

An
Bord
Pleanála

Board Direction
BD-019610-25
ABP-319079-24

The submissions on this file and the Inspector's report were considered at a Board meeting held on 08/05/2025.

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 strategic policy and objectives of the Offaly County Development Plan 2021-2027, the location of the site in a serviced and appropriately designated area of Tullamore within a Strategic Employment Zone for Tullamore, as set out in the Offaly County Development Plan 2021-2027, the zoning objective that applies to the area (Business/Technology Park), the nature and scale of the proposed development, which comprises of a sterilisation technology facility considered to be light industrial in nature and the pattern of development in the surrounding area, it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the visual or residential amenities of the area, or of property in the vicinity, would not present a traffic hazard or would not result in any significant environmental impacts. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

Conditions

1. The proposed 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 8th day of March, 2023, the 3rd day of August, 2023, and the 21st day of December, 2023 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 proposed development shall be carried out and completed in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. Prior to commencement of development, the developer shall submit to and agree with the planning authority, detailed plans to facilitate a vehicular connection to provide for possible future access to/from the boundary of the site to the adjacent Axis Industrial Park.

Reason: In the interest of accessibility and future road improvements.

3. (a) All foul sewage and soiled water shall be discharged to the public foul sewer.
(b) Only clean, uncontaminated storm water shall be discharged to the surface water drainage system.
(c) Water supply and drainage arrangements, including the attenuation and disposal of surface water, shall comply with the requirements the planning authority for such works and services.

Reason: In the interest of public health.

4. The attenuation and disposal of surface water shall comply with the requirements of the planning authority for such works and services. Prior to

commencement of development, the developer shall submit details of the attenuation and disposal of surface water from the site for the written agreement of the planning authority.

Reason: In the interest of sustainable drainage.

5. All service cables associated with the proposed development (such as electrical and telecommunications) shall be located underground. Ducting shall be provided by the developer to facilitate the provision of broadband infrastructure within the proposed development.

Reason: In the interest of visual and residential amenity.

6. The landscaping scheme shown on the Appeal Landscape Master Plan drawing number FI-01, as submitted to An Bord Pleanála on the 15th day of March, 2024 shall be carried out within 12 months of the date of commencement of development or within the first planting season following substantial completion of external construction works. All planting shall be adequately protected from damage until established. Any plants/trees which die 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.

7. The site boundary treatment shall be in accordance with the drawings received by An Bord Pleanála on the 15th day of March, 2024. Any deviation to the boundary treatment which may be required in order to comply with the conditions of this permission shall be agreed in writing with the planning authority.

Reason: In the interest of visual and residential amenity.

8. Prior to commencement of development, the developer shall submit details for the written approval of the planning authority of the proposed access junction, including geometry of the access, pedestrian and cycleway lanes/crossings, pavement materials, surfacing of roads, footpaths and carparking areas.

Reason: In the interest of proper planning and sustainable development and to ensure proper facilities for all road users, and robust and durable construction materials.

9. Site development and building works shall be carried out only between the hours of 0800 to 1800 Mondays to Fridays, inclusive, between 0800 to 1400 hours on Saturdays and not at all on Sundays or public holidays. Deviation from these times shall only be allowed in exceptional circumstances where prior written agreement has been received from the planning authority.

Reason: To safeguard the amenity of property in the vicinity.

10. Deliveries and loading to and from the site shall be carried out only between the hours of 0800 to 1800 Mondays to Fridays, inclusive, between 0800 to 1400 hours on Saturdays and not at all on Sundays or public holidays. Deviation from these times shall only be allowed where prior written agreement has been received from the planning authority.

Reason: In the interest of residential amenity.

11. Prior to commencement of development, a Resource Waste Management Plan (RWMP) as set out in the EPA's Best Practice Guidelines for the Preparation of Resource and Waste Management Plans for Construction and Demolition Projects (2021) shall be prepared and submitted to the planning authority for written agreement. The RWMP shall include specific proposals as to how the RWMP will be measured and monitored for effectiveness. All records (including for waste and all resources) pursuant to the agreed RWMP shall be made available for inspection at the site office at all times.

Reason: In the interest of reducing waste and encouraging recycling.

12. Prior to the commencement of any works associated with the development hereby permitted, the developer shall submit a detailed Construction Management Plan (CMP) for the written agreement of the planning authority. The CMP shall incorporate details for the collection and disposal of

construction waste, surface water run-off from the site, on-site road construction, and environmental management measures during construction, including noise control, dust and monitoring of such measures. A record of daily checks that the construction works are being undertaken in accordance with the CMP shall be kept at the construction site office for inspection by the planning authority. The agreed CMP shall be implemented in full in the carrying out of the development.

Reason: In the interest of public health and safety and environmental protection.

13. The noise emissions at the nearest noise sensitive location (such as dwellings, schools, places of worship or areas of high amenity) shall not exceed the following:

- (a) an L_{ArT} value of 55 dB(A) between 0800 and 2000 hours. The T value shall be one hour, and
- (b) an L_{AeqT} value of 45 dB(A) at any other time. The T value shall be 15 minutes.

The tonal and impulsive components shall be minimised at any noise sensitive locations.

Reason: In the interest of environmental protection and residential amenities.

14. Site development and construction works shall be carried out in such a manner as to ensure that the adjoining roads are kept clear of debris, soil and other material and cleaning works shall be carried on the adjoining public roads by the developer and at the developer's expense on a daily basis.

Reason: To protect the residential amenities of property in the vicinity.

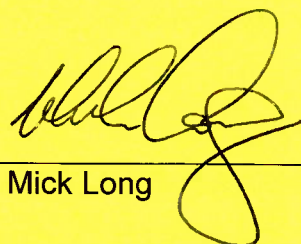
15. The mitigation measures as set out in the Ecological Impact Assessment Report received by An Bord Pleanála on the 8th day of March, 2024 shall be carried out. Bird and bat boxes shall be located in accordance with the details provided on the 3rd day of August, 2023.

Reason: In the interest of environmental protection.

16. 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 the 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 upon 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


Mick Long

Date: 08/05/2025