



An
Bord
Pleanála

Board Direction
BD-010460-22
ABP-309835-21

The submissions on this file and the Inspector's report were considered at a Board meeting held on 06/04/2022.

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 established and permitted employment uses immediately south of the appeal site within the overall Bhaile and tSagairt industrial estate, the planning history pertaining to the appeal site and the overall industrial estate, it is considered that, subject to compliance with the conditions set out below, the proposed development would be in accordance with the economic and enterprise policies and objectives as set out within the Galway Development Plan 2015-2021 and would not adversely impact on the local receiving environment and would therefore accord 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 the further plans and particulars submitted on the 3rd day of February 2021, 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. Prior to the opening of the development, final details of the Mobility Management Strategy and Workplace Travel Plan shall be submitted to and agreed in writing with the planning authority. This shall provide for incentives to encourage the use of public transport, cycling, walking and car pooling by staff employed in the development and to reduce and regulate the extent of staff parking. Details to be agreed with the planning authority shall include the provision of facilities within the development for bicycle parking, shower and changing facilities associated with the policies set out in the strategy.

Reason: In the interest of encouraging the use of sustainable modes of transport.

3. A minimum of 10% of the proposed car parking spaces shall be provided with electrical connection points, to allow for functional electric vehicle charging. The remaining car parking spaces shall be fitted with ducting for electric connection points to allow for future fitout of charging points. Details of how it is proposed to comply with these requirements shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: in the interest of sustainable transportation.

4. The entrance onto the L5395 road shall be closed up and reinstated prior to occupying the proposed development.

Reason: In the interest of traffic safety.

5. Drainage arrangements, including the disposal of surface water, shall comply with the requirements of the planning authority for such works and services.

Reason: In the interest of public health.

6. Prior to the commencement of development, the developer shall enter into water/wastewater connection agreements with Irish Water.

Reason: In the interests of public health.

7. A schedule of all materials to be used in the external treatment of the development shall be submitted to and agreed in writing with, the planning authority prior to commencement of development.

Reason: To ensure an appropriate standard of development.

8. A landscaping scheme shall be submitted to and agreed in writing with the planning authority prior to commencement of development. The landscaping proposals shall be carried out within the first planting season following substantial completion of external construction works. All planting shall be adequately protected from damage until established. Any plants which die, are removed, or become seriously damaged or diseased, within a period of five years from the completion of the development, shall be replaced within the next planting season with others of similar size and species, unless otherwise agreed in writing with the planning authority.

Reason: In the interest of residential and visual amenity.

9. A plan containing details for the management of waste, including the provision of facilities for the storage, separation, and collection of the waste and recyclable materials shall be submitted to, and agreed in writing with, the planning authority within eight weeks of the date of grant of this planning application. Thereafter, the waste shall be managed in accordance with the agreed plan.

Reason: To provide for the appropriate management of waste and, in particular recyclable materials, in the interest of protecting the environment.

10. The construction of the development shall be managed in accordance with a Construction Management Plan, which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This plan shall provide details of intended construction practice for the development, including hours of working, noise management measures and off-site disposal of construction/demolition waste.

Reason: In the interests of public safety and residential amenity

11. Site development and building works shall be carried out only between the hours of 0800 to 1900 Mondays to Fridays inclusive, between 0800 to 1400 hours on Saturdays and not 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: In order to safeguard the residential amenities of property in the vicinity.

12. Public Lighting for the development shall be provided in accordance with a scheme which shall be submitted to, and agreed in writing with, the Planning Authority. The scheme shall include lighting along pedestrian routes. The lighting shall be provided prior to the first occupation of the new manufacturing and office facility.

Reason: In the interests of pedestrian and traffic safety.

13. 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, as amended. The contribution shall be paid prior to 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 An Bord Pleanála to determine the proper application of the terms of the Scheme.

Reason: It is a requirement of the Planning and Development Act 2000, as amended, 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

Patricia Calleary.

Date: 06/04/2022

Patricia Calleary

