

An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2015

Kildare County

Planning Register Reference Number: 16/406

An Bord Pleanála Reference Number: PL 09.246905

APPEAL by Thomas Reid of Hedsor House, Blakestown, Carton, Maynooth, County Kildare against the decision made on the 16th day of June, 2016 by Kildare County Council to grant subject to conditions a permission to Intel Ireland Limited care of Jacobs Engineering Ireland Limited of Merrion House, Merrion Road, Dublin in accordance with plans and particulars lodged with the said Council.

PROPOSED DEVELOPMENT: Development consisting of the replacement and relocation of an Electrical Switchroom serving the Fab 10 facility. The replacement switchroom is single storey 25.2 metres by 12.2 metres by 9.8 metres high, and will be located in the utilities yard to the rear of the Fab 10 manufacturing facility. The replaced switchroom will be decommissioned and demolished as part of these works, all at Collinstown, Leixlip, Blakestown, Kellystown, Collinstown Industrial Park, Leixlip, County Kildare.

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.

Appropriate Assessment Screening

The Board considered that the principal environmental impacts occurring as a consequence of the proposed development would arise from the potential for silt or pollutants to be generated during the construction stage. In this regard, the Board was satisfied that in light of the brownfield nature of the site and the separation distance between the site and the Rye Water Valley/Carton Special Area of Conservation (Site Code 001398), that, subject to normal best practice construction methods, the proposed development, either individually or in combination with other plans or projects, would not be likely to have a significant effect on the Rye Water Valley/Carton Special Area of Conservation (Site Code 001398) in view of the site's conservation objectives. In this regard the Board concurred with and adopted the Planning Inspector's conclusions in respect of Appropriate Assessment Screening. Accordingly, an Natura Impact Statement is not required in this case.

Environmental Impact Assessment

The Board was satisfied that no significant environmental impacts or effects, either direct, indirect, cumulative, temporary or permanent, would arise as a consequence of the proposed development by itself or as a consequence of the proposed development in combination with other plans, projects or developments. In coming to this decision the Board had regard to the criteria set out in Schedule 7 of the Planning and Development Regulations 2001, as amended. Furthermore, in coming to this conclusion, the Board had regard to the nature and scale of existing development on this substantial industrial site and was satisfied that no cumulative effects would be likely to arise as a consequence of the proposed development. The Board concurs with the Planning Inspector's conclusion that the proposed development does not relate to a class of development specified in Schedule 5 of the Planning and Development Regulations, 2001, as amended.

REASONS AND CONSIDERATIONS

Having regard to the nature of the proposed development, the established uses on the site, the provisions of the Kildare County Development Plan 2011-2017 and the Leixlip Local Area Plan 2010, and the planning history of the site, it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the environment or amenities of the area, would not be prejudicial to public health or safety and 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, 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 existing plant room shall be decommissioned and demolished within one month of connection to the new switchroom.

Reason: In the interest of visual amenity.

3. Water supply and drainage arrangements, including the attenuation of surface water, shall comply with the requirements of the planning authority for such works and services. Details shall be agreed in writing with the planning authority prior to commencement of development.

Reason: In the interest of public health.

4. 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.

Reason: In the interest of sustainable waste management.

5. 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.