.

Second Schedule

7 No. Conditions attached to Planning Ref. P.17/641

1. The development shall be carried out and completed strictly in accordance with:
 - (i) the conditions of this permission.
 - (ii) the documents lodged with this application on the 27/09/2017 and further information lodged on the 05/04/2018 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.

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 Acts 2000-2017:

The amount of the financial 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. In accordance with the current scheme the amount of the contribution is calculated at €59,475.00 (fifty nine thousand four hundred and seventy five euro), however this amount may be recalculated in accordance with any newly adopted Development Contribution Scheme that may supercede the current scheme prior to commencement of development. Any applicable amount 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.

Reason: It is a requirement of the Planning and Development Acts 2000-2017 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.

3.
 - a) All works to improve the sight visibility lines at the various junctions shall be completed prior to the operation of the proposed development.
 - b) The completed development shall be subject to a Stage 3 Road Safety Audit carried out in accordance with TII publication GE-STY-01024. The audit shall be submitted to the Planning Authority for written approval. The developer shall be liable for any additional works arising from the audit.
 - c) Prior to commencement of development works and as per comment 2.9 of the Road Safety Audit the applicant shall submit a public lighting design for the accesses onto the L8888 and within the development, for the written approval of the Planning Authority. The lighting shall have energy efficient LED technology and capable to be adapted for use with a central management system (CMS –with 7pin NEMA sockets) or equivalent.

Reason: In the interest of traffic safety.

4. The finish of external elements such as roofs, windows, doors and walls/ galvanised surfaces of the proposed extension and structures shall be as per detailed drawing submitted on 27/09/2017. All external finishes shall be maintained and renewed as necessary.

Reason: In the interests of visual amenity.

5. During the construction phase of the development, the developer shall ensure that all operations at the site shall be managed and programmed in such a manner as to minimise waste production. The developer shall also ensure that procedures are in place to deal with any litter arising during the construction phase of the development. Wastes sent off site for recovery or disposal including waste soil, subsoil and rubble, 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.

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

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

7. No advertisement, advertisement structure and/or logos shall be erected or displayed on the buildings (or within the curtilage of the site) in such a manner as to be visible from outside the building, unless authorised by a further grant of planning permission.

Reason: In the interest of visual amenity.

FOOTNOTES

Section 34 (13) of the Planning & Development Acts 2000-2017 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

Kilkenny County Council Road Authority are to be consulted in respect of a Road Opening Licence for the opening of public road/footpath arising from works associated with the development, such a licence is necessary prior to the opening of a public road.

Applicants are advised to consult with the Chief Fire Officer with regard to the fire safety of this development. A Fire Safety Certificate shall be obtained from Fire Services, Kilkenny County Council prior to any development works commencing.

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 Acts 2000 - 2017).

Please note that the Site Notice shall be removed by the applicant following the notification of the Planning Authority decision under Article 31.

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Site Location & Description:

The site is located within the Connolly's Redmills facility at Lower Grange, Goresbridge, Co. Kilkenny. The site operates on both sides of L8888. There are a large number of industrial type structures on both sides of the road. The current site is located on the south side of the local road. The Goresbridge Redmills Plant is involved in the manufacture of animal feeds which are exported around the world. The site currently employs 200 staff at this location with production and group headquarters run from this site. It is stated the proposed extension will support 4-8 jobs.

Planning History:

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Third party submissions:

None on file

Referrals:

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Proposed Development:

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Services

It is proposed that all surface water drainage is connected to existing reed bed treatment area and disposed to the river. Water is via a private well. The file was referred to the Environment Section who have requested further information.

Access

There are a number of existing accesses off the Local road serving the development with Carparking area located across from the proposed development.

The applicant state that the extension will not significantly increase goods traffic on site. The file was referred to Roads section who have stated the following

“The existing development is bisected by the public road L8888. The junction of the L8888 and the L2639 is poorly defined with a large open area incorporating the developments weighbridge facilities. The sight lines to the left exiting junction are restricted by the existing hedgerow. The development itself has a number of access points onto the public road all of which have substandard

sight lines. It is noted that mirrors are provided at a number of locations to aid sight lines at these access points. There does not appear to be any pedestrian facilities provided to aid the safe movement of staff throughout the site and across the public road.”

The roads section have requested for further information.

