An R[illegible]n Pleanála
Comhairle Contae Chiarraí,
Áras an Chontae,
Trá Lí, Co. Chiarraí.

COMHAIRLE CONTAE CHIARRAÍ
KERRY COUNTY COUNCIL

Planning Department
Kerry County Council,
County Buildings,
Tralee, Co. Kerry.

Guthán | Tel 066 7183582 Facs | Fax 066 7120328 Rphost | Email plan@kerrycoco.ie Suíomh | Web www.kerrycoco.ie

DOB/DD

AN BORD PLEANÁLA
LDG- 054289 -22
ABP-
07 JUN 2022 o.k
Fee: € 110 Type: cheque
Time: By: post

3rd June 2022

An Bord Pleanála,
64 Marlborough Street,
Dublin 1

Planning and Development Acts 2000 – 2020
Declaration on Development and Exempted Development
(Section 5 of the Planning and Development Act 2000 – 2020
Planning Register EX1002

Dear Sir/Madam

I refer to the above mentioned request for a Section 5 Declaration which was submitted to this Planning Authority on 16th May 2022 on behalf of Timothy O'Sullivan.

On behalf of this Planning Authority, I now wish to refer the question as to whether the continuation of quarrying in a manner commensurate with the level of activity which prevailed pre – 1963, is or is not development or is or is not exempted development to An Bord Pleanála (ABP) for a decision as provided for under Section 5(4) of the Planning and Development Act 2000 – 2020.

Attached please find a copy of file register no. EX1002 and a paying order in the amount of €110 being the prescribed fee as relayed to me by your office on 1st June 2022.

Yours Faithfully,

David Diggins

pp David O' Brien
Administrative Officer

COMHAIRLE CONTAE CHIARRAÍ
KERRY COUNTY COUNCIL

REMITTANCE ADVICE / FAISNÉIS ÍOCAÍOCHTA

An Bord Pleanala
64 Marlborough Street Dublin 1 Co Dublin
Ireland

Cheque No.	816001
Supp ID / Uimh. Aitheantais	171690
Date / Dáta	03/06/2022
Page / Leathanach	1/1

Your Ref/ Bhur dTagairt	Inv Date/ Dáta Sonraisc	Our Ref/ Ár dTagairt	AMOUNT/ SUIM EUR	Payable Iníoctha EUR
EX 1002	01/06/2022	31103245	110.00	110.00
PAGE TOTAL / IOMLÁN AN LEATHANAIGH		**EUR**	**110.00**	**110.00**
GRAND TOTAL / MÓRIOMLÁN		**EUR**	**110.00**	**110.00**

WH = Withholding Tax CT = Subcontractors Tax RA = Non Resident Landlord
INT = Late Payment Interest, Rate = 8.00% CMP = Late Payment Compensation

KERRY COUNTY COUNCIL
Planning Section

COMHAIRLE CHONTAE CHIARRAÍ
An Roinn Pleanála

Memo

23rd May 2022

Michael Lynch, SEE

Re: EX1002

I attach herewith Section 5 Application received from **Timothy O'Sullivan.**

Please let me have your observations before 9th June 2022.

Dawn Diggins
A.A.S.O. Planning.

Kerry County Council,
County Buildings, Tralee, Co. Kerry.
Tel: (066) 7183582 Fax: (066) 7120328
E-mail: plan@kerrycoco.ie

Comhairle Chontae Chiarraí,
Áras an Chontae, Trá Lí, Co. Chiarraí.
Guthán: (066) 7183582 Faics: (066) 7120328
Web: http://www.kerrycoco.ie

23rd May 2022

Frank Coffey
Dalys Lane
Killorglin
Co Kerry

Re: Declaration and Referral on Development and Exempted Development under and in accordance with Section 5 of the Planning & Development Acts 2000 – 2020

Dear Madam,

I wish to acknowledge receipt of your application for a Section 5 Declaration on behalf of **Timothy O'Sullvian, Dereendrislagh, Sneem, Co Kerry.**

Register No. **EX1002** refers and the Planning Authority will be in touch with you in due course.

Please find attached receipt for same.

