

An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2015

Cork County

Planning Register Reference Number: 15/06058

An Bord Pleanála Reference Number: PL 04.246139

APPEAL by Denis and Josephine Delaney of Curragh, Lissarda, County Cork against the decision made on the 26th day of January, 2016 by Cork County Council to grant subject to conditions a permission to Automated Systems and Controls Limited care of Lynch and Associates of The Corner House, South Square, Macroom, County Cork in accordance with plans and particulars lodged with the said Council.

PROPOSED DEVELOPMENT: Construction of an extension to the western elevation of existing industrial building, installation of roof mounted solar panels on the south facing slope of the roof structure and ancillary site works at Ballytrasna, Lissarda, Macroom, County Cork.

DECISION

GRANT permission for the above proposed development in accordance with the said plans and particulars based on the reasons and considerations under and subject to the conditions set out below.

MATTERS CONSIDERED

In making its decision, the Board had regard to those matters to which, by virtue of the Planning and Development Acts and Regulations made thereunder, it was required to have regard. Such matters included any submissions and observations received by it in accordance with statutory provisions.

REASONS AND CONSIDERATIONS

Having regard to the planning history of the site, to the nature and scale of the proposed development, and to the existing established use of the site for industrial purposes, it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the amenities of the area or of property in the vicinity, would be acceptable in terms of traffic safety and convenience and would not be likely to result in flooding in the vicinity. 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 submitted on the 22nd day of December, 2015, the 7th day of January, 2016 and the 26th day of January, 2016, 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. The extension hereby permitted shall be jointly occupied as a single unit with the existing workshop and shall not be sold, let or otherwise occupied except as part of the existing unit. No additional floorspace shall be formed by means of internal horizontal division within the building hereby permitted unless authorised by a prior grant of planning permission.

Reason: In order to control the intensity of development in the interest of residential amenity.

3. The external finishes of the proposed development shall be the same as those of the existing building in respect of colour and texture.

Reason: In the interest of visual amenity.

4. The site shall be landscaped in accordance with the landscaping scheme to be submitted to the planning authority for written agreement, and this landscaping scheme shall be carried out and completed prior to first occupation of the proposed development. This scheme shall include details of boundary treatments.

Reason: In the interest of visual amenity.

5. (a) Noise levels emanating from the proposed development when measured at noise sensitive receptors shall not exceed 55 dB(A) (30 minute Leq) between 0800 hours and 2200 hours, and shall not exceed 45 dB(A) (15 minute Leq) at any other time. Measurements shall be made in accordance with I.S.O recommendation R.1996/1 "Acoustics – Description and Measurement of Environmental Noise, Part 1: Basic Quantities and Procedures". If noise contains a discrete, continuous tone, (whine, hiss, screech or hum), or if there are distinctive impulses in the noise (bangs, clicks, clatters or thumps), or if the noise is irregular enough in character to attract attention, a penalty of + 5db(A) will be applied to the measured noise level and this increased level shall be used in checking compliance with the specified levels.
- (b) Procedures for the purpose of determining compliance with these limits shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

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

6. The construction of the 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. This plan shall provide details of intended construction practice for the development, including noise management measures, construction-related car parking and construction-related traffic arrangements.

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

7. Construction and demolition waste shall be managed in accordance with a construction waste and demolition management plan, which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This plan shall be prepared in accordance with the “Best Practice Guidelines on the Preparation of Waste Management Plans for Construction and Demolition Projects”, published by the Department of the Environment, Heritage and Local Government in July, 2006. The plan shall include details of waste to be generated during site clearance and construction phases, and details of the methods and locations to be employed for the prevention, minimisation, recovery and disposal of this material in accordance with the provision of the Waste Management Plan for the Region in which the site is situated.

Reason: In the interest of sustainable waste management.

8. Site development and building works shall be carried out between the hours of 0800 hours and 1900 hours Monday to Friday inclusive and between 0800 hours and 1400 hours on Saturdays and not at all on Sundays or Public Holidays. Deviations from these times shall 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.

9. Water supply and drainage arrangements, including the attenuation and 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.

10. 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

**Member of An Bord Pleanála
duly authorised to authenticate
the seal of the Board.**

Dated this day of 2016.