

An
Bord
Pleanála

Board Order
ABP-310206-21

Planning and Development Acts 2000 to 2021

Planning Authority: Monaghan County Council

Planning Register Reference Number: 20/433

Appeal by John Morehart care of Joe Bonner Town Planning Consultant of The Airport Hub, Unit 1, Furry Park, Old Swords Road, Santry, Dublin against the decision made on the 15th day of April, 2021 by Monaghan County Council to grant subject to conditions a permission to Abbott Ireland Cootehill care of Michael Fitzpatrick Architects of Main Street, Butlersbridge, County Cavan in accordance with plans and particulars lodged with the said Council.

Proposed Development: The development will consist of: (1) an extension to the existing facility via provision of a warehouse extension incorporating 465.2 square metres with associated laboratory area of 329.3 square metres, ancillary office and staff facilities to 987.7 square metres, (2) a tower extension to facilitate ingredient storage and loading totalling 836 square metres will be provided to incorporate three storeys with associated mezzanine floors, of which will incorporate 72.5 square metres associated office space. The tower extension will be positioned alongside existing towers, (3) additional first floor office of 42.8 square metres within existing warehouse, (4) ancillary works will also include for provision of a bicycle shelter, associated car parking spaces which incorporates nine number electric vehicle charging points along with associated ducting and services within the proposed car parks, (5) provision of a temporary construction compound to the north of existing car parks, (6) all

ancillary site development/construction works to facilitate connection to existing foul, water, storm water and service networks and (7) the removal of existing portacabin office buildings on lands at Dromore West, Cootehill, County Monaghan. The Abbott Ireland Cootehill site operates in compliance with a licence issued under Part IV of the Environmental Protection Agency Act 1992 (as amended by the Protection of the Environment Act, 2003). Further public notices were received by the planning authority on the 19th day of March, 2021.

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, scale and form of the proposed development which provides for no increase in production capacity and its location within an existing industrial and manufacturing facility, 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 not be prejudicial to the environment and public health and would, therefore, be in accordance with the proper planning and sustainable development of the area.

In not accepting the Inspector's recommendation regarding the provision of the additional car parking to the rear of the facility to meet development plan standards in line with the increased floor area of the proposed extension, the Board noted the confirmation in the documentation provided by the applicant and referenced by the planning authority that there would not be an increase in employee numbers in the facility but that the additional car spaces would improve the parking arrangements on the site. Having regard to the significant quantum of car parking already provided for on-site and the fact that no additional employees or intensified activity will result from the proposed extension, the Board considered that the provision of 69 number spaces to the rear of the facility was not justified or warranted as part of the current application.

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 19th day of March 2021, 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 proposed development shall be amended as follows:
 - (a) The number of car parking spaces to be provided adjacent to the entrance to the site shall be reduced to 16 number spaces, including four number disabled spaces and two number e-charging spaces, to mirror the number of car parking spaces removed to facilitate the extension to the front of the building.
 - (b) The 69 number car parking spaces proposed to the rear of the existing car park shall be omitted.

Revised drawings showing compliance with these requirements shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interests of visual amenity and sustainable transportation.

3. 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.

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. 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.

5. The construction of the development shall be managed in accordance with a Construction Environmental 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 hours of working, noise and dust management measures, arrangements for soil management, sedimentation and pollution controls, traffic management and provision of wheel wash facility.

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

6. Prior to commencement of development, the developer shall enter into water and/or wastewater connection agreement(s) with Irish Water.

Reason: In the interest of public health.

7. The developer shall facilitate the preservation, recording and protection of archaeological materials or features that may exist within the site. In this regard, the developer shall –

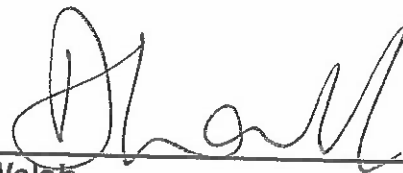
- (a) notify the planning authority in writing at least four weeks prior to the commencement of any site operation (including hydrological and geotechnical investigations) relating to the proposed development,
- (b) employ a suitably qualified archaeologist who shall monitor all site investigations and other excavation works, and
- (c) provide arrangements, acceptable to the planning authority, for the recording and for the removal of any archaeological material which the authority considers appropriate to remove.

In default of agreement on any of these requirements, the matter shall be referred to An Bord Pleanála for determination.

Reason: In order to conserve the archaeological heritage of the site and to secure the preservation and protection of any remains that may exist within the site.

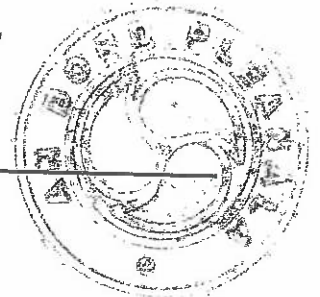
8. The developer shall pay to the planning authority a financial contribution in respect of public infrastructure and facilities benefiting development in the area of the planning authority that is provided or intended to be provided by or on behalf of the authority in accordance with the terms of the 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.



Dave Walsh

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



Dated this 14th day of March 2022.

DECISION QUASHED