

An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2015

Limerick City and County

Planning Register Reference Number: 15/1057

An Bord Pleanála Reference Number: PL 91.246327

APPEAL by Cyril Ryan and others care of Ryan and Roberts Marine Services Limited of Toomdeely, Askeaton, County Limerick against the decision made on the 22nd day of February, 2016 by Limerick City and County Council to grant subject to conditions a permission to Wyeth Nutritionals Ireland Limited care of Arup of 13-15 Oliver Plunkett Street, Cork in accordance with plans and particulars lodged with the said Council.

PROPOSED DEVELOPMENT: Construction of a car park to replace a portion of the existing car parking area on the Wyeth site which will allow for potential expansion on site if required in the future. The proposal comprises a surface car park for 156 parking spaces and all associated landscaping, car park lighting, site security measures including CCTV and fencing, signage and all ancillary site development works. The site development works include the demolition of two vacant residential dwellings, all at site in the townland of Coolrahee, Askeaton, County Limerick.

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 nature of the proposed development, being a car park to service an adjacent long established industrial facility, it is considered that, subject to compliance with the conditions set out below, the proposed development would be acceptable in terms of the amenities of the area and in terms of traffic safety and convenience. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

In deciding not to accept the Inspector's recommendation to refuse permission, the Board considered that the proposed development incorporated adequate and appropriate safety measures and was located on a lightly trafficked rural (cul-de-sac) road immediately proximate to a long established industrial development with a large workforce.

CONDITIONS

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application, 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. All due precautions shall be taken during construction works to ensure that no pollutants enter the Shannon. Details shall be submitted to,

and agreed in writing with, the planning authority prior to commencement of development.

Reason: To ensure that the Special Area of Conservation site is not damaged.

3. The proposed car parking spaces shall be provided within the site of the proposed development on a dust-free permeable surface. The minimum dimensions of each space shall be 2.5 metres by five metres and shall be clearly marked out.

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

4. The proposed parking area shall be reserved solely for the parking of vehicles and shall not be used for the storage of materials or goods associated with the development, nor for the parking of goods vehicles or other heavy vehicles.

Reason: In the interest of traffic safety and amenity.

5. An elevated tabletop ramp shall be located on the northern approach road in advance of the pedestrian crossing to help calm speeds. This tabletop shall be adequately lighted and signed. Details shall be submitted to and agreed in writing with, the planning authority prior to commencement of development.

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

6. In relation to Smarter Travel –

- (a) The fully occupied workplace shall sign up to the Smarter Travel Workplace programme (in association with Limerick Smarter Travel, Limerick City and County Council) to receive free support and assistance in promoting and encouraging sustainable travel to and from this workplace.

- (b) In order to ensure compliance with the Workplace Travel Plan, a monitoring report shall be submitted to the planning authority on the first anniversary of the first occupation of the development.

Further monitoring reports shall be completed and submitted to the planning authority on the third and fifth anniversaries of the first occupation of the development.

- (c) The monitoring report shall assess the level of compliance with the Workplace Travel Plan in terms of both measures and targets. This monitoring report shall include the following information:
- (i) An assessment of performance against key targets and measures set out in the Workplace Travel Plan.
 - (ii) Information on travel mode share.
 - (iii) Identifying modal split by car, car-sharing, public transport, walking and cycling and to secure sustainable development patterns.
 - (iv) Wyeth Nutritionals Ireland Limited shall continue to support and implement Smarter Travel Objectives on site.

Reason: In the interest of the proper planning and sustainable development of the area.

7. No excavation shall take place within the 14 metres GAS Networks Ireland Wayleave located along the southern/south-eastern site boundary. The developer shall ensure that all work in the vicinity of the GAS Transmission Pipeline is carried out in compliance with the Gas Networks Ireland 'Code of Practice 2015'. Any revisions to the site layout as a result of this requirement shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interest of safety.

8. All surface water run-off from the public road which flows into the site shall continue to be accommodated within the site unless alternative arrangements acceptable to the planning authority are carried out. Full details of any such alternative arrangements shall be submitted to, and

agreed in writing with, the planning authority prior to commencement of development.

Reason: To prevent flooding on the public road in the interest of amenity and traffic safety.

9. The car park shall be provided with a low level lighting system that avoids light spill onto adjoining properties. Details to be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interest of residential amenity.

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

Dated this day of 2016.