



KILKENNY COUNTY COUNCIL

PLANNING AND DEVELOPMENT ACTS 2000 (AS AMENDED)

NOTIFICATION OF DECISION TO GRANT

TO: William Connolly and Sons Unlimited Company
c/o Martin Gittens
5 William Street
Kilkenny
R95D594

Planning Register Number: 26/60158

Valid Application Received: 20/03/2026

Further Information Received Date: 29/07/2026

In pursuance of the powers conferred upon them by the above-mentioned Acts, Kilkenny County Council has by Order dated 25/08/2026 decided for the reason(s) set out in the First Schedule hereto to GRANT PERMISSION for development as follows:-

for (1) The construction of an extension (circa 3,140sq.m.) to the north-west of the existing animal food production and warehouse structure permitted under the grant of planning permissions ref no. 20-455, 18-544, 10-183, and 04-1699 (max. height 28m), including the raising of part of the existing roof to a height of 17m, unloading canopy, machinery tower, and intake area to accommodate an alternative and extended animal feed manufacturing facility and additional warehousing; (2) the construction of a cooling air exhaust stack (height 35m); (3) the provision of a new canopy to the north-east-facing elevation; (4) the continuation of the access road to serve the development; and (5) the demolition of the existing ESB substation and the construction of a new relocated ESB substation. Other works as part of the development will also include landscaping, drainage works, and all associated site development works necessary to facilitate the proposed development. A Natura Impact Statement has been submitted with the application. AT Clash McGrath Gowran Co. Kilkenny IN ACCORDANCE WITH THE PLANS, PARTICULARS AND DOCUMENTATION SUBMITTED SUBJECT TO THE 17 NO. CONDITIONS SPECIFIED IN THE SECOND SCHEDULE HERETO, THE REASONS FOR THE IMPOSITION FOR THE SAID CONDITIONS BEING SET OUT IN THE SAID SECOND SCHEDULE.

In deciding the Planning Application the Planning Authority have regard to submissions or observations received in accordance with the Regulations.

Signed on behalf of Kilkenny County Council

Conor Sweeney

for DIRECTOR OF SERVICES

Date: **25/08/2026**

See final page for details of appeal procedures.

Tel no. Planning Section: 056-7794010

Website: www.kilkennycoco.ie

Note: An applicant for permission and any person who made submissions or observations in writing in relation to the planning application to the planning authority in accordance with the permission regulations and on payment of the appropriate fee, may, at any time before the expiration of the appropriate period – “the appropriate period” means the period of four weeks beginning on the day of the decision of the planning authority – appeal to An Coimisiún Pleanála against a decision of a planning authority under Section 34.

AN APPEAL SHALL BE MADE

(a) by sending the appeal by prepaid post to An Coimisiún Pleanála, 64 Marlborough Street, Dublin 1, Tel 01.8588100 or LoCall 1890 275175

(b) by leaving the appeal with an employee of An Coimisiún Pleanála at the offices of the Board during office hours (as determined by the Board) or

(c) by such other means as may be prescribed.

APPEALING A DEVELOPMENT CONTRIBUTION.

(a) Subject to paragraph (b), no appeal shall lie to the Board in relation to a condition requiring a contribution to be paid in accordance with a scheme made under this section.

(b) An appeal may be brought to the Board where an applicant for permission under Section 34 considers that the terms of the scheme have not been properly applied in respect of any condition laid down by the planning authority.

AN APPEAL SHALL

(a) be made in writing

(b) state the name and address of the appellant and of the person, if any, acting on his or her behalf

(c) state the subject matter of the appeal

(d) state in full the grounds of appeal and the reasons, considerations and arguments on which they are based

(e) in the case of an appeal under Section 37 by a person who made submissions or observations in accordance with the permission regulations, be accompanied by the acknowledgement by the planning authority of receipt of the submissions or observations

(f) be accompanied by such fee (if any) as may be payable in respect of such appeal in accordance with Section 144 and

(g) be made within the period specified for making the appeal.

