

An
Bord
Pleanála

Board Direction
BD-019601-25
ABP-321713-25

The submissions on this file and the Inspector's report, including the Technical Report to the Inspector prepared by the Inspectorate Scientist, were considered at a Board meeting held on 07/05/2025.

The Board decided to grant permission generally in accordance with the Inspector's recommendation, for the following reasons and considerations, and subject to the following conditions.

Reasons and Considerations

Having regard to the objectives of the Kerry County Development Plan 2022-2028, and to the established use of the site, it is considered that the development proposed to be retained, subject to compliance with the conditions set out below, would be in compliance with the provisions of the Kerry County Development Plan, would not affect the amenities of the area, and would be acceptable in terms of environmental sustainability. The development proposed to be retained would, therefore, be in accordance with the proper planning and sustainable development of the area.

Appropriate Assessment – Screening

The Board noted that the proposed development is not directly connected with or necessary to the management of a European site. In completing the screening for Appropriate Assessment, the Board accepted and adopted the screening assessment and conclusion carried out in the Inspector's report in respect of identification of the European site which could potentially be affected, and the

identification and assessment of the potential likely significant effects of the proposed development, either individually or in combination with other plans and projects, on this European site in view of the site's conservation objectives, and concluded that a Stage 2 Appropriate Assessment is not required.

Conditions

1. The development shall be retained, carried out and completed in accordance with the plans and particulars lodged with the application, as amended by further plans and particulars received by the planning authority on the 28th day of November 2024, except as may otherwise be required in order to comply with the following conditions. Where such conditions require details to be agreed with the planning authority, the developer shall agree such details in writing with the planning authority within three months of the date of this Order and the development shall be retained, carried out and completed in accordance with the agreed particulars.

Reason: In the interest of clarity.

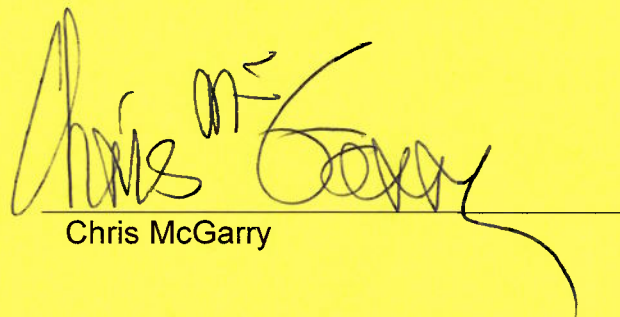
2. The developer/operator shall comply with the following:
 - (a) No polluting matters including sediment laden waters shall be discharged directly or indirectly to any waters from the development.
 - (b) The storage of any fuel/oil/chemicals shall be appropriately bunded and the developer shall ensure that no oil, grease or other objectionable matter is discharged into any soakaway, drain or watercourse.
 - (c) A suitable spill-kit shall be maintained on-site to deal with any spillages potentially arising at the facility. The kit shall include an adequate supply of containment booms and suitable absorbent material to contain and recover any spillage at the facility. Once used, equipment shall be

disposed of at an appropriate facility. All personnel on-site shall be made aware of the location and proper use of this material.

- (d) All waste material generated on-site shall be stored in the dedicated waste storage area prior to the off-site removal to an authorised waste facility or transfer to an authorised waste collector. Receipts shall be retained on-site for all waste material removed from the site and made available for inspection upon request by the planning authority.
- (e) The burning or burial of waste at the site is prohibited.
- (f) Any and all hazardous waste generated from the development shall be disposed of in an environmentally safe and appropriate manner and in accordance with the requirements of the appropriate legislation. All records relating to same shall be made available for inspection at the site office at all times.

Reason: In order to protect the environment.

Board Member



Chris McGarry

Date: 07/05/2025