



An
Coimisiún
Pleanála

Commission Order
ACP-324245-26

Planning and Development Act 2000, as amended

Planning Authority: Cork County Council

Planning Register Reference Number: 260282

Appeal by Tim O'Leary and Patrick Foley and by Ballinacurra Project Limited Partnership against the decision made on the 7th day of April 2026 by Cork County Council to grant, subject to conditions, a permission to Ballinacurra Project Limited Partnership in accordance with plans and particulars lodged with the said Council.

Proposed Development: The demolition of 1,165 square metres of structures associated with the former Mill and demolition of three vacant dwellings, outbuilding associated with Eastville House and an extension to the rear of Rosehill House.

The provision of 128 residential units, (103 dwellings and 25 number apartments) as follows:

- Construction of 92 number new dwelling houses ranging from two to three storeys in height (comprising of 39 number two-bedroom houses, 36 number three-bedroom houses and 17 number four-bedroom houses),
- The conversion/change of use of existing structures to eight number dwelling houses (one number three-bedroom dwelling in Rosehill House

outbuildings and three number two-bedroom dwellings and four number three-bedroom dwellings in the Mill Buildings),

- The repair and conservation of Rosehill House to one number four-bedroom dwelling, and conversion of Eastville House to one number two-bedroom dwelling and one number three-bedroom dwelling,
- The conversion/change of use of existing mill building structures ranging from three to four-storeys in height, to 25 number apartments (comprising of one number ground floor Studio and 10 number one-bedroom apartments and 14 number two-bedroom apartments in existing Mill buildings from first to third floor).

The construction of one number single storey creche, one number single storey café and one number ESB substation and the conversion/change of use of former mill buildings into two number ground floor retail units, one number ground floor commercial office unit and one number ground floor medical centre unit.

Ancillary works are also proposed including provision of roads, footpaths, public open space, communal open space, private open spaces, 214 car park spaces, 114 cycle spaces, EV charging spaces, drainage infrastructure, two number access points (one off Rose Lane and one off Cloyne Road, R629) and all associated site works including play area, landscaping and boundary treatments. It is also proposed to carry out new car parking arrangements along part of Rose Lane to the north of the site measuring circa 0.057 hectares (bringing gross site area to circa 3.677 hectares), all at the former Ballinacurra Mill Buildings (Protected Structure Ref. 523), Rosehill House (Protected Structure Ref. 520), and Eastville House (NIAH Ref. 20907636), Ballinacurra, Ballynacorra West, Midleton, County Cork.

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

The Commission made its decision, consistent with the relevant provisions of the Climate Action and Low Carbon Development Act 2015, as amended, the Climate Action Plan 2024 and the Climate Action Plan 2025. In coming to its decision, the Commission had regard to the following:

- (a) the policies and objectives set out in the National Planning Framework 2040 (First Revision, 2025) and the Regional Spatial and Economic Strategy for the Southern Region 2020-2032;
- (b) the policies and objectives set out in the Cork County Development Plan 2022-2028, including the location of the site on lands subject to Zoning Objective New Residential where the objective is to provide for new residential development in tandem with the provision of the necessary social and physical infrastructure;
- (c) the Architectural Heritage Protection Guidelines for Planning Authorities (2011);
- (d) Delivering Homes Building Communities 2025-2030, issued by the Department of Housing, Local Government and Heritage in November 2025;
- (e) the provisions of the Sustainable Residential and Compact Settlement Guidelines for Planning Authorities (January 2024);

- (f) the Planning Design Standards for Apartments Guidelines for Planning Authorities, 2025;
- (g) the Urban Development and Building Heights, Guidelines for Planning Authorities, 2020;
- (h) the Design Manual for Urban Roads and Streets, 2013, updated 2019;
- (i) the Childcare Facilities, Guidelines for Planning Authorities, 2001;
- (j) Development Management, Guidelines for Planning Authorities, 2007;
- (k) the availability in the area of a wide range of social and transport infrastructure;
- (l) the pattern of existing and permitted development in the area;
- (m) the Planning Report and supporting technical reports of Cork County Council;
- (n) the submissions and observations received;
- (o) the grounds of appeal, observations and further responses on appeal; and
- (p) the report and recommendation of the Planning Inspector including the examination, analysis and evaluation undertaken in relation to appropriate assessment, environmental impact assessment, and water status impact assessment.

