ATTN DONAL MURPHY

Local Government (Planning and Development) Acts, 1963 to 1983

NOTIFICATION OF DECISION TO GRANT PERMISSION/[illegible]

(SUBJECT TO CONDITIONS)

COUNCIL OF THE COUNTY OF KILKENNY

To Padraic & Rita Kirwan,
Goatsbridge, Thomastown,
Co. Kilkenny.

Reference No. in Planning Register: P. 481/87

Application by or on behalf of Padraic & Rita Kirwan of (address) Goatsbridge, Thomastown, Co. Kilkenny. Received on 5th June, 1987

for: Excavate ponds for the rearing of fish.

In pursuance of the powers conferred upon them by the above-mentioned Acts, the COUNCIL OF THE COUNTY OF KILKENNY have by order dated 28th September, 1987 decided to grant A PERMISSION/[illegible] SUBJECT TO the 8 No. conditions set out in the attached Schedule and the reasons therefor.

Ref
PJ 1534

Signed on behalf of the said Council T. Boyle

date 29th September, 1987

See notes on back of this form

NOTE — An appeal against a decision of a Planning Authority may be made to An Bord Pleanala.

The applicant for permission may appeal within one month beginning on the day of receipt by him of the decision. Any other person may appeal within three weeks, beginning on the date of the decision.

Appeals should be addressed to: An Bord Pleanala, Floor 3, Blocks VI & VII, Irish Life Centre, Lr Abbey St, Dublin 1 (Telephone No. 01 728011). An appeal by the applicant for permission should be accompanied by this form. In the case of an appeal by any other person, the name of the applicant particulars of the proposed development, or of the structure proposed to be retained and the date of the decision of the Planning Authority should be stated.

Any appeal made to An Bord Pleanala on or after 11th April, 1983 will be invalid unless a fee of £36 is received by the Board within the statutory appeal period. Submissions or observations made to the Board by or on behalf of a person (other than the applicant) as regards an appeal made by another person must be accompanied by a fee of £10.

If there is no appeal against the decision in the time allowed or if every appeal made is subsequently withdrawn a Grant of Permission, Outline Permission, or Approval in accordance with the decision will be issued. It should be noted that until a Grant of Permission or Approval has been issued the development in question is NOT AUTHORISED.

Where an application is in respect of Outline Permission it should be noted that the Approval of the Planning Authority to the detailed plans of the development is required. Until such Grant of Approval is obtained the proposed development is NOT AUTHORISED.

FOOTNOTE

In accordance with Section 29 of the Local Government (Planning and Development) Act, 1976 as amended by the Local Government (Planning and Development) Act, 1982 where a permission is granted under Part IV of the Principal Act, it shall, on the expiration of the period of five years beginning on the date of the granting of the permission, cease to have effect as regards :

(a) In case the development to which the permission relates is not commenced during that period, the entire development, and

(b) In case such development is so commenced, so much thereof as is not completed within that period.

reduced during periods of dry weather.

4. [illegible] The development shall be carried out and completed strictly in accordance with the conditions of this permission and with the plans and [illegible]

(8 No) CONDITIONS ATTACHED TO PLANNING PERMISSION P. 481/87.

1. CONDITION: Wastewater from the proposed development shall not contain suspended solids in such quantities as to-:

   (a) cause scums of floating solids to be present in unsightly or deleterious amounts,

   (b) cause deposition of solids which would effect benthic biota or form putrescrible or otherwise objectional sludge deposits.

   REASON: In the interests of public health and amenity.

2. CONDITION: No silt shall be spread:

   (a) within 100 metres of any dwelling without the written consent of the owner and occupier.

   (b) within 50 metres of any source of potable water supply.

   (c) within 30 metres of any watercourse.

   REASON: In the interests of public health and amenity.

3. CONDITION: Dead or diseased fish shall be disposed of in a line bed in a manner which shall not cause a risk to public health.

   REASON: In the interests of public health.

4. CONDITION: The applicant shall notify the County Council and the Health Board within 24 hours of any incidence of disease in fish stock which could involve treatment with antibiotics. This would enable these bodies to arrange for independent monitoring of effluent.

   REASON: In the interests of public health.

5. CONDITION: The granting of Planning Permission shall not prejudice the rights of the Local Authority, should the need arise, to abstract water from the Arrigal River in order to satisfy its future water requirements.

   REASON: In the interests of public health.

6. CONDITION: Permissionis hereby granted for the production of 10 tons of trout per annum. Any increase in the quantity of fish being produced above 10 tons, shall be subject to the approval of the Planning Authority.

   REASON: To ensure that the development is carried out in accordance with the plans and information submitted.

7. CONDITION: The maximum water abstraction from the river shall be ½ a million gallons per day. Any increase in abstraction rate shall be subject to the approval of the Planning Authority.

   REASON: To ensure that the flow of water in the Arrigal River is not excessively reduced during periods of dry weather.

8. CONDITION: The development shall be carried out and maintained in accordance with the [illegible]