Appropriate Assessment

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A Natura Impact Statement was submitted as part of this application to assess the anticipated impact of the proposed development on the adjoining SAC. The report considered whether the project, alone or in combination of others, will have any significant negative impact on the integrity of the River Barrow and River Nore Natura 2000 site.

In light of the above it is considered that an updated Natural Impact Statement should be carried out to take account of the proposed impact of the extensions on the ICW and in turn the adjoining river Barrow.

Development Contributions:

Class 4

Further Information

The fowling further information was sought and a response was received on 5/04/2018.

The further information was referred to

- A) Roads Section – no objection
- B) Environment Section - no objection
- C) Dept- Parks and Wildlife section - no objection

1. (a) The applicant shall submit a drainage layout plan illustrating how stormwater from the proposed development is to be conveyed to the Integrated Constructed Wetland (ICW) – i.e. route of the pipe(s), size of the pipe(s), invert levels, gradients, etc.

(b) The applicant shall submit a detailed technical report on the design and operation of the existing ICW. The report shall confirm that it is suitably designed to accept the additional discharge without compromising the final effluent quality. Alternatively the report shall detail any necessary upgrading works. The report shall be prepared by a suitably qualified and competent professional with particular expertise in constructed wetland design.

(c) The applicant shall submit, as part of the report under item (ii) above, an assessment of the operation of the ICW since commissioning. This assessment shall include a review of monitoring results and clarify whether it is operating as designed. Copies of all effluent monitoring results over the last 18 months shall be included. The assessment shall also clarify whether all of the routine maintenance as set out in the original technical documentation (under P13/196) has been and is being carried out.

(d)The applicant shall further submit, as part of the report under item (ii) above, an assessment of the flow attenuation capacity of ICW (as may be upgraded). This assessment shall confirm that there will be no increase in the flow rate from the ICW as a result of the increased catchment size.

- Response:** a) A revised drainage layout has been submitted. The proposal will no longer be distributed to the integrated constructed wetland.
- b) The proposal no longer proposes to utilise the ICW on site therefore no impact
- c) no additional charges proposed to the the ICW.

The response was referred to the Environment Section who have no objection to this proposal

2. A Natura Impact Assessment was submitted with planning application P.13/196 to assess the anticipated impact of the development on the water quality of the River Barrow. The report which was undertaken by Openfield Ecological Consultants determined that subject to mitigation measures, the project would not have an adverse impact on the water quality of the River Barrow.

Having regard to the increase of the contributing area to the Integrated Constructed Wetland (an increase of approximately 40%) the applicant is required to submit an updated Natura Impact Assessment taking into account the changes and the possible impact on the integrity of the Natura 2000 site of the project, alone or in combination of others.

Response: A revised drainage layout has been submitted. The proposal will no longer be distributed to the integrated constructed wetland. The proposal is independent to the ICW therefore there will be no change to the status of the NIS as prepared under P13/196

A screening report for the proposed development was submitted and prepared by Roger Goodwillie and Associates and concludes that the project will not have any significant effect on the Natura 2000 site during construction or operation neither will it compromise the achievement of its conservation objectives. Since this is the case there is no likelihood of in combination effect with other nearby projects.

The response was referred to national Parks and Wildlife Service of the Department who has stated no comments to this proposal.

Having regard to the screening report submitted by Roger Goodwillie and Associates, the referral responses along with the Screening report carried out by the Planning Authority as the competent Authority, it is considered development will have no significant impact on the Natura 2000 site objectives or overall integrity of any of Natura 2000 sites in the vicinity of the development

3. a) The applicant is requested to submit proposals to clearly define the public road and junction and provide clear separation of all the development site activities from the public road.
- b) The applicant is required to submit proposals to provide 145m sight lines at the junction of the L8888 and L2639. The sight lines shall be measured in accordance with the relevant TII standards and carried out using a detailed survey of the existing public road.
- c) The applicant is required to provide details on how the current deliveries to and from the site are managed throughout the development and how it is proposed to traffic manage deliveries to and from the site on completion of the proposed development.
- d) The applicant is requested to detail how internal traffic movements are catered for across the public road.
- e) The applicant is requested to submit proposals to provide 90m sight lines at all access points from the development on to the public road L8888 and where possible reduce the number of access points onto the L8889.

f) The applicant must submit proposals to provide pedestrian facilities throughout the site and across the public road.

g) The applicant is requested to submit details of the traffic volumes and type associated with the current development and the anticipated traffic volumes associated with the proposed development.

h) The above proposals shall be subject to a Stage 1/ 2 Road Safety Audit carried out in accordance with TII publication GE-STY-01024. The above requested information shall be submitted to the Audit Team as part of the assessment. The Audit must be submitted to the Planning Authority for written approval.