Appropriate Assessment: Stage 1:

The Commission considered the documents submitted with the application, and all the other relevant submissions on file, and carried out an Appropriate Assessment screening exercise in relation to the potential effects of the proposed development on designated European sites. The Commission agreed with the screening assessment and conclusion carried out in the Inspector's Report that Great Island Channel Special Area of Conservation (Site Code 001058), Cork Harbour Special Protection Area (Site Code 004030) and Ballycotton Bay Special Protection Area (Site Code 004022) are the only European Sites in respect of which the proposed development has the potential to have a significant effect in view of the Conservation Objectives for the sites and that Stage 2 Appropriate Assessment is, therefore, required.

Appropriate Assessment: Stage 2:

The Commission considered the Natura Impact Statement and all other relevant submissions including expert submissions received and carried out an Appropriate Assessment of the implications of the proposed development on Great Island Channel Special Area of Conservation (Site Code 001058), Cork Harbour Special Protection Area (Site Code 004030) and Ballycotton Bay Special Protection Area (Site Code 004022), in view of the sites' conservation objectives. The Commission considered that the information before it was sufficient to undertake a complete assessment of all aspects of the proposed development in relation to the conservation objectives of the sites using the best available scientific knowledge in the field.

In completing the assessment, the Commission considered, in particular, the following:

- (a) the likely direct and indirect impacts arising from the proposed development both individually or in combination with other plans or projects,

- (b) the mitigation measures which are included as part of the current proposal, and
- (c) the conservation objectives for the European Sites.

In completing the Appropriate Assessment, the Commission accepted and adopted the Appropriate Assessment carried out in the Inspector's report in respect of the potential effects of the proposed development on the aforementioned European Sites, having regard to the sites' conservation objectives.

In overall conclusion, the Commission was satisfied that the proposed development, by itself or in combination with other plans or projects, would not adversely affect the integrity of the European Sites in view of their conservation objectives. This conclusion is based on a complete assessment of all aspects of the proposed project and there is no reasonable scientific doubt as to the absence of adverse effects.

Environmental Impact Assessment Screening

The Commission completed an environmental impact assessment screening of the proposed development and considered that the Environment Impact Assessment Screening Report submitted by the applicant, which contains information set out in Schedule 7A to the Planning and Development Regulations, 2001 (as amended), identifies and describes adequately the effects of the proposed development on the environment.

Having regard to:

- (a) the nature and scale of the proposed development, which is below the threshold in respect of Class 10(b)(i) and 10(b)(iv) of Part 2 of Schedule 5 of the Planning and Development Regulations 2001, as amended;
- (b) the location of the site which is identified as a regeneration area, on lands governed by Zoning Objective 'town centre' and 'Existing

Residential/Mixed Residential and Other Uses' of the Cork County Development Plan 2022-2028 and the results of the Strategic Environmental Assessment of the Cork County Development Plan 2022 – 2028, undertaken in accordance with the SEA Directive (2001/42/EC);

- (c) the brownfield nature of the site and its location within Midleton, which is served by public services and infrastructure;
- (d) the pattern of development in the surrounding area;
- (e) the planning history related to the wider area of the site;
- (f) the absence of any significant environmental sensitivity in the vicinity;
- (g) the location of the development outside of any sensitive location specified in article 109(4)(a) of the 2001 Regulations,
- (h) the guidance set out in the “Environmental Impact Assessment (EIA) Guidance for Consent Authorities regarding Sub-threshold Development”, issued by the Department of the Environment, Heritage, and Local Government (2003);
- (i) the criteria set out in Schedule 7 and 7A of the Planning and Development Regulations 2001 as amended, and
- (j) the features and measures proposed by applicant envisaged to avoid or prevent what might otherwise be significant effects on the environment as outlined in the plans and particulars, including Ecological Impact Assessment, Appropriate Assessment Screening and Natura Impact Statement, Bat Derogation License and Construction and Environmental Management Plan,

it is considered that the proposed development would not be likely to have significant effects on the environment and that the preparation and submission

of an Environmental Impact Assessment Report would not, therefore, be required.

Water Status Impact Assessment Screening

The Commission completed a Water Status Impact Assessment screening exercise with regard to the objectives of Article 4 of the Water Framework Directive, taking into account the nature of the proposed development, the site and receiving environment, the hydrological and hydrogeological characteristics of proximate waterbodies, the absence of any meaningful pathways to any waterbody, the standard pollution controls and project design features, the information and reports submitted as part of the application and appeal, and the Planning Inspector's report.

In completing the screening exercise, the Commission adopted the report of the Planning Inspector, and concluded that the proposed development will not result in a risk of deterioration to any waterbody (rivers, lakes, groundwaters, transitional and coastal) either qualitatively or quantitatively or on a temporary or permanent basis or otherwise jeopardise any waterbody in reaching its Water Framework Directive objectives, and that a Water Status Impact Assessment would not, therefore, be required.

