

An
Bord
Pleanála

Board Direction
BD-009762-22
ABP-310906-21

The submissions on this file and the Inspector's report were considered at a Board meeting held on 14/01/2022.

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.

Having regard to:

- (a) the established nature of the existing butter processing facility on the site, the nature, scale and form of the proposed development, and its location within an established agri-food industrial complex,
- (b) mitigation measures which are proposed for the construction and operation phases of the proposed development,
- (c) the provisions of the current Cork County Development Plan and the Fermoy Municipal District Local Area Plan 2017, including the zoning of the subject lands under the latter plan for industrial use and the specific development objective for the expansion of the existing food-related industry on the site, and
- (d) the pattern of development in the area including the proximity to the existing Dairygold facility and the separation distance of the site from existing dwellings and the town of Mitchelstown,
- (e) the Inspectors report,

it is considered that, subject to compliance with the conditions set out below, the proposed development would be in accordance with the provisions of the current

shall be available at all times to the planning authority on request whether requested in writing or by a member of staff of the planning authority at the site.

Reason: In the interest of clarity, to protect the environment during the construction and operational phases of the development and to safeguard the amenities of the area.

- 3 All HGV and vehicular traffic accessing and exiting the site at the construction and operational phases shall use the western entrance to the Castlefarm Dairy complex from the N73 Kildorrery Roundabout only.

Reason: In the interests of orderly development and traffic safety.

4. (a) Prior to the commencement of development, the developer shall enter into a connection agreement with Irish Water.

(b) 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 and to ensure a proper standard of development.

5. Lighting shall be provided in accordance with a scheme, which shall include lighting along pedestrian routes, details of which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. The scheme shall minimise obtrusive light outside the boundaries of the development at all times.

Reason: In the interest of amenity and public safety.

(l) means to ensure that surface water run-off is controlled such that no silt or other pollutants enter local surface water sewers or drains,

(m) a maintenance contract for the oil interceptor to ensure it is emptied on a regular basis shall be submitted,

(n) details of construction lighting, and

(o) details of key construction management personnel to be employed in the development.

The plan shall include measures for monitoring dust, noise, groundwater and surface water and shall include a proposal for periodic reporting to the planning authority. A record of daily checks that the works are being undertaken in accordance with the Construction and Environmental Management Plan and monitoring results as appropriate shall be available for inspection by the planning authority. A Construction Manager shall be appointed to liaise directly with the Council for the duration of the construction of the scheme.

Reason: In the interests of amenities, environmental protection, and public health and safety.

7. 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 commencement of development. This plan shall be prepared 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.

8. All solid wastes arising on the site shall be recycled as far as possible. Materials exported from the site for recovery, recycling or disposal shall be managed at an approved facility and in such a manner as is agreed with the

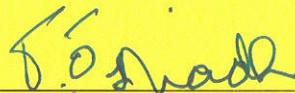
Scheme shall be agreed between the planning authority and the developer or, in default of such agreement, the matter shall be referred to An Bord Pleanála to determine the proper application of the terms of the Scheme.

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

Plus:

Planning Authority Conditions 11 and 25

Board Member



Terry Ó Niadh

Date: 14/01/2022