FEES FOR APPEAL

(a)	Appeals against decisions of Planning Authorities	
	Appeal	
(i)	1 st party appeal relating to commercial development where the application included the retention of development	€4,500 or €9,000 if an EIS or NIS involved
(ii)	1 st party appeal relating to commercial development (no retention element in application)	€1,500 or €3,000 if EIS or NIS involved
(iii)	1 st party appeal non-commercial development where the application included the retention of development	€660
(iv)	1 st party appeal solely against contribution conditions (s) – (2000 Act section 48 or 49)	€220
(v)	Appeal following grant of leave to appeal	€110
(vi)	An appeal other than referred to in (i) to (v) above	€220
(b)	Referral	€220
(c)	Reduced fee for appeal or referral (applies to certain specified bodies)	€110
(d)	Application for leave to appeal (section 37(6)(a) of 2000 Act)	€110
(e)	Making submission or observation (specified bodies exempt)	€50
(f)	Request for oral hearing under section 134 of 2000 Act	€50
Note:	The above fee levels for planning appeals and referrals remain unchanged from those already in force since 2007 (but note the addition of NIS in (i) and (ii) above)	

ORAL HEARINGS

The Board may, in its absolute discretion, hold an oral hearing of an appeal. A party to an appeal may request an oral hearing of the appeal. A request for an oral hearing of an appeal shall be made in writing to the Board and shall be accompanied by such fee (if any) as may be payable in respect of the request in accordance with Section 144. A request for an oral hearing of an appeal which is not accompanied by such fee (if any) as may be payable in respect of the request shall not be considered by the Board.

A request by an appellant for an oral hearing of an appeal under Section 37 shall be made within the appropriate period referred to in that section (the period of four weeks beginning on the day of the decision of the Planning Authority) and any request received by the Board after the expiration of that period shall not be considered by the Board. A request by a party to an appeal other than the appellant for an oral hearing of an appeal shall be made within the period referred to in Section 129(2)(a) (within a period of 4 weeks beginning on the day on which a copy of the appeal is sent to that party by the Board) within which the party may make submissions or observations to the Board in relation to the appeal, and any such request received by the Board after the expiration of that period shall not be considered by the Board. Further details are available on the Board's website – www.pleanala.ie

FIRST SCHEDULE
REASONS & CONSIDERATIONS FOR DECISION ON PLANNING REF. P.26/60158

Having regard to the policies and objectives of the current Kilkenny City and County Development Plan 2021-2027, existing and adjoining use on site, planning history on site, the surrounding pattern of development uses in the area, referral responses, the Environmental Impact Assessment Screening Report and the Natura Impact Assessment, it is considered that the proposed development would not be prejudicial to public health or adversely impact on the existing amenities and environment of the area. It is also considered that the proposal is acceptable in terms of traffic safety and convenience, and would, subject to compliance with the following conditions be in accordance with the proper planning and sustainable development of the area.

SECOND SCHEDULE
17 NO. CONDITIONS ATTACHED TO PLANNING REF. P.26/60158

1. The development shall be carried out and completed strictly in accordance with:
 - i) the conditions of this permission.
 - ii) the documents lodged with this application on the 20th March 2026 and as amended by the further information lodged on the 29th July 2026 except as otherwise required by the conditions of this permission.

Reason: To ensure that the development strictly accords with the permission and to ensure that effective control is maintained.

2. The developer shall pay to the Planning Authority a financial contribution in respect of public infrastructure and facilities benefiting development in Kilkenny County Council's administrative area that is provided or intended to be provided by or on behalf of the Local Authority in accordance with the terms of the Development Contribution Scheme made under Section 48 of the Planning and Development Acts 2000, as amended.