Yours Sincerely,

pp **David O'Brien**
AO Planning

CC-P27
09-2013_BG

Comhairle Contae Chiarraí
Kerry County Council

FOIRM IARRATAIS ALT 5
SECTION 5 APPLICATION FORM

IARRATAS MAIDIR LE DEARBHÚ AR FHORBAIRT AGUS AR DÍOLÚINE FORBARTHA (Alt 5 den Acht um Pleanáil agus Forbairt leasaithe)

REQUEST FOR A DECLARATION ON DEVELOPMENT AND EXEMPTED DEVELOPMENT (Section 5 of the Planning & Development Act 2000 as amended)

TÁILLE €80 FEE

All personal data collected is in compliance with the requirements of the General Data Protection Regulation (GDPR) 2016, and Data Protection Acts 1988 to 2003. Individual privacy notices for each section/service are available at www.kerrycoco.ie

Ainm TIMOTHY O'SULLIVAN Name

Seoladh DERREENDRISLAGH Address
SNEEM

RECEIVED
16 MAY 2022
PLANNING AUTHORITY
REC'D IN POST

Teil. 087 9192415 Tel:

R-phost gleesknquerries@gmail.com Email

Ainm/Seoladh Gníomhaire FRANK COFFEY Name/Address of Agent
DALYS LANE
KILCORGIN

Teil. 086 2947474 Tel:

Láthair an Suímh Ábhartha DERREENDRISLAGH Location of Subject Site

An Struchtúr Cosanta é nó 'bhfuil sé laistigh de chúirtealáiste Struchtúir Chosanta? _____ Is this a Protected Structure or within the cartilage of a Protected Structure?

Más é, 'bhfuil Dearbhú faoi Alt 57 den Acht um Pleanáil agus Forbairt 2000 iarrtha nó eisithe don fhorbairt ag an tÚdarás Pleanála? _____ If yes, has a Declaration under Section 57 of the Planning and Development 2000 been requested or issued for the property by the Planning Authority?

Luaigh leas an iarratasóra sa suíomh le do thoil **Please state applicants interest in this site**

OWNER

Luaigh ainm agus seoladh an úinéara murar é/í an t-iarratasóir N/A

If applicant is not the owner please provide owner's name and address

Tabhair faoi deara go n-eiseofar cóip den Dearbhú ar Fhorbairt agus ar Díolúine Forbartha de réir Alt 5(2a) den Acht um Pleanáil agus Forbairt 2000 don úinéir/ áititheoir.

Please note that in accordance with section 5(2a) of the Planning & Development Act 2000 the owner/ occupier of the site will be issued with a copy of the Declaration on Development and Exempted Development.

Liosta pleananna, líníochtaí srl curtha ar fáil leis an iarratas seo. List of plans, drawings, etc submitted with this application

1. SITE LOCATION MAP
2. SITE LAYOUT.

Tabhair tuairisc ar na h-oibreacha (má bhaineann) nó ar an bhforbairt beartaithe.
(Tabhair faoi deara: Is iad na h-oibreacha atá liostaithe agus sonraithe, agus sin amháin, a dheinfear measúnú orthu fé Alt 5. Úsáid leathanaigh breise más gá)

Please provide details of works (where applicable) or proposed development.
(Note: only works listed and described under this section will be assessed under this Section 5 application. Use additional sheets if required)

THE CONTINUATION OF QUARRYING IN A MANNER COMMENSURATE WITH THE LEVEL OF ACTIVITY, WHICH PREVAILED PRE-1963. THE CASE FOR DECLARING THE CONTINUATION OF QUARRYING AT PRE-1963 LEVELS, EXEMPTED PLANNING IS OUTLINED AS FOLLOWS: (SEE ACCOMPANYING SHEET).

An eol duit aon imeachtaí forfheidhmithe ar an suíomh seo? *Má tá, tabhair sonraí le do thoil*

Are you aware of any enforcement proceedings connected to this site? *If yes, please supply details*

EQ04117.

An raibh iarrata(i)s pleanála ar an suíomh seo cheana? *Má bhí, tabhair sonraí led' thoil*

Were there previous planning application(s) on this site? *If yes, please supply details*

No

Sínithe: _____ Dáta: 13/5/22.

Signed _____ Date

16/5/2022
86844
€80 chq.

NÓTAÍ:

Ní mór 4 chóip de léarscáil den láthair shuímh leis an suíomh imlínithe go soiléir i ndearg a chur ar fáil agus táille €80 leis. Cuir 2 chóip de phleananna/tuairiscí breise srl. a theastaíonn uait bheith mar chuid den iarratais.

