



An
Bord
Pleanála

Board Order
ABP 313078-22

Planning and Development Acts 2000 to 2022

Planning Authority: Cork County Council

Planning Register Reference Number: 21/05662

Appeal by Liscarroll Engineering Limited of Liscarroll, Mallow, County Cork against the decision made on the 21st day of February, 2022 by Cork County Council to refuse permission for the proposed development.

Proposed Development: (1) The construction of an extension to existing factory, (2) alterations to existing northern entrance, (3) construction of a new hardstand surface and, (4) all ancillary site works all at Rockspring, Liscarroll, County Cork.

Decision

GRANT permission subject to conditions 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.

Reasons and Considerations

Having regard to the provisions of the Cork County Development Plan 2022, the established industrial use of the site, the pattern of development in the vicinity and the scale of the development as proposed, 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 and by virtue of the nature and scale of the development as well as the intervening distance and landscape, would not significantly impact the setting of, or be detrimental to the special character or integrity of, Lisscarroll Castle, Protected Structure and National Monument. The proposed development would not, therefore, materially contravene the Cork County Development Plan, 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, as amended by the further plans and particulars received by the planning authority on the 29th day of October 2021 and 24th day of January 2022, 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 external finishes of the factory extension (including roof) shall be finished in accordance with the requirements of the planning authority and the colour shall be in accordance with that proposed in the plans and particulars received by the planning authority on the 29th day of October 2021 and 24th day of January 2022. Samples of the proposed materials shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interest of visual amenity.

3. Water supply and drainage arrangements, including the disposal of surface water, shall comply with the requirements of the planning authority for such works and services. Prior to the commencement of any development works at the site, full details of the proposed connections to the existing water service networks, as well as details of proposals to deal with surface water management, shall be submitted to and agreed in writing with the planning authority.

Reason: In the interest of public health and protection of surface waters.

4. All service cables associated with the proposed development (such as electrical and telecommunications) shall be located underground.

Reason: In the interest of visual amenity.

5. Site development and building works shall be carried out only between the hours of 0700 to 1800 Monday to Fridays inclusive, between 0800 to 1400 hours on Saturday and not at all on Sundays or public holidays. Deviation from these times will 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.

6. The landscaping scheme shown on drawing number 5830-02, as submitted to the planning authority on the 24th day of January, 2022 shall be carried out within six months of the date of commencement of development.

All planting shall be adequately protected from damage until established. Any plants which die, are removed or become seriously damaged or diseased, within a period of five years from the completion of the development, shall be replaced within the next planting season with others of similar size and species, unless otherwise agreed in writing with the planning authority. All existing trees and boundaries shall be maintained and protected during the construction phase. Full details shall be submitted to and agreed in writing with the planning authority prior to the commencement of development.

Reason: In the interest of visual amenity.

7. 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 and off-site disposal of construction/demolition waste.

Reason: In the interests of clarity, orderly development and amenity.

8. A Construction Traffic Management Plan shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. The plan shall include details of arrangements for routes for construction traffic and parking during the construction phase, the location of the compound for storage of plant and machinery and for storage of deliveries to the site.

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

9. 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.




Stephen Brophy

Member of An Bord Pleanála

duly authorised to authenticate

the seal of the Board.

Dated this *12th* day of *September* 2023