The amount of the financial contribution shall be paid upon commencement of development, with the amount of the contribution being the rate of contribution in existence on commencement of development. In accordance with the current scheme the amount of the contribution is calculated at **€167,700.00** (One hundred and sixty seven thousand seven hundred Euro). Any applicable amount is subject to revision with reference to the Wholesale Price Index and to penalty interest in accordance with the terms of Kilkenny County Council's Development Contribution Scheme 2026-2030

Reason: It is a requirement of the Planning and Development Acts 2000-2025 that a condition requiring a contribution in accordance with the Kilkenny County Council's Development Contribution Scheme 2026-2030 made under Section 48 of the Act be applied to the permission

3. **Wastewater**
 - a) The on-site wastewater treatment system as constructed in accordance with the recommendations of both of the Environmental Protection Agency's Codes of Practice, namely the 2009 *Wastewater Treatment and Disposal Systems Serving Single Houses (P.E. ≤10)* and the 1999 *Wastewater Treatment Manuals, Treatment Systems for Small Communities, Business, Leisure Centres and Hotels* Domestic Wastewater Treatment Systems (Population Equivalent ≤10) shall be maintained in accordance with the manufacturer's instructions.
 - b) The infiltration/percolation area shall be securely fenced off affording suitable protection from grazing animals and transiting vehicles.
 - c) No operational effluent as might be associated with the core business of animal food production shall be discharged to the domestic wastewater treatment system.

d) There shall be no discharge of any effluent which is chemically or biologically dissimilar to that of normal domestic effluent.

Reason: In the interests of public health and to provide for the protection of the environment.

4. Stormwater

- a) Clean stormwater will be managed during the construction phase via temporary holding lagoons
- b) All stormwater related to the completed development shall be managed within the curtilage of the landholding via suitably sized soakaways designed in accordance with BRE Digest 365 – Soakaway Design.
- c) There shall be no new discharge to the local stream(s).
- d) Soakaways shall not infringe on the minimum separation distance of 5m.
- e) Hydrocarbon intercepting traps shall be maintained in accordance with the manufacturers recommendations and maintenance/servicing records shall be indefinitely retained for a duration of 3 years.
- f) In the event of any unforeseen significant stormwater impacts with the potential to impact 3rd parties (as determined by the Planning Authority), additional mitigation measures shall be submitted for the agreement of the Planning Authority. Any such additional measures as shall be implemented by the applicant.

Reason: In the interests of environmental protection.

5. Potable Water

- a) The applicant shall provide and arrange for the indefinite maintenance of a supply of potable water for domestic and sanitary needs of the development.
- b) The treatment of potable water will remain the responsibility of the applicant or any subsequent owner thereafter.
- c) The maintenance of any associated plant related to that treatment of potable water will remain the responsibility of the applicant or any subsequent owner thereafter.
- d) Prior to commencement, the applicant shall submit for approval by the local planning authority, details on following items:
 - (i) The current location of abstraction point serving the shared facility.
 - (ii) Abstraction rates as related to the entire shared site and where necessary provide the appropriate EPA documentation as related to any specific volumetric abstraction.
 - (iii) Appropriate documentation demonstrating that the yield quantity and quality of the proposed private well is sufficient to provide for the proposed development, by way of a report from a suitably qualified Hydrologist.
 - (iv) Documentation detailing any appropriate treatment and testing as might be carried out on this well water for the duration of the supply.
 - (v) Location of adequate storage to facilitate repairs and maintenance to the well and to make provision for fire abatements within the site in the interim period associated with said repairs and or maintenance.

Reason: In the interests of public health.

6. Waste

- a) The development works (construction phase) shall be designed and undertaken so as to facilitate the minimisation of waste production. Any wastes to be removed from site (including waste subsoil, stone and rubble) shall only be removed by an Authorised Waste Contractor and shall be disposed of to an Authorised Recovery/Disposal Site.

- b) The applicant shall prepare and maintain a waste management plan for the operational phase of the development. The plan shall provide for the segregation of all wastes into recyclable, biodegradable and residual wastes – i.e. 3 bin system.
- c) All operations at the site shall be managed and programmed in such a manner to minimise waste production and maximise recycling. Wastes sent off site for recovery or disposal shall only be conveyed by an authorised waste contractor and transported from the proposed development site to an authorised site of recovery/disposal in a manner which will not adversely affect the environment. All employees shall be made aware of their obligations under the waste management plan. The waste management plan shall be reviewed annually and shall be available at the premises at all reasonable times for examination by any officer of the local authority.
- d) The developer shall ensure sufficient space is set aside both internally and externally within the proposed development to allow for the segregation and storage of wastes into recyclable, biodegradable and residual wastes.

