

LIMERICK COUNTY COUNCIL

PLANNING AND DEVELOPMENT ACTS, 2000 - 2013

NOTIFICATION OF GRANT OF PERMISSION

Ballyfaskin Enterprises Ltd.
c/o Nick Bailey
Kilbehenny
Mitchelstown
Co. Cork

PLANNING REGISTER NUMBER : 14/276


APPLICATION RECEIPT DATE: 11/02/2014

Permission for (i) construction of a single storey staff facilities building which will be ancillary to the operation of existing pig production unit, including all associated site works & services and (ii) construction of an underground rainwater harvesting tank with associated above ground pumphouse. This application relates to a development which comprises or is for the purposes of an activity requiring an integrated pollution control licence at Ballyfauskeen Ballylanders Co. Limerick.

Further to the Order dated: 31/03/2014

A PERMISSION has been granted for the development described above subject to the 4 condition(s) set out on the Schedule which accompanied the Notification of the Council's Decision dated 31/03/2014.

Signed on behalf of the said Council



(for) Director of Services
Economic Development & Planning
Date: 8/5/14

Please note that the provisions of Planning & Development Acts, 2000 - 2013 limits the duration of this planning permission to a period of five years from the date hereof.

14/276

31st March 2014

Ballyfaskin Enterprises Ltd.,
c/o Nick Bailey,
Kilbehenny,
Mitchelstown,
Co. Cork.

Re: Planning Ref. No. 14/276

Dear Sir/Madam,

I refer to the attached notification of decision with regard to the above development and wish to inform you that it will be necessary for you to comply with the requirements of the Fire Authority in connection with same and a copy of these are enclosed for your attention.

Yours faithfully,

for DIRECTOR OF SERVICES
ECONOMIC DEVELOPMENT & PLANNING.

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LIMERICK COUNTY COUNCIL

PLANNING AND DEVELOPMENT ACTS 2000-2013

NOTIFICATION OF DECISION TO GRANT

Ballyfaskin Enterprises Ltd.
c/o Nick Bailey
Kilbehenny
Mitchelstown
Co. Cork

Planning Register Number: 14/276
Valid Application Received: 11/02/2014
Further Information Received Date:

In pursuance of the powers conferred upon them by the above-mentioned Act, Limerick County Council has by Order dated **31st March, 2014** decided for the reason set out in the First Schedule hereto, to **GRANT PERMISSION** for development of land in accordance with the documents submitted namely:-(i) **construction of a single storey staff facilities building which will be ancillary to the operation of existing pig production unit, including all associated site works & services and (ii) construction of an underground rainwater harvesting tank with associated above ground pumphouse. This application relates to a development which comprises or is for the purposes of an activity requiring an integrated pollution control licence at Ballyfauskeen Ballylanders Co. Limerick** subject to the 4 condition(s) and the reasons for the imposition of the said condition(s) as set out in the Second Schedule.

Signed on behalf of said Council


for **DIRECTOR OF SERVICES**
ECONOMIC DEVELOPMENT & PLANNING

Date: **31st March, 2014**

Under Article 20 of the Planning & Development Regulations 2001 - 2013 the applicant shall remove the site notice in respect of the application following notification of the Planning Authority's decision.

In deciding the planning application, the Planning Authority, in accordance with Section 34(3) of the Planning & Development Acts 2000 - 2013 has had regard to submissions/observations received (if any) in accordance with the Planning & Development Regulations 2001 - 2013.

If there is no appeal to An Bord Pleanála a grant of permission shall be issued as soon as may be but not earlier than 3 working days after the expiration of the period for making of an appeal (see footnote).

THIS NOTICE IS NOT A GRANT OF PERMISSION AND WORK SHOULD NOT COMMENCE UNTIL PLANNING PERMISSION IS GRANTED.

NOTE:

An appeal against a decision of a planning authority under the provisions of the Planning & Development Acts, 2000-2013 may be made to An Bord Pleanála at any time before the expiration of the appropriate period and on payment of the appropriate fee, by an applicant for permission or any person who made submissions or observations in writing in relation to the planning application. An appeal by a person who made submissions or observations must be accompanied by the acknowledgement of receipt of the submissions or observations from the planning authority. Any such appeal must be made in writing and received by the Board within 4 weeks beginning on the date of the making of the decision by the planning authority. The appeal must be fully complete from the start otherwise it will be invalid. It is very important to note that any appeal referrals under the 2000 to 2013 Planning & Development Acts which are not accompanied by the correct fee will be invalid.

/P.T.O.

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The schedule of fees payable to An Bord Pleanála in respect of appeals is set out hereunder:

Case Type	Appeal received on or after 5 th September 2011
Planning Acts	
a. Application for strategic infrastructure development or a request to alter the terms of such development already permitted or approved.	€100,000
b. Appeal against a decision of a planning authority on a planning application relating to commercial development, made by the person by whom the planning application was made, where the application included retention of development.	€4,500 or €9,000 if *EIS or **NIS involved
c. Appeal against a decision of a planning authority on a planning application relating to commercial development, made by the person by whom the planning application was made, other than an appeal mentioned at (b).	€1,500 or €3,000 if *EIS or **NIS involved
d. Appeal against a decision of a planning authority on a planning application made by the person by whom the planning application was made, where the application relates to retention of development, other than an appeal mentioned at (b) or (c) (non-commercial development).	€660
e. 1 st party appeal solely against contribution condition(s) – (2000 Act Section 48 or 49).	€220
f. Appeal other than an appeal mentioned at (b), (c), (d) or (h)	€220
g. Application for leave to appeal.	€110
h. Appeal following a grant of leave to appeal.	€110
i. Referral.	€220
j. Reduced fee (payable by specified bodies)	€110
k. Submissions or observations (by observer) on strategic infrastructure development applications, appeals and referrals.	€50
l. Request from a party for an oral hearing.	€50
*EIS - Environmental Impact Statement	
**NIS - Natura Impact Statement	

