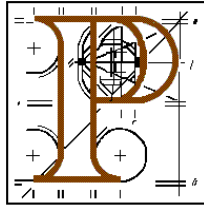


An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2015

Kerry County

Planning Register Reference Number: 15/825 (Listowel)

An Bord Pleanála Reference Number: PL 08.247102

APPEAL by Brandon Products Limited of Centrepont, Tralee, County Kerry against the decision made on the 19th day of July, 2016 by Kerry County Council to grant subject to conditions a permission in accordance with plans and particulars lodged with the said Council.

PROPOSED DEVELOPMENT: A 10 year permission to (1) demolish existing office building and store, (2) construct a new two-storey office building, finish product store/warehouse with grow rooms, enclose existing tank farm, (3) change of use of existing store to production facility, (4) extend evaporator building, (5) construct new electrical sub-station, (6) construct new internal site access roadway with vehicular circulation and parking with associated site lighting, and (7) develop hard and soft landscaping elements and all associated ancillary site works at Kilcolman, Asdee, County Kerry.

The proposed development was revised by further public notices referring to significant further information received by the planning authority on the 29th April, 2016 including an Environmental Impact Statement, assessment of existing wastewater treatment system and details of improved sight distances at site entrance.

DECISION

Having regard to the nature of the conditions the subject of the appeal, the Board is satisfied that the determination by the Board of the relevant application as if it had been made to it in the first instance would not be warranted and, based on the reasons and considerations set out below, directs the said Council under subsection (1) of section 139 of the Planning and Development Act, 2000 to REMOVE condition number 16 and the reason therefor and to AMEND condition number 8 so that it shall be as follows for the reason set out.

8. (a) The activity shall not proceed without a valid licence under the Air Pollution Act being in place.
- (b) The licensee shall, within three months of the date of grant of this permission, install and maintain in a prominent location on the site a wind sock, or other wind direction indicator, which shall be visible from the public roadway outside the site.
- (c) All operations on-site shall be 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 and at odour sensitive locations.
- (d) The applicant shall comply with all of the conditions set out in the licence issued under the Air Pollution Act.

Reason: In the interest of public health and to prevent pollution.

REASONS AND CONSIDERATIONS

