

An  
Coimisiún  
Pleanála

Commission Order  
ABP-323034-25

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**Planning and Development Act 2000, as amended**

**Planning Authority: Offaly County Council**

**Planning Register Reference Number: 24178**

**Appeal** by Niall and Jenna Stack of Killeenmore, Killeigh, County Offaly against the decision made on the 20<sup>th</sup> day of June, 2025 by Offaly County Council to grant, subject to conditions, a permission to Lightsky Ireland Limited care of Murray Architectural Services of Four Winds, Pallas Park, Blueball, Tullamore, County Offaly in accordance with plans and particulars lodged with the said Council.

**Proposed Development:** Construction of four number one bedroom dwelling units to be used in conjunction with the existing residential care complex for people with disabilities previously approved under reference number 16/297 and all associated site works and services at Mill House, Killeenmore, Killeigh, County Offaly.

## **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 condition(s) set out below.**

## Reasons and Considerations

Having regard to the existing residential care facility currently operating within the appeal site, to the planning history of the site, and to the provision of Housing Policy HP-02 of the Offaly County Development Plan 2021-2027 to ensure that groups with special housing needs are accommodated in a way suitable to their specific needs, it is considered that subject to compliance with the conditions set out below the proposed development would not represent a significant intensification of the permitted use of the site, would not seriously injure the residential or visual amenities of the area or of any adjacent property, and would be acceptable in terms of public health and traffic safety. 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 received by the planning authority on the 16<sup>th</sup> day of April 2025 and the 26<sup>th</sup> day of May 2025, 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 facility hereby granted by this permission shall be occupied and used by persons with autism and intellectual disabilities only and associated staff. The facility shall not be occupied by persons with mental health illnesses.

**Reason:** In the interest of proper planning and in order to clarify the nature and use of the development.

3. Details of the materials, colours and textures of all the external finishes to the proposed development shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

**Reason:** In the interest of visual amenity and to ensure an appropriate high standard of development.

4. Prior to commencement of development the developer shall agree in writing with the planning authority proposals to provide functioning electric vehicle (EV) charging stations/points within the car parking area.

**Reason:** In the interests of residential amenity and of sustainable transportation.

5. The disposal of surface water shall comply with the requirements of the planning authority for such works and services. Prior to the commencement of development, the developer shall submit details for the disposal of surface water from the site for the written agreement of the planning authority.

**Reason:** To prevent flooding and in the interest of sustainable drainage.

6. Site development and building works shall be carried out between the hours of 0700 to 1900 Mondays to Fridays inclusive, between 0800 to 1400 hours on Saturdays and not at all on Sundays and public holidays. Deviation from these times shall only be allowed in exceptional circumstances where prior written agreement has been received from the planning authority.

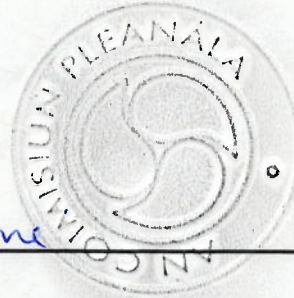
**Reason:** To safeguard the amenity of property in the vicinity.

7. Prior to commencement of works, the developer shall submit to, and agree in writing with the planning authority, a Construction Management Plan, which shall be adhered to during construction. This plan shall provide details of intended construction practice for the development, including noise and dust management measures and off-site disposal of construction/demolition waste.

**Reason:** In the interest of public safety and amenity.

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 Coimisiún 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.



*Mary Gurrie*  
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**Mary Gurrie**

**Planning Commissioner of An Coimisiún  
Pleanála duly authorised to authenticate  
the seal of the Commission.**

Dated this *30* day of *October* 2025.