Conclusions on Proper Planning and Sustainable Development:

Having regard to the nature and scale of the proposed development on the subject brownfield site, and to the totality of the information submitted, it is considered that, subject to compliance with the conditions set out below, the proposed development would be consistent with the applicable Zoning Objectives of the subject site, of 'town centre' and 'Existing Residential/Mixed Residential and Other Uses', and the identification of the site as a regeneration area, would be in accordance with other policies and objectives of the Cork County Development Plan 2022-2028, would result in an appropriate density and a satisfactory mix and quantum of residential development, would provide acceptable levels of residential amenity for future occupants, including public open space, would not seriously injure the

residential or visual amenities of property in the vicinity, would not cause adverse impacts to biodiversity, and would be acceptable in terms of water and surface water proposals.

It is also considered that the proposal would be acceptable from a built heritage and archaeological perspective by safeguarding the existing Protected Structures and buildings of heritage importance, whilst safeguarding the industrial architecture on site. Moreover, having regard to the proposed access and egress arrangements, the proposed widening of Rose Lane and improved road design at the junction of Rose Lane and the R629 (Kearney's cross), and the location of the site within an existing residential area, it is considered that the development as proposed, including consequent additional traffic volumes, would be acceptable in terms of pedestrian, cyclist and traffic safety and convenience, and would not impact negatively on the immediate vicinity of the site. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

Having regard to the constraints of the subject site which incorporates two protected structures and several NIAH sites of regional significance, it is considered that the proposal demonstrates a sensitive approach to restoration and re-use of historic buildings, with an overall well-considered design and layout, providing for an appropriate level of density and that the proposed development would not give rise to negative impacts on the residential amenities of future occupants. Although the Commission had concerns regarding the impact of proposed unit number 22 (J1), to form the western end of a terrace fronting on to Mill Road, in particular its positioning in close proximity to Unit number 23 (House type G8), which forms part of a perpendicular row running north-south, the Commission considered that such concerns could be satisfactorily addressed by attaching a condition requiring the removal of unit 22.

The Commission noted both concerns expressed by the third-party appellants regarding an increase in traffic volumes in the context of an already constrained road network, and the contents of the Traffic and Transport

Assessment undertaken by the applicant, the scope of which was agreed with the planning authority, and which included two junctions in close proximity to the subject site. The Commission considered that the proposed development would contribute to a projected overall increase in local traffic, with anticipated delays and future degrading of the performance of these junctions, in the design year 2040. However, the Commission noted that the resultant queueing towards the Lakeview Roundabout is not anticipated to extend so as to interfere with the operation of the National Primary Route (M25), and the Commission also noted that neither the Planning Authority's Traffic and Transport Section, nor Transport Infrastructure Ireland raised any objection to the proposed development. The Commission was therefore satisfied that the proposed development would not give rise to an unacceptable cumulative traffic impact.

The Commission agreed with the First Party that broad scope of the prohibition on works, set out in the planning authority's condition number 21, was not justified and should be omitted, having regard to the targeted mitigation measures contained in the submitted Ecological Impact Assessment Report, which the Commission was satisfied would provide appropriate ecological protection.

The Commission also agreed with the Inspector that the planning authority's condition number 38, for the payment by the applicant of a special contribution in respect of works proposed to be carried out for the provision of 230 metres of the Ballinacurra-to-Midleton Cycleway, should also be omitted. The Commission agreed that the proposed benefit arising from the provision of a cycle connection from Ballinacurra to Midleton will be widespread and is not merely a specific requirement for the proposed development, and therefore, the special contribution was not considered to be justified.

Conditions

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application, received by the planning authority on the 9th day of February, 2026 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, or as otherwise stipulated by conditions hereunder, and the development shall be carried out and completed in accordance with the agreed particulars. In default of agreement the matter(s) in dispute shall be referred to An Coimisiún Pleanála for determination.

Reason: In the interest of clarity.

2. (a) The development hereby permitted shall contain: 127 number residential units, creche, cafe, ESB substation, two number ground floor retail units, one number ground floor commercial office unit and one number ground floor medical centre unit.

(b) Each residential unit shall be used and occupied as a single unit for residential purposes and shall not be sub-divided or used for any commercial purpose (including short-term letting) without a separate planning permission.

Reason: In the interest of clarity and to ensure the maintenance of a residential community.

