



Board Direction

Ref: 09.246905

The submissions on this file and the Inspector's report were considered at a Board meeting held on 7th, November 2016.

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

Appropriate Assessment Screening:

The Board considered that the principal environmental impacts occurring as a consequence of the proposed development would arise from the potential for silt or pollutants to be generated during the construction stage. In this regard, the Board was satisfied that in light of the brownfield nature of the site and the separation distance between the site and the Rye Water Valley/ Carton Special Area of Conservation (Site Code 001398), that, subject to normal best practice construction methods, the proposed development, either individually or in combination with other plans or projects, would not be likely to have a significant effect on the Rye Water Valley/ Carton Special Area of Conservation (Site Code 001398) in view of the site's conservation objectives. In this regard, the Board concurred with and adopted the Planning Inspector's conclusions in respect of Appropriate Assessment Screening. Accordingly, a Natura Impact Assessment is not required in this case.

Environmental Impact Assessment:

The Board was satisfied that no significant environmental impacts or effects, either direct, indirect, cumulative, temporary or permanent, would arise as a consequence of the proposed development itself or as a consequence of the proposed development in combination with other plans, projects or developments. In coming to this decision the Board had regard to the criteria set out in Schedule 7 of the Planning and Development Regulations 2001, as amended. Furthermore, in coming to this conclusion, the Board had regard to the nature and scale of existing development on this substantial industrial site and was satisfied that no cumulative effects would be like to

arise as a consequence of the proposed development. The Board concurs with the Planning Inspector's conclusion that the proposed development does not relate to a class of development specified in Schedule 5 of the Planning and Development Regulations, 2001, as amended.

REASONS AND CONSIDERATIONS

Having regard to the nature of the proposed development the established uses on the site the provisions of the Kildare County Development Plan 2011-2017 and Leixlip Local Area Plan 2010 and the planning history of the site, it is considered that, subject to compliance with the conditions set out below the proposed development would not seriously injure the environment or amenities of the area would not be prejudicial to public health or safety and would be in accordance with the proper planning and sustainable development of the area.

CONDITIONS

1. Std. P and P and Reason.
2. The existing plant room shall be decommissioned and demolished within one month of connection of the new switchroom.

Reason: In the interest of visual amenity.

3. Water supply and drainage arrangements, including the attenuation of surface water shall comply with the requirements of the planning authority for such works and services. Details shall be agreed in writing with the planning authority prior to commencement of development.

Reason: In the interest of public health.

4. Construction and demolition waste shall be managed in accordance with a construction waste and demolition management plan which shall be submitted to, and agreed in writing with the planning authority prior to the commencement of development. This plan shall be prepared in accordance of the development shall be managed in accordance with the "Best Practice Guidelines on the Preparation of Waste Management Plans for Construction and Demolition Projects", published by the Department of the Environment Heritage and Local Government in July 2006.

Reason: In the interest of sustainable waste management.

5. The developer shall pay to the planning authority a financial contribution in respect of public infrastructure and facilities benefiting development in the area of the planning authority that is provided or intended to be provided by or on behalf of the authority in accordance with the terms of the Development Contribution Scheme made under section 48 of the Planning and Development Act 2000. The contribution shall be paid prior to the commencement of development or in such phased payments as the planning authority may facilitate and shall be subject to any applicable indexation provisions of the Scheme at the time of payment. Details of the application of the terms of the Scheme shall be agreed between the planning authority and the developer or, in default of such agreement, the matter shall be referred to the Board to determine the proper application of the terms of the Scheme.

Reason: It is a requirement of the Planning and Development Act 2000 that a condition requiring a contribution in accordance with the Development Contribution Scheme made under section 48 of the Act be applied to the permission.

Board Member: _____ Date: 14th, November 2016
Paddy Keogh