



An
Bord
Pleanála

Board Direction
BD-018724-25
ABP-316282-23

The submissions on this file and the Inspector's report were considered at a Board meeting held on 20/01/2025.

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 planning history and the zoning objective of the subject site, its location within the existing Raheen Business Park and the nature and scale of the proposed development, it is considered that, subject to compliance with the conditions set out below, the proposed development involving an extension to an established use at the site would be acceptable in terms of public health and traffic, would not seriously injure the amenities of the area, would not exacerbate any potential risk of flooding, and would not cause a deterioration of water quality in water bodies adjacent to the site. 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 the further plans and particulars received by the planning authority on the 13th day of March 2023 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) Prior to the commencement of any development on the site, the developer shall submit for the written agreement of the planning authority, full details of the surface water disposal system plan, and all revised details as required. The plan shall include a full survey of the existing storm water network, including a CCTV survey, from within the footprint of the subject site to be undertaken by a bonded Chartered Engineer. All resulting information from the agreed surveys shall be submitted for the written agreement of the planning authority.

Reason: To prevent flooding and in the interest of sustainable drainage.

3. Details of the materials, colours and textures of all the external finishes to the proposed buildings shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interest of visual amenity and to ensure an appropriate high standard of development.

4. Prior to the commencement of development, the developer shall enter into a Connection Agreement(s) with Uisce Éireann (Irish Water) to provide for a service connection(s) to the public water supply and/or wastewater collection network.

Reason: In the interest of public health and to ensure adequate water/wastewater facilities.

5. A plan containing details for the management of waste (and, in particular, recyclable materials) within the development, including the provision of facilities for the storage, separation and collection of the waste and, in particular, recyclable materials shall be submitted to, and agreed in writing

with, the planning authority prior to commencement of development.

Thereafter, the agreed waste facilities shall be maintained and 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 and the amenities of properties.

6. Site development and building works shall be carried out only between the hours of 0700 to 1900 Mondays to Friday 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.

7. A Construction and Environmental Management Plan (CEMP) shall be submitted to and agreed in writing with the planning authority prior to the commencement of development. The CEMP shall include but not be limited to construction phase controls for dust, noise and vibration, waste management, protection of soils, groundwaters, and surface waters, site housekeeping, emergency response planning, site environmental policy, and project roles and responsibilities.

Reason: In the interest of environmental protection.

8. (a) The proposed development shall be amended as to address and remove the conflicts between pedestrians and vehicles with regard to the access to car parking spaces 62-82 (20 number spaces) at the north of the site. Revised drawings showing compliance with these requirements shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

(b) The internal road network serving the proposed development including turning bays, junctions, parking areas, footpaths, and kerbs shall comply

with the detailed construction standards of the planning authority for such works and design standards outlined in Design Manual for Urban Roads and Streets (DMURS). Footpaths shall be dished at road junctions in accordance with the requirements of the planning authority. Details of all locations and materials to be used shall be submitted to, and agreed in writing with the planning authority prior to the commencement of development.

Reason: In the interest of traffic and pedestrian safety.

9. Details of suitable cycle storage units which shall be covered, including the details of management and security measures of same, shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: To ensure that adequate bicycle parking provision is available to serve the proposed development, in the interest of sustainable transportation.

10. The development shall be carried out and operated in accordance with the provisions of the Mobility Management Plan (MMP) submitted to the planning authority on 13th day of March 2023. The specific measures detailed in Section 9 of the MMP to achieve the objectives and modal split targets for the development shall be implemented in full upon first occupation. The developer shall undertake a monitoring exercise to the satisfaction of the planning authority for the first, third and fifth anniversary following first occupation and shall submit the results to the planning authority for consideration and placement on the public file.

Reason: To achieve a reasonable modal split in transport and travel patterns in the interest of sustainable development.

11. 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

Eamonn James Kelly

Eamonn James Kelly

Date: 22/01/2025