



An
Bord
Pleanála

Board Direction
BD-018932-25
ABP-320667-24

The submissions on this file and the Inspector's report were considered at a Board meeting held on 14/02/2025.

The Board decided to treat this case under section 139 of the Planning and Development Act, 2000. The Board also decided generally as recommended by the Inspector, based on the Reasons and Considerations set out below, that the planning authority be directed, as follows:

Remove condition numbers 2, 4 and 6

Amend condition numbers 5 and 7 as follows

Condition no.5:

A revised landscaping plan shall be submitted to, and agreed in writing with, the planning authority. The plan shall be based on the landscaping proposal received by An Bord Pleanála on the 27th day of August 2024 and shall include semi mature tree planting.

The landscaping shall be implemented in full under the supervision of an appropriately qualified and experienced landscape architect within the first year following the granting of permission, any trees that die or are removed shall be replaced in the first planting season thereafter.

Reason: in the interest of visual amenity

Condition no.7:

A noise monitoring programme shall be implemented by the applicant/developer. The scope and methodology of this programme shall be submitted to, and agreed in writing with the planning authority, prior to any operational nighttime activity in Unit 1. Continuous noise monitoring shall be carried out over a weekly period in the vicinity of the nearest noise sensitive receptor on an annual basis. The noise monitoring shall be undertaken by a suitable qualified person and conducted in accordance with ISO 1996: Description and Measurement of Environmental Noise, Parts 1 -3. The results of the survey shall be submitted to the planning authority within 1 month of completion of the survey. The applicant/developer shall carry out additional noise mitigation measures as may be required by the planning authority following a review of each noise survey results.

Reason: To safeguard residential amenity.

Reasons and Considerations

Reasons and Considerations for removing Condition No. 2:

Having regard to the nature, scale and strategic employment location of the site, within the business and general employment zone, it is considered the development would accord with the Cork County Development Plan 2022-2028. Potential noise impacts can be appropriately mitigated by way of condition nos. 7, 8 and 12 and condition no. 2, therefore, is unwarranted.

Reasons and Considerations for removing Condition No. 4:

Having regard to the topography of the site along the western boundary, which involves a ground level change between the inside of the site and the lands immediately adjoining, increasing the height as specified by the condition would require works to be carried out on lands outside the ownership of the applicant and as such, these works would be out of scope of the application. Furthermore, the

Board considered that the condition was unwarranted for the purposes of residential amenity protection.

Reasons and Considerations for amending Condition No. 5:

Having regard to the location of the site in close proximity to a residential area and the objective of the Cork County Development Plan 2022-2028 to protect residential amenity in this area, it is considered that the landscaping plan would improve the visual amenity of the development and also protect the visual amenities of the adjoining residential area. Condition 5 is therefore in accordance with the proper planning and sustainable development of the area.

Reasons and Considerations for removing Condition No. 6:

The Board considered that a financial security is not warranted in this instance for the completion of the landscaping and non-compliance with a condition, should it arise, can be pursued by the enforcement authority under other means.

Reasons and Considerations for amending Condition No. 7:

In the interests of residential amenity protection and to ensure compliance with condition no. 8.

Board Member:


Tom Rabbette

Date: 14/02/2025