Response : a revised site layout plan was submitted which clearly defines the Factory activities and the public road. The site layout plan shows the revised access arrangements and junction details. A road safety audit was prepared. It is stated that the proposed development will not significantly increase the traffic volumes associated with the existing development.

The response was referred to roads section who has stated no objection subject to condition.

Recommendation

Having regard to the policies and objectives of the current Kilkenny County Development Plan, the reports submitted with this application, further information received and the referral reports received and the existing operation on site , it is considered that the proposed development would not seriously injure the amenities of the area and if constructed in accordance with the attached conditions the proposed development would accord with the proper planning and sustainable development of the area.

Executive Planner

I agree with the above recommendation.

Senior Executive Planner

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First Schedule

Reasons & Considerations for Decision on Planning Ref. P.17/641

Having regard to the policies and objectives of the current Kilkenny County Development Plan 2014-2020, the reports submitted with this application, further information received, referral reports received and the existing operation on site, it is considered that the proposed development would not seriously injure the amenities of the area and if constructed in accordance with the attached conditions the proposed development would accord with the proper planning and sustainable development of the area.

Second Schedule

7 No. Conditions attached to Planning Ref. P.17/641

1. The development shall be carried out and completed strictly in accordance with:
 - (i) the conditions of this permission.
 - (ii) the documents lodged with this application on the 27/09/2017 and further information lodged on the 05/04/2018 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.

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 Acts 2000-2017:

The amount of the financial 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. In accordance with the current scheme the amount of the contribution is calculated at €59,475.00 (fifty nine thousand four hundred and seventy five euro), however this amount may be recalculated in accordance with any newly adopted Development Contribution Scheme that may supercede the current scheme prior to commencement of development. Any applicable amount 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.

Reason: It is a requirement of the Planning and Development Acts 2000-2017 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.

3.
 - a) All works to improve the sight visibility lines at the various junctions shall be completed prior to the operation of the proposed development.
 - b) The completed development shall be subject to a Stage 3 Road Safety Audit carried out in accordance with TII publication GE-STY-01024. The audit shall be submitted to the Planning Authority for written approval. The developer shall be liable for any additional works arising from the audit.
 - c) Prior to commencement of development works and as per comment 2.9 of the Road Safety Audit the applicant shall submit a public lighting design for the accesses onto the L8888 and within the development, for the written approval of the Planning Authority. The lighting shall have energy efficient LED technology and capable to be adapted for use with a central management system (CMS –with 7pin NEMA sockets) or equivalent.

Reason: In the interest of traffic safety.

4. The finish of external elements such as roofs, windows, doors and walls/ galvanised surfaces of the proposed extension and structures shall be as per detailed drawing submitted on 27/09/2017. All external finishes shall be maintained and renewed as necessary.

Reason: In the interests of visual amenity.

5. During the construction phase of the development, the developer shall ensure that all operations at the site shall be managed and programmed in such a manner as to minimise waste production. The developer shall also ensure that procedures are in place to deal with any litter arising during the construction phase of the development. Wastes sent off site for recovery or disposal including waste soil, subsoil and rubble, 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.

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

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

7. No advertisement, advertisement structure and/or logos shall be erected or displayed on the buildings (or within the curtilage of the site) in such a manner as to be visible from outside the building, unless authorised by a further grant of planning permission.

Reason: In the interest of visual amenity.

FOOTNOTES

Section 34 (13) of the Planning & Development Acts 2000-2017 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

Kilkenny County Council Road Authority are to be consulted in respect of a Road Opening Licence for the opening of public road/footpath arising from works associated with the development, such a licence is necessary prior to the opening of a public road.

Applicants are advised to consult with the Chief Fire Officer with regard to the fire safety of this development. A Fire Safety Certificate shall be obtained from Fire Services, Kilkenny County Council prior to any development works commencing.

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 Acts 2000 - 2017).

Please note that the Site Notice shall be removed by the applicant following the notification of the Planning Authority decision under Article 31.