Submissions or observations on appeals made by third parties must be received by the Board within 4 weeks from the receipt of the appeal by the Board and the fee in this case is €50. Development consisting of the provision of two or more dwellings is classed as commercial development for the purposes of an appeal.

Should you wish to make an appeal, the following documents are available on www.pleanala.ie

- A Planning Appeal Form/Checklist and
- A Guide to making a Planning Appeal.

Appeals should be addressed to An Bord Pleanála, 64 Marlborough Street, Dublin 1.

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PLANNING REGISTER REFERENCE NUMBER: 14/276

FIRST SCHEDULE

Having regard to the nature of the proposed development, it is considered that subject to compliance with the conditions as set out in the Second Schedule, the proposed development would be in accordance with the proper planning and sustainable development of the area.

SECOND SCHEDULE

1. The development shall be carried out in accordance with the plans and particulars lodged with the application on the 11th February 2014, except as may otherwise be required in order to comply with the following conditions.

Reason - In order to clarify the development to which this permission applies.

2. The staff facilities building shall be used for staff only associated with the piggery operating on site and not for any other use.

Reason - In the interest of clarity and orderly development.

3. In relation to the disposal of effluent from the staff facility the applicant shall comply with the following:
 - a. The effluent holding tank must be audibly and visibly alarmed and set to trigger when effluent is within 200mm of top of tank.
 - b. No over-flow pipe from the holding tank may be installed.

Reason - In the interest of orderly development and public health.

4. The applicant shall comply with the relevant conditions attached to the grant of planning permission 12/306.

Reason - In the interest of clarity.

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Limerick County Council

PLANNING AND DEVELOPMENT ACTS 2000-2013

Senior Executive Planner Economic Development & Planning Order No: P.D. 212/14

Reference Number: 14/276

Name of Applicant: Ballyfaskin Enterprises Ltd.
Address: c/o Nick Bailey
Kilbehenny
Mitchelstown
Co. Cork

Nature of Application PERMISSION for (i) construction of a single storey staff facilities building which will be ancillary to the operation of existing pig production unit, including all associated site works & services and (ii) construction of an underground rainwater harvesting tank with associated above ground pumphouse. This application relates to a development which comprises or is for the purposes of an activity requiring an integrated pollution control licence

Location of Development: Ballyfauskeen Ballylanders Co. Limerick

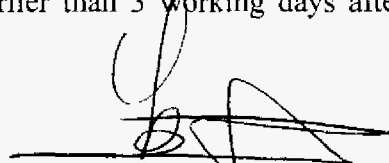
Recommendation of E.P. PERMISSION BE GRANTED for the above mentioned development subject to the 4 condition(s) set out in the Second Schedule hereto.

ORDER:

Whereas by County Manager's Order No. HR. 14/169 dated 24th February, 2014 Conn Murray, Limerick City & County Manager, did, pursuant to the powers conferred on him by Section 154 of the Local Government Act, 2001, delegate unto Stephane Duclot, with effect from the 14th March 2014, the functions within the meaning of the Local Government Act, 2001 as set out therein.

NOW THEREFORE pursuant to the delegation of the functions aforesaid, I, Stephane Duclot, Senior Executive Planner, Limerick City Council & Limerick County Council, hereby decide, pursuant to the provisions of the Planning & Development Acts, 2000-2013 and the Planning & Development Regulations 2001-2013, for the reason set out in the First Schedule attached hereto, to GRANT PERMISSION for the above development in accordance with documents submitted, subject to the 4 condition(s) set out in the Second Schedule attached hereto.

Notification of decision to grant to issue forthwith and notification of the grant of PERMISSION to issue as soon as may be but not earlier than 3 working days after the expiration of the period for making of an appeal.



SENIOR EXECUTIVE PLANNER
ECONOMIC DEVELOPMENT & PLANNING

DATED THIS 31ST DAY OF MARCH, 2014

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PLANNING REGISTER REFERENCE NUMBER: 14/276

FIRST SCHEDULE

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SECOND SCHEDULE

1. The development shall be carried out in accordance with the plans and particulars lodged with the application on the 11th February 2014, except as may otherwise be required in order to comply with the following conditions.

Reason - In order to clarify the development to which this permission applies.

2. The staff facilities building shall be used for staff only associated with the piggery operating on site and not for any other use.

Reason - In the interest of clarity and orderly development.

3. In relation to the disposal of effluent from the staff facility the applicant shall comply with the following:
 - a. The effluent holding tank must be audibly and visibly alarmed and set to trigger when effluent is within 200mm of top of tank.
 - b. No over-flow pipe from the holding tank may be installed.

Reason - In the interest of orderly development and public health.

4. The applicant shall comply with the relevant conditions attached to the grant of planning permission 12/306.

Reason - In the interest of clarity.

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