NOTES:

Application shall include 4 copies of the Site Location Map with the site clearly outlined in red and a fee of €80. Please submit 2 copies of any additional plans/reports etc you may wish to be included as part of the application.

Seol na h-iarratais líonta go 'n seoladh thíos:

Send your completed applications to:

An Roinn Pleanála,
Comhairle Contae Chiarraí,
Ráth Teas, Trá Lí, Co. Chiarraí.

T. (066)7183582
F. (066) 7120328
www.kerrycoco.ie

Planning Department,
Kerry County Council,
Rathass, Tralee, Co. Kerry.

Continued from application form

Gleesk Quarry

The Case for Declaring a Continuation of Quarrying at the Pre-1963 level Exempted Development

1. It is accepted by the Planning Authority that Gleesk Quarry is a pre-1963 development

2. The pre-1963 level of activity (development) was not captured by Section 261, 261A or the "substitute consent" legislation

3. Section 24 of the Local Government (Planning and Development) Act 1963 must be interpreted to permit the continuation to completion of works which commenced prior to the date appointed in the Act, i.e. 1 October 1964

FRANK COFFEY CONSULTING ENGINEER FRANK COFFEY CONSULTING ENGINEER FRANKCOFFEY.COM

Project Management, Planning Consultancy, Property Assessor

Frank Coffey BE CEng MIEI
CONSULTING ENGINEER

Planning Department,

Kerry Co. Co.

Aras Chontae,

Rathass,

Tralee,

Co. Kerry.

13/5/22

Ref: Section 5 Application for Declaration of Exemption

Gleesk Quarry, Dirreendrislough, Sneem, Co. Kerry

Dear Sir/Madam

I act for Timmy O'Sullivan of Gleesk Quarry and I wish to make an application for a Section 5 declaration in accordance with the enclosed particulars.

