



An  
Bord  
Pleanála

**Board Direction**  
**BD-004781-19**  
**ABP-305258-19**

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The submissions on this file and the Inspector's report were considered at a Board meeting held on 16/12/2019.

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 nature of the village and location of the site on its outskirts, the planning history of the site and long-established use as a water production facility, to the locational need of the development to be proximate to the spring water resource, and to the nature and scale of the proposed development, it is considered that subject to compliance with the conditions set out below, the proposed development would be in accordance with the policies and objectives for the area as set out in the Limerick County Development Plan 2010-2016 (as extended) and would not seriously injure the amenities of the area or of property in the vicinity and would be acceptable in terms of traffic safety and convenience. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

## Conditions

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application, as amended by further plans and particulars submitted to the planning authority on the 9<sup>th</sup> day of July 2019, and to the Board on the 26<sup>th</sup> day of August 2019, 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 prior to commencement of development and the development shall be carried out and completed in accordance with the agreed particulars.

**Reason:** In the interest of clarity.

2.

- a. The noise level from the development shall not exceed 55dB(A) rated sound level, (that is corrected sound level for a tonal or impulsive component) as measured at the nearest occupied dwelling between 08.00 and 20.00 hours Monday to Friday inclusive and shall not exceed 36dB(A) at any other time. Procedures for the purpose of determining compliance with this limit shall be submitted to, and agreed in writing with, the planning authority within two months of the date of this order. Noise monitoring reports illustrating compliance with the noise levels in above shall be submitted to the planning authority within three months of the first commencement of the extended operating hours and shall be submitted to the planning authority annually thereafter.
- b. Prior to commencement of any development, all measures stipulated as being “Priority 1” and “Priority 2” in the Noise Mitigation Plan submitted to the Board on 26<sup>th</sup> August 2019 shall

be implemented by the developer and an updated Noise Assessment Report quantifying the reduction in noise levels attributable to these measures shall be submitted to, and agreed in writing with, the planning authority.

**Reason:** To protect the amenities of property in the vicinity of the site

3. The hours of operation hereby permitted shall relate to the bottling production lines 1 and 2 only.

**Reason:** To safeguard the residential amenities of property in the vicinity.

4. No deliveries to or collections from the complex shall take place, and the external loading and truck turning area shall not be used for any commercial activity outside the hours of 0800 to 1900 Monday to Friday inclusive and 0800 to 1400 on Saturdays and shall not be used at all on Sundays and public holidays. Deviation from these times will only be allowed in exceptional circumstances where prior written approval has been received from the planning authority.

**Reason:** To safeguard the residential amenities of property in the vicinity.

- 5 No fans, louvres, ducts or other external plant other than those shown on the drawings hereby permitted shall be installed unless authorised by a prior grant of planning permission.

**Reason:** In the interests of residential amenity.

**Board Member**

**Date:** 16/12/2019

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Terry Prendergast