

offence unless covered by a derogation licence issued by the Minister for Culture, Heritage and the Gaeltacht (pursuant to Article 16 of the Habitats Directive).

#### DATA PROTECTION

It is the responsibility of persons or entities wishing to use any personal data on a planning application form for direct marketing purposes to be satisfied that they may do so legitimately under the requirements of the Data Protection Acts 1988 to 2018. The Office of the Data Protection Commissioner states that the sending of marketing material to individuals without consent may result in action by the Data Protection Commissioner against the sender including prosecution.

#### APPLICATION FORM

<b>1. NAME OF RELEVANT PLANNING AUTHORITY:</b>
Kerry County Council

<b>2. LOCATION OF DEVELOPMENT:</b>	
<i>Postal Address or Townland or Location (as may best identify the land or structure in question)</i>	Fenit Within, Fenit, County Kerry
<i>Ordnance Survey Map Ref No (and the Grid Reference where available) <sup>1</sup></i>	5519/A ITM 471740,618162 and 5518 ITM 471262,617802

<b>3. APPLICANT<sup>2</sup>:</b>	
<i>Name(s)</i>	Mr Niall O'Sullivan, Mr John Murphy, Mr Liam McCarthy & Mrs Kit McCarthy

	Address to be supplied at the end of this form (Question 19)
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<b>4. WHERE APPLICANT IS A COMPANY (REGISTERED UNDER THE COMPANIES ACTS):</b>	
<i>Name(s) of company director(s)</i>	N/A
<i>Registered Address (of company)</i>	
<i>Company Registration number</i>	

<b>5. PERSON/AGENT ACTING ON BEHALF OF THE APPLICANT (IF ANY):</b>	
<i>Name</i>	Leahy Planning Ltd
	Address to be supplied at the end of this form (Question 20)

<b>6. PERSON RESPONSIBLE FOR PREPARATION OF DRAWINGS AND PLANS<sup>3</sup>:</b>	
<i>Name</i>	Michael Leahy
<i>Firm/Company</i>	Leahy Planning Ltd

<b>7. DESCRIPTION OF DEVELOPMENT:</b>	
<i>Brief description of nature and extent of development<sup>4</sup></i>	Substitute Consent for provision of fencing

<b>8. LEGAL INTEREST OF APPLICANT IN THE LAND OR STRUCTURE:</b>
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Please tick appropriate box	A. Owner <input checked="" type="checkbox"/>	B. Occupier
	C. Other	
Where legal interest is 'Other', please expand further on your interest in the land or structure		

<b>9. SITE AREA:</b>	
Area of site to which the application relates in hectares	2.0 .....ha within red line

<b>10. WHERE THE APPLICATION RELATES TO A BUILDING OR BUILDINGS:</b>	
Gross floor space <sup>3</sup> of existing building(s) in square metres	N/A
Gross floor space of any demolition in square metres (if appropriate)	N/A

<b>11. IN THE CASE OF MIXED DEVELOPMENT (E.G. RESIDENTIAL, COMMERCIAL, INDUSTRIAL, ETC), PLEASE PROVIDE BREAKDOWN OF THE DIFFERENT CLASSES OF DEVELOPMENT AND BREAKDOWN OF THE GROSS FLOOR AREA OF EACH CLASS OF DEVELOPMENT:</b>	
Class of Development	Gross floor area in square metres
N/A	N/A

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12. IN THE CASE OF RESIDENTIAL DEVELOPMENT PLEASE PROVIDE BREAKDOWN OF RESIDENTIAL MIX:							
Number of	Studio	1 Bed	2 Bed	3 Bed	4 Bed	4+ Bed	Total
Houses							
Apartments							
Number of car-parking spaces to be provided							Total:

N/A

13. DEVELOPMENT DETAILS:		
Please tick appropriate box	Yes	No
Does the development consist of work to a protected structure and/or its curtilage or proposed protected structure and/or its curtilage?		✓
Does the development consist of work to the exterior of a structure which is located within an architectural conservation area (ACA)?		✓
Does the application relate to development which affects or is close to a monument or place recorded under section 12 of the National Monuments (Amendment) Ac. 1994?		✓
Does the application relate to work within or close to a European Site or a Natural Heritage Area?	✓	
Is the remedial Environmental Impact Assessment Report included with this application?		✓
Does the development require the preparation of a remedial Natura impact statement?	✓	

Does the application relate to a development which comprises or is for the purposes of an activity requiring a licence from the Environmental Protection Agency other than a waste licence?		<input checked="" type="checkbox"/>
Does the application relate to a development which comprises or is for the purposes of an activity requiring a waste licence?		<input checked="" type="checkbox"/>
Do the Major Accident Regulations apply to the development?		<input checked="" type="checkbox"/>
Does the application relate to a development in a Strategic Development Zone?		<input checked="" type="checkbox"/>
Does the development involve the demolition of any structure?		<input checked="" type="checkbox"/>

