

An
Coimisiún
Pleanála

**Commission Order
ACP-323043-25**

Planning and Development Act 2000, as amended

Planning Authority: Offaly County Council

Planning Register Reference Number: 2460285

Appeal by Marie-Claire Bellew and Damien Hanlon against the decision made on the 19th day of June, 2025 by Offaly County Council to grant, subject to conditions, a permission to Killeshal Precast Concrete Limited in accordance with plans and particulars lodged with the said Council.

Proposed Development: Retention of (1) offices incorporating conversion of attic rooms to offices and first floor offices to rear, (2) extension to manufacturing unit, (3) extension to storage facility, (4) extension to concrete store, (5) building including storage units, (6) canteen and toilets, (7) toilet block adjacent to concrete store, (8) machine store, (9) container storage units, (10) steel storage shed, (11) extension to site curtilage, (12) extension to car-park and (13) culverted stream as indicated on site layout map, all associated site works and permission to construct screening berm, planting on the north boundary and additional surface water drainage all at Killeshil, Clonearl Demesne, Killaderry, Daingean, 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 conditions set out below.

Reasons and Considerations

Having regard to the provisions of the Offaly County Development Plan 2021-2027, including Policy REDP-14 which favourably considers proposals for the expansion of existing industrial or new business enterprise in the open countryside, subject to certain criteria, and Development Management Standard DMS-71, which requires industry and warehousing developments to present a good quality appearance, and having regard to the established nature of the pre-cast concrete manufacturing on the site, it is considered that, subject to compliance with the conditions set out below, the proposed development, and the development proposed to be retained, would not seriously injure the residential or visual amenities of the area or property in the vicinity and would be acceptable in terms of the protection of existing residential amenity, traffic safety, surface water design and flood risk. The proposed development, and the development proposed to be retained would, therefore, be in accordance with the proper planning and sustainable development of the area.

The Commission did not share the opinion of the Inspector that the proposed berm to the north should be extended to continue along the eastern boundary of the subject site, or that an additional berm was required along the southern boundary. The Commission considered that, together with proposed landscaping and berm to the northern boundary, the retention and

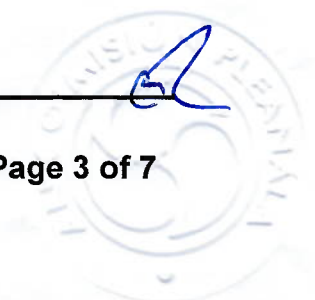
augmentation of the existing landscaping would be adequate to protect the amenities of the area.

Conditions

1. The development shall be retained, carried out and completed in accordance with the plans and particulars lodged with the application, as amended by further information received by the planning authority on the 4th day of March, 2025 and the 23rd 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 and the development shall be retained, carried out and completed in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. (a) The developer shall, within a period of six months of this permission, or within such further period as agreed by the planning authority, carry out all remedial works to address the class 3, 4 and 5 defects identified in the submitted CCTV survey report of the existing culvert, and thereafter the developer shall re-survey the surface water sewers and submit an updated report to the planning authority for its written approval.
- (b) The capacity of the existing single 750 millimetre culvert downstream of existing twin 750 millimetre diameter culvert, shall be increased to eliminate attributed flooding across the site and in the surrounding lands. Prior to the commencement of development,



the developer shall submit proposals for these works for the written agreement of the planning authority.

Reason: In the interest of orderly development and flood prevention.

3. Drainage arrangements, including the attenuation and 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 a storm water drainage plan and storm water management plan for the written agreement of the planning authority.

Reason: In the interest of public health and surface water management.

4. Prior to commencement of works, the developer shall submit the following to the planning authority, for their written agreement:
 - (a) A Construction Management Plan, which shall be adhered to during construction. This plan shall provide details of intended construction practice for the development, including measures for the control of noise and dust, and off-site disposal of construction/demolition waste.
 - (b) An Environmental Management Programme detailing how the development will take reasonable measures to mitigate any environmental nuisance, including dust suppression measures for dry and windy days.

Reason: In the interest of public safety and amenity.

5. During the operational phase of the proposed development the noise level shall not exceed:
- (a) 55 dB(A) rated sound level between the hours of 0800 to 2000, and
 - (b) 45 dB(A) 15min and 60 dB LAfmax, 15min at all other times, (corrected for a tonal or impulsive component) as measured at any existing noise sensitive location.

Procedures for the purpose of determining compliance with this limit shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: To protect the amenities of property in the vicinity of the site.

6. (a) The visibility splays shall at all times be kept free of obstacles. Any obstructions to visibility splays including existing hedgerows and utility poles must be permanently removed and set back behind the sight lines to the satisfaction of the planning authority. No kerbing or other objects shall be installed between the near edge of the public road and the site boundary. This area shall remain unobstructed, and nothing shall be planted, sown, constructed or erected forward of the sightlines.
- (b) Any damage to the public road during the construction of the development shall be made good to the satisfaction of the planning authority prior to the completion of the works.

Reason: In the interests of traffic safety.

7. Site development and building works shall be carried out only 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 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.

8. All existing landscaping shall be retained and augmented, and all proposed landscaping shall be carried out in accordance with a comprehensive scheme of landscaping, final details of which shall be submitted to, and agreed in writing with the planning authority, prior to 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 5 (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.

Reason: In the interest of the visual amenity of the area.

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 within three months of the date of this Order, or within 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 Rose McGovern

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

Dated this 30th day of July 2026