

An
Bord
Pleanála

Board Direction
BD-019510-25
ABP-319202-24

The submissions on this file and the Inspector's report were considered at a Board meeting held on 17/04/2025.

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 established use of the site and the zoning of the majority of the site for "Warehousing and Distribution" purposes within the Fingal Development Plan 2023-2029, the policies and objectives of the Plan including Objective ZO4, the provisions of Section 37 2(b) of the Planning and Development Act 2000 as amended, it is considered that the proposed development, subject to compliance with the conditions set out below, would be in compliance with the provisions of the Fingal Development Plan 2023-2029 would not affect the residential or visual amenities of the area, would not be prejudicial to public health or constitute a traffic hazard. 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 further plans and particulars received by An Bord Pleanála on the on the 5th of March 2024 and the layout indicated Drawing no. 23058-PL-45.1 Proposed Overall Site Plan – Proposed Layout – Option C, 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 commencement of development, revised documentation and drawings illustrating the following details shall be submitted to and agreed in writing with the planning authority:
 - a) Floor plans and elevations of Proposed Office Block 1 and the existing residential dwelling as illustrated on Drawing no. 23058-PL-45.1 Proposed Overall Site Plan – Proposed Layout – Option C. Noting that this Office Block (Option C) measures approximately one third the length of that originally proposed.
 - b) Revised Lighting proposals which includes details of measures to control potential light spillage during the operational phase of the development.
 - c) An updated Road Safety Audit which addresses the proposed entrances to the site and internal site layout and revised plans which incorporate the recommendations of the Road Safety Audit.

Reason: In the interests of clarity, traffic safety and to protect rural and residential amenity.

3. The use of the proposed Warehouse Structures shall be in accordance with that specified within the planning application (primarily storage). The permitted office floorspace shall be used as an office ancillary to the logistic complex and the office structure shall not be separated from the adjoining logistic complex by way of site, lease or otherwise.

Reason: In the interests of clarity and traffic management.

4. All goods and materials shall be stored within the building and shall not be stored/stockpiled within the curtilage of the site, unless otherwise agreed in writing with the Planning Authority.

Reason: In the interests of public health, traffic safety, public safety and amenity.

5. Prior to the commencement of development, the developer shall submit a revised landscaping plan for written agreement of the planning authority which details the following:
 - a) Provides details of existing hedging to be retained and removed on site as well of details in relation to sufficient tree and mixed hedgerow planting. There should be no net loss in hedgerow within the site and it is preferable to retain existing hedgerows.
 - b) A 3m separation distance shall be maintained between the WWTP and sand polishing filter and any trees.
 - c) A Tree Protection Plan in accordance with BS5837:2012 indicating the location of protective fencing for retained trees.

Reason: In the interest of residential and visual amenity.

6. Visibility splays at the proposed site entrances shall be provided and maintained in accordance with Planning Authority requirements and the standards set out within Transport Infrastructure Ireland (TII) guidance document Design Manual for Roads and Bridges (DMRB). Prior to the commencement of development, the developer shall submit details of measures to ensure the maintenance of visibility splays at the proposed site entrances for written agreement of the planning authority.

Reason: In the interests of pedestrian and traffic safety.

7. Prior to the commencement of development, the developer shall liaise with Fingal County Council to ascertain their requirements relating to traffic management improvement works to the adjoining road network to facilitate the development. The internal road network serving the proposed development, including turning bays, junctions, parking areas, footpaths and kerbs shall comply with the requirements of the Planning Authority.

Reason: In the interest of orderly development and to ensure traffic safety.

8. Water supply and 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.

9. The wastewater treatment system and polishing filter shall be located, constructed and maintained in accordance with the details submitted to the planning authority, and in accordance with the requirements of the EPA Wastewater Treatment Manual Treatment Systems for Small Communities, Business, Leisure Centres and Hotels (EPA 1999).

Reason: In the interest of public health.

10. Prior to the commencement of development, the developer shall provide details of disposal of wastewater from the proposed truck wash for written agreement of the Planning Authority.

Reason: To provide for the appropriate management of wastewater and in the interest of protecting the environment.

11. The developer shall enter into water connection agreement with Uisce Éireann, prior to commencement of development.

Reason: In the interest of public health.

12. All public services to the proposed development, including electrical, telephone cables and associated equipment shall be located underground throughout the entire site.

Reason: In the interest of visual amenity

13. Notwithstanding the provisions of the Planning and Development Regulations 2001, or any statutory provision amending or replacing them, no advertisement signs, advertisement structures, banners, canopies, flags, or other projecting elements shall be displayed or erected on the building or within the curtilage of the site, unless authorised by a further grant of planning permission.

Reason: To protect the visual amenities of the area.

14. The construction of 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. The plan shall provide a demolition management plan, together with details of intended construction practice for the development, including a detailed traffic management plan, hours of working, measures to ensure the protection of the adjoining watercourse and noise management measures.

Reason: In the interests of public safety and residential amenity.

15. A plan containing details for the management and disposal of waste within the development shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. Thereafter, the waste shall be managed in accordance with the agreed plan.

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


16. Site development and building works shall be carried out only between the hours of 0700 and 1900 from Mondays to Fridays inclusive, between 0800 and 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 amenities of property in the vicinity.

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


Declan Moore

Date: 22/04/2025