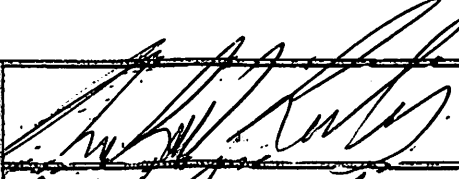
<b>14. SITE HISTORY:</b>
<i>Details regarding site history (if known)</i>
<p>Has the site in question ever, to your knowledge, been flooded?</p> <p>Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p> <p>If yes, please give details e.g. year, extent.</p> <p>Are you aware of previous uses of the site e.g. dumping or quarrying? Yes <input type="checkbox"/> No <input type="checkbox"/></p> <p>If yes, please give details.</p>
<p><i>Are you aware of any valid planning applications previously made in respect of this land/structure?</i></p> <p>Yes <input checked="" type="checkbox"/> No <input type="checkbox"/></p> <p>If yes, please state planning reference number(s) and the date(s) of receipt of the planning application(s) by the planning authority if known:</p> <p>Reference No.: ..... Date: .....</p>

<b>15. SERVICES:</b>	N/A
<b>Source of Water Supply</b>	
Public Mains <input type="checkbox"/>   Group Water Scheme <input type="checkbox"/>   Private Well <input type="checkbox"/>	
Other (please specify): .....	
Name of Group Water Scheme (where applicable): .....	
<b>Wastewater Management/Treatment</b>	
Public Sewer <input type="checkbox"/>   Conventional septic tank system <input type="checkbox"/>	
Other on-site treatment system <input type="checkbox"/>   Please specify.....	
<b>Surface Water Disposal</b>	
Public Sewer/Drain <input type="checkbox"/>   Soakpit <input type="checkbox"/>	
Watercourse <input type="checkbox"/>   Other <input type="checkbox"/>   Please specify.....	

<b>16. DETAILS OF PUBLIC NOTICE:</b>	
<i>Approved newspaper<sup>2</sup> in which notice was published</i>	The Kerryman
<i>Date of publication</i>	14 August 2024
<i>Date on which site notice was erected</i>	14 August 2024

<b>17. APPLICATION FEE:</b>	
Fee Payable	€600

Basis of Calculation	Class 13 - €240 or €30 per 0.1 ha. Total site area 2.0 ha. within red line 20x30=6000
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<b>18. DECLARATION:</b>	
<i>I hereby declare that, to the best of my knowledge and belief, the information given in this form is correct and accurate and fully compliant with the Planning &amp; Development Act 2000, as amended, and the Regulations made thereunder.</i>	
Signed (Applicant or Agent as appropriate)	
Date	20 <sup>th</sup> April 2024

**CONTACT DETAILS — NOT TO BE PUBLISHED**

Commented [1877]: Contact Details section of Form No. 7 is substituted by Article 99(4) of S.I. No. 294/2018 European Union (Planning and Development) (Environmental Impact Assessment) Regulations 2018

<b>19. APPLICANT ADDRESS/CONTACT DETAILS:</b>	
Address	Mr John Murphy, Island Road, Fenit, Co. Kerry Mr Liam & Mrs Kit McCarthy, Fenit Island, Co. Kerry Mr Niall O'Sullivan, Tawlaught, Fenit, Tralee, Co. Kerry
Email address	N/A
Telephone number (optional)	N/A

<b>20. AGENT'S (IF ANY) ADDRESS/CONTACT DETAILS:</b>	
Address	Leahy Planning Ltd, Mill Road House, Mill Road, Ennis, Co Clare

<b>Email address</b>	info@leahyplanning.com
<b>Telephone number (optional)</b>	065 689 1254
<p>Should all correspondence be sent to the agent's address? Please tick appropriate box. (Please note that if the answer is 'No', all correspondence will be sent to the applicant's address)</p> <p>Yes <input checked="" type="checkbox"/> No <input type="checkbox"/></p>	

**A contact address must be given, whether that of the applicant or that of the agent.**

***This form should be accompanied by the following documentation:***

Please note that if the appropriate documentation is not included, your application will be deemed invalid.

**All Applications:**

- The relevant page of newspaper that contains notice of your application
- A copy of the site notice
- 6 copies of site location map<sup>a</sup>
- 6 copies of site or layout plan as appropriate<sup>a</sup>
- 6 copies of plans and other particulars required to describe the works to which the development relates (include detailed drawings of floor plans, elevations and sections) as appropriate<sup>a</sup>
- The appropriate Fee

**Where the disposal of wastewater for the development is other than to a public sewer:**

- Information on the on-site treatment system and evidence as to the suitability of the site for the system.



**Where the application refers to a protected structure/ proposed protected structure/ or the exterior of a structure which is located within an architectural conservation area (ACA):**

- ☐ Photographs, plans and other particulars necessary to show how the development affects the character of the structure.

**Where an application requires an Environmental Impact Report or a Natura Impact Statement:**

- ☐ An Environmental Impact Assessment Report, and
- ☐ A copy of the confirmation notice received from the EIA portal in accordance with article 97B(2) of the permission regulations
- ☐ A Natura Impact Statement