Please acknowledge this application

Yours Faithfully,

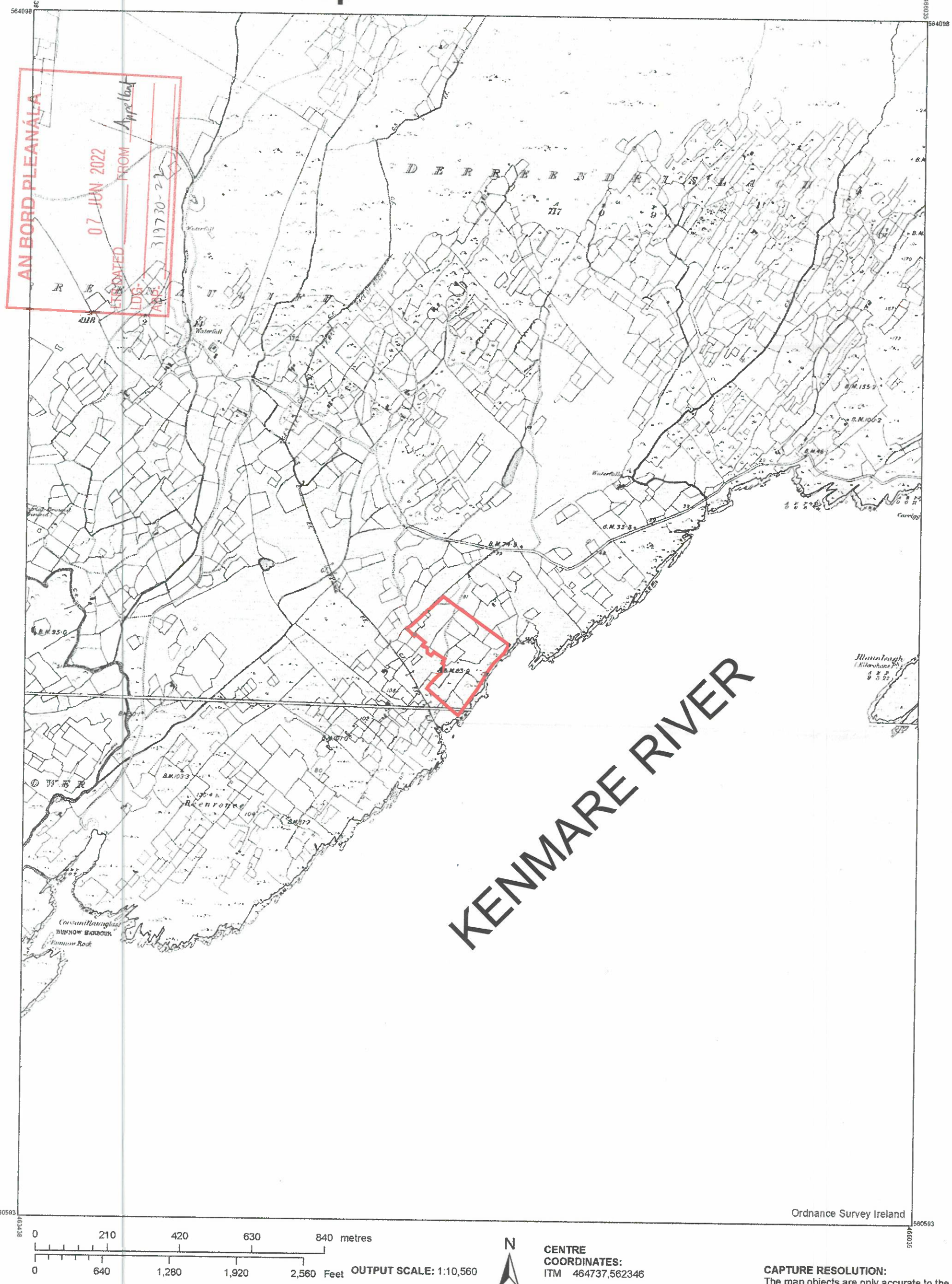
Frank Coffey BE CEng MIIEI

RECEIVED
16 MAY 2022
PLANNING AUTHORITY
REC'D IN POST

aly's Lane, Killorglin, Co. Kerry
el +353 66 9790625
lobile +353 86 2947474
mail info@frankcoffeyengineers.ie

VAT No. IE 34669081
Company Registration No. 421777

Site Location Map



0 210 420 630 840 metres

0 640 1,280 1,920 2,560 Feet

OUTPUT SCALE: 1:10,560

N

CENTRE COORDINATES:
ITM 464737,562346

ORDER NO.:
50096756_1

PUBLISHED:
29/11/2019

MAP SERIES:
6 Inch Raster
6 Inch Raster

MAP SHEETS:
KY099
KY107

CAPTURE RESOLUTION:
The map objects are only accurate to the resolution at which they were captured.
Output scale is not indicative of data capture scale
Further information is available at:
http://www.osi.ie; search 'Capture Resolution'

LEGEND:
http://www.osi.ie; search 'Large Scale Legend'