Reason: To minimise waste and in the interests of environmental protection

7. Air/Noise

- a) During the construction phase of the development, the applicant shall ensure that all operations on site are carried out in a manner such that noise or dust emissions do not result in significant impairment of, or significant interference with, amenities or the environment beyond the immediate works areas / site.
- b) Activities at this site shall not give rise to construction noise levels off site, at noise sensitive locations, which exceed the following sound pressure limits:

Daytime (0700 – 1900):	65dB(A) (Leq, 60 minutes)
Evening (1900 – 2300):	55dB(A) (Leq, 60 minutes)
Night-time (2300 – 0800):	45dB(A) (Leq, 15 minutes)

The above limits are inclusive of any necessary adjustments to account for tonal or impulsive character in the noise.

Reason: In the interests of public health and to provide for the protection of the environment.

8. Working Hours

a) Construction work (exclusive of mechanically assisted rock braking) shall be limited to between 07:00hrs to 19:00hrs Monday to Friday and 08:00hrs to 14:00hrs on a Saturday with no work permitted on Sundays or Bank Holidays unless explicitly agreed in writing with Kilkenny County Council's planning department.

b) Mechanically assisted rock braking shall be limited to between 09:00hrs and 18:00hrs Monday to Friday and 09:00hrs to 13:00hrs on a Saturdays unless explicitly agreed in writing with Kilkenny County Council's planning department.

Noise levels at Noise Sensitive Receptors as related to the Operational phase shall not exceed:

55dB(A) (Leq, 60 minutes) – Daytime	(0800-18:00hrs)
45db(A) (Leq, 30 minutes) – Night-Time	(18:00-08:00hrs)

The applicant shall be required, if requested by Kilkenny County Council, to carryout any other further noise investigation and monitoring as may be deemed necessary to demonstrate that onsite activities, granted under this permission, are not resulting in significant impairment of, or significant interference with amenities, or the environment, on or beyond the site.

Reason: In the interests of public health and to provide for the protection of the environment.

9. Light

In the event of any unforeseen significant glint and glare impacts with the potential to impact 3rd parties (as determined by the Planning Authority), additional mitigation measures shall be submitted for the agreement of the Planning Authority. Any such additional measures shall be implemented by the applicant.

Reason: In the interest of public health and for the protection of the environment.

10. Fuel & Liquid Chemical Storage

The applicant shall ensure that all potentially polluting substances, including chemicals and fuels shall be stored in accordance with the EPA guidance on the storage of materials, in designated, bunded areas, with adequate bund provision to contain 110% of the largest drum volume or 25% of the total volume of containers.

Reason: In the interests of public health and to provide for the protection of the environment.

11. CEMP

- a) All mitigation measures and proposals submitted in the Construction Environmental Management Plan (CEMP) submitted as part of the application shall be carried out in full.
- b) The applicant or appointed contractor shall be required to prepare and manage a site-specific CEMP for the duration of the project for the construction phase. It is noted that the CEMP is a live working document, and the applicant shall be required to prepare an updated / final environmental, construction and traffic management plan for the construction phase which shall be submitted to the Municipal District Office prior to commencement of development works for agreement.

Reason: In the interests of public health and to provide for the protection of the environment.

12. NIS

Mitigation measures set out in Natura Impact Statement carried out by Panther Ecology Ltd submitted on 20th March 2026 shall be implemented in full and shall form part of legal contracts agreements with all workers during construction phase.

Reason: In the interest of protection of the environment.

