

An
Bord
Pleanála

Board Direction
BD-013481-23
ABP-313056-22

The submissions on this file and the Inspector's report were considered at a Board meeting held on 29/08/2023.

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 the nature, extent and location of the proposed development within an existing Industrial Estate on lands that are zoned 'Enterprise and Employment' under the provisions of the Limerick City and County Development Plan 2022-2028, it is considered that, subject to compliance with the conditions set out below, the proposed development for retention would be compliant with the relevant provisions of the Development Plan, would not injure the amenities of properties in the vicinity and would not impact on traffic or pedestrian safety and would therefore, be in accordance with the proper planning and sustainable development of the area.

1.0 Conditions

1. The development shall be retained and carried out in accordance with the plans and particulars lodged with the application, as amended by the further plans and particulars submitted on the 26th day of January 2022, 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. Drainage arrangements, including the disposal of surface water, shall comply with the requirements of the planning authority for such works. In particular, no surface water run-off shall be allowed to flow onto the roadway or adjacent properties. Within three months of the grant of permission the applicant shall submit revised infiltration test results for the written agreement of the Planning Authority. The soakaway shall comply with the requirements of BRE Digest 365 'Soakaway design' specifically it shall be located a minimum distance of 5m from buildings and site boundaries.

Reason: To ensure servicing of the development, and to prevent flooding of the roadway.

3. Details of all external signage shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interest of the amenities of the area/visual amenity.

4. Comprehensive details of the proposed lighting system to serve the development shall be submitted to and agreed in writing with the planning authority, prior to commencement of development. The agreed lighting system shall be fully implemented and operational within three months of the grant of this permission.

Reason: In the interest of public safety and visual amenity.

5. A comprehensive boundary treatment and landscaping scheme shall be submitted to and agreed in writing with the planning authority, within three months of the grant of permission. This scheme shall include the following:-

(a) proposed locations of trees and other landscape planting in the development, including details of proposed species and settings;

(b) details of proposed boundary treatments at the perimeter of the site, including heights, materials and finishes.

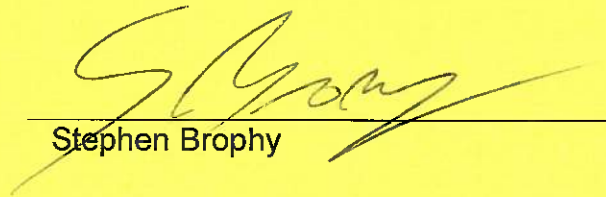
The boundary treatment and landscaping shall be carried out in accordance with the agreed scheme.

Reason: In the interest of visual amenity.

6. 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



Stephen Brophy

Date: 30/08/2023