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Dublin 8,
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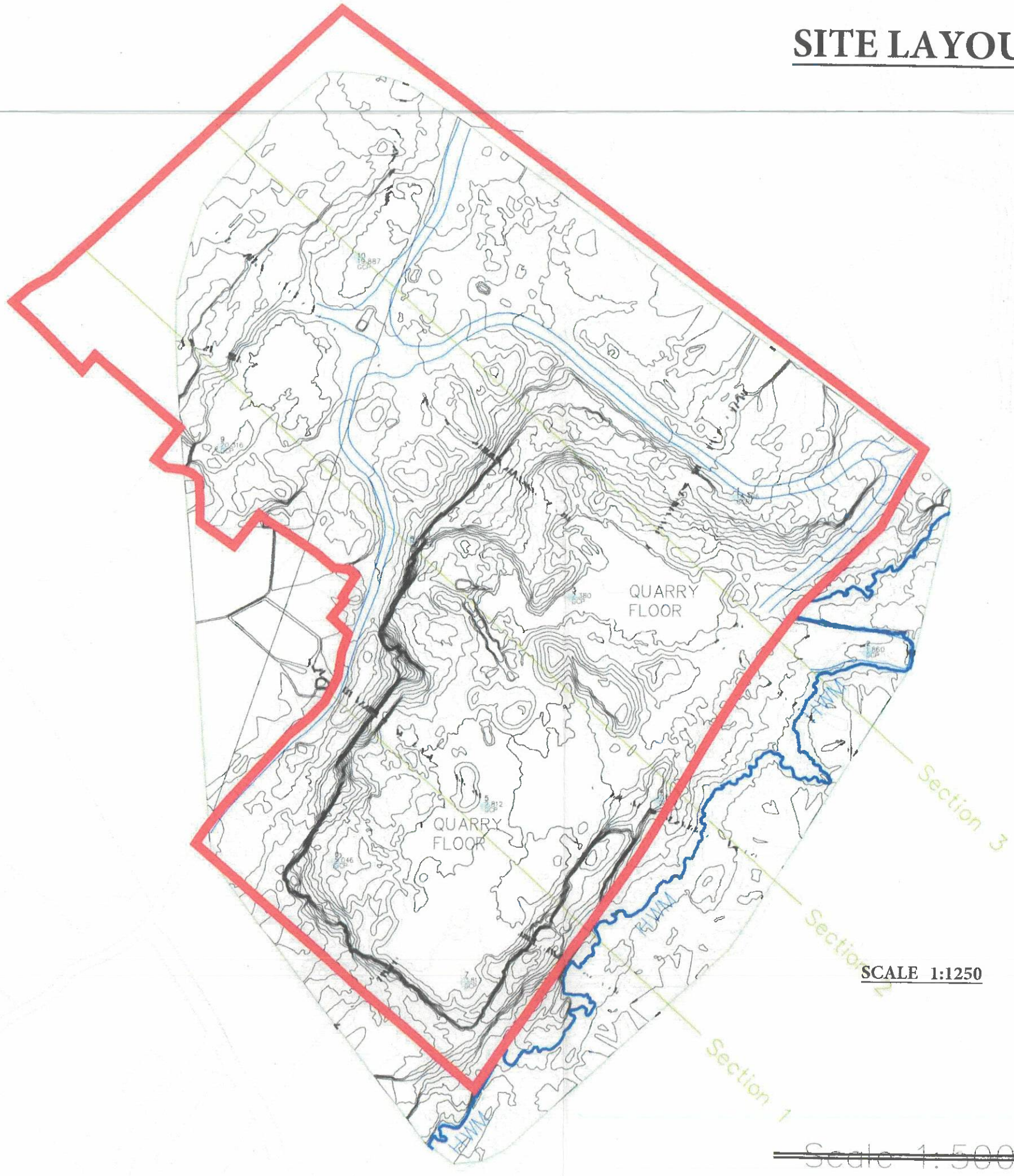
SITE LAYOUT MAP

AN BORD PLEANÁLA
07 JUN 2022
LTR DATED _____ FROM Appellant
LDG- _____
ABP- 313730-22



SCALE 1:1250

~~Scale 1:500 @A0~~

Legend

Planning Boundary	
High Water Mark	
Section Lines	

NOTES:
1. Symbols are not to scale, their insertion point represents their plan position.
2. This site was survayed using a Trimble S8 Total Station
3. North refers to Magnetic North
4. Elevations refer to ITM datum

Notes:
It is the responsibility of the Client to appoint :
1) a Project Supervisor Design Process
2) a Project Supervisor Construction Stage

In respect of health and safety, the following is a list of non-exclusive risks:
- Hazard concerning the other users of the site
- Hazard from working at height
- Hazard from excavations
- Hazard from biological substances
- Fire Hazard
- Work involving the Assembly or Dismantling of Heavy Prefabricated Components
- Compressed Air
- Electricity

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CONTRACTOR TO CHECK AND VERIFY ALL LEVELS, DATUMS AND DIMENSIONS ON SITE AND SHALL REPORT ANY DISCREPANCIES OR OMISSIONS TO THIS OFFICE PRIOR TO START OF WORK AND DURING THE CONSTRUCTION PHASE.

MEASUREMENT SCALING OF THIS DRAWING SHALL ONLY BE PERMITTED IN IT'S DIGITAL FORM

THESE DRAWINGS DO NOT PURPOSE TO CONTAIN ALL RELEVANT TECHNICAL OR DESIGN INFORMATION TO COMPLY WITH BUILDING REGULATIONS. DETAILED WORKING DRAWINGS MAY BE NEEDED PRIOR TO TENDERING AND CONSTRUCTION WORK.

PLANNING

WEPS
Warren Engineering, Planning & Surveying
Gortroe, Aghadoe,
Killarney, Co. Kerry.
M: 087-6983333
e-mail: weps.survey@gmail.com

Client	Gleesk Quarry
Project	Gleesk, Co. Kerry
Title	Topographical Site Survey
Drn by DR	Chkd by BW
Date 26.11.19	Scale 1:500 @ A0
Dwg. No. FCGQ1651-T01	Revision 01