13. Landscaping

- a) All Landscaping works shall be completed within the first planting season (November to March) following occupation of the commercial extension in accordance with the Landscape Design Concept Plan lodged to the Planning Authority prepared by Mahon Landscapes Design.
- b) All trees and hedgerows to be retained on site shall be protected for the duration of any construction works. The protection works shall be in accordance with BS 5837:2012, 'Trees in Relation to Construction' and should be in place prior to any other activities taking place on site.
- c) Upon completion of all landscaping works, professional landscape architect/arbourist certification of the satisfactory maintenance and management works for this site and completion of the landscaping works required under the conditions of this permission shall be submitted for the written agreement of the Planning Authority. The planting shall be maintained indefinitely and replaced if failure occurs.

Reason: In the interest of visual amenity and to integrate proposed development into the landscape

14. Mobility Management

The sustainable travel targets, car sharing measures, cycle modal shift and bicycle storage provision as per submitted mobility management plan and measures set therein shall all be implemented in full for all staff / employees of the company.

Reason: In the interest of promoting sustainable travel patterns

15. Notwithstanding the provisions of the Planning and Development (Amendment) Regulations 2001 as amended or any statutory provision amending or replacing them, no advertisement signs (including any signs installed to be visible through the windows), advertisement structures, banners, canopies, flags, or other projecting elements shall be displayed or erected on the buildings or within the curtilage of the site, unless authorised by a further grant of planning permission.

Reason: To protect the visual amenities of the area.

16. **Parking**

a) Adequate parking facilities to cater for all staff associated with the development shall be provided within the curtilage of the site as per further information response and revised site layout plan as per the following:

-16 No. additional new car parking spaces shall be constructed on new concrete surface in proximity to the proposed extension. All 16 No. individual parking bays shall be clearly delineated/demarcated. The use of other lands for the trailer parking is not authorised.

- These 16 No. parking spaces shall include for 2 No. accessible parking spaces which shall be designed in accordance with National Disability Authority Standard Guidelines

- 1 No. electric vehicle charging space in accordance with section 12.14 Electric vehicles of the Kilkenny City and County Development Plan 2021-2027 and ducting to facilitate the future installation of EV charging infrastructure to a further 5 No. parking spaces shall be provided.

-5 No. bicycle stands shall be provided accommodating parking for up to 12 No. bicycles in accordance with Table 12.2 Bicycle parking requirements of the Kilkenny County Development Plan 2021-2027. The location shall not create any obstructions.

b) Should the proposed development under this application not be carried out and completed, the approved 30 No. parking spaces required under P20/455 permission shall be constructed.

c) The proposed development site and use of other lands within the blue line shall not be used for HGV's and trailer parking.

Reason: In the interest of proper planning, traffic safety and convenience and development control

17. All oxidisable and galvanised surfaces of the development shall be painted to match / harmonise with existing buildings in accordance with proposed design external finishes. All painting shall be maintained and renewed as necessary.

Reason: In the interests of visual amenity.

FOOTNOTES

Section 34 (13) of the Planning & Development Acts 2000- as amended states:

"A person shall not be entitled solely by reason of a Permission under this section to carry out any development."

Developers are obliged to comply with other legislation and to avoid infringement of third party rights

Prior to development works commencing the applicants shall consult with the Kilkenny County Council Chief Fire Officer prior to any works commencing with regard to the fire safety of this development and obtaining a Fire Safety Certificate.

If there is no appeal against this decision, a Final Grant of Permission in accordance with the Decision will be issued after the expiration of the period within which an appeal may be made to An Comisiún Pleanála. (See attached).

It should be noted that until a Final Grant of Permission has been issued, the development in question is NOT AUTHORISED and works cannot be carried out.

The Applicant is advised that unless the development described above is carried out within five (5) years from the date of Final Grant of Permission, Planning Permission will cease to have effect. (See Section 40 of the Planning and Development Acts 2000-2020)

Please note that the Site Notice shall be removed by the applicant following the notification of the Planning Authority decision under Article 31.

This building shall fully comply with Part M of the Building Regulations, will benefit from an up to date Fire Safety Certificate and must have a Disabled Access Certificate.