3. The mitigation and monitoring measures contained in the submitted Natura Impact Statement, Ecological Impact Assessment Report, Environmental Impact Assessment Screening Report, and Green Infrastructure Plan received by the planning authority on 9th day of February 2026, shall be implemented.

Reason: To protect the environment.

4. Prior to the commencement of development, the developer shall submit, for the written agreement of the planning authority, revised drawings to indicate the following:
 - (a) The omission of proposed residential unit at number 22 Mill Road (House type J1), replaced by landscaping and a pedestrian access southward towards the housing units located at the southwest of this corner of the site.
 - (b) The fitting of permanently obscure fixed glazing, to the first-floor rear window serving the proposed bathroom in proposed dwelling number 11 Rose Hill Drive (House Type H6).
 - (c) The precise location and boundary to the wildlife area along the southern boundary, marked by an agreed boundary treatment (to a minimum of two metres in height) to all rear gardens to the units along the southern boundary of the site, and measures for the management of the wildlife area to the south and/or west of each such boundary treatment, and the retention of the wildlife area as such.

- (d) Final details of the boundary treatment between the dwelling at Rose Hill House, and the dwelling at Rose Hill House Outbuildings, agreed in consultation with the planning authority's conservation officer.
- (e) Details of all neighbourhood play areas and local play areas (including low maintenance equipment, natural play features and facilities) proposals within the open space amenity areas. Proposals shall have regard to the CCC Recreation and Amenity Interim Policy 2019 and any successor policy.
- (f) Details regarding the management and maintenance of the proposed wildlife areas.

Reason: In the interests of residential amenity.

- 5. Prior to the commencement of development, the developer shall submit, for the written agreement of the planning authority, revised drawings to indicate the following:

- (a) Details of materials for the surface of pedestrian pathways.
- (b) The final design improvements to both the L-3625-0 Upper Road (Rose Lane) and the Kearney's Cross junction.
- (c) An internal traffic management plan identifying the locations of stop lines, pedestrian crossings, traffic calming measures and finalising the kerb lines/radii.

Reason: In the interests of traffic safety.

6. (a) The layout and services for the estate shall comply with the standards set down in DMURS (2019); and
- (b) Specification details for the below ground works shall comply with the standards set down in 'Recommendations for Site Development Works for Housing Areas' (Dept. of the Environment and Local Government, 1998) unless otherwise agreed with the planning authority.

Reason: To ensure satisfactory standards of development.

7. (a) Public lighting shall be provided in accordance with a scheme which shall be submitted to and agreed in writing with the planning authority prior to the commencement of development.
- (b) Any amendments to the proposed lighting associated with the operational phase of development shall be agreed with the ecology office to minimise impacts to bats and birds.

Reason: In the interest of amenity and to minimise impacts to bats and birds.

8. All works shall be supervised by an on-site Ecological Clerk of Works who will report on compliance with the relevant mitigation measures. The Ecological Clerk of Works shall be empowered to halt works where they consider that the continuation of the works is likely to result in a significant pollution or siltation incident or impact on protected habitats or species, and on-site works will cease until authorised to continue by the planning authority. A compliance monitoring report shall be prepared by the Ecological Clerk of Works and shall be submitted to the planning authority at the end of the main construction period.

Reason: To ensure compliance with mitigation measures and to protect biodiversity.

9. (a) The communal open spaces, including hard and soft landscaping, car parking areas and access ways, communal refuse/bin storage, and all areas not intended to be taken in charge by the local authority, shall be maintained by a legally constituted management company.
- (b) Details of the management company contract, and drawings/particulars describing the parts of the development for which the company will have responsibility, shall be submitted to, and agreed in writing with, the planning authority before any of the residential units are made available for occupation.

Reason: To provide for the satisfactory future maintenance of this development in the interest of residential amenity.

10. Subject to compliance with the provisions of condition 11 below, the development shall be carried out on a phased basis, in accordance with the phasing plan submitted, including the completion of the creche to an operational standard prior to the commencement of phase 3.

Reason: To ensure the timely provision of services, for the benefit of the occupants of the proposed dwellings.

11. (a) Prior to the commencement of development on site the applicant/developer shall submit, for the written agreement of the planning authority a detailed method statement compiled by a suitably qualified accredited Grade 1 conservation architect/consultant for the temporary stabilisation of all historic

structures on site as part of phase 1 of the development. This is to include:

- (i) a schedule of works with a full specification, including details of materials and methods, to ensure the buildings are propped/structurally secured/stabilised such as to ensure their preservation in their current condition, pending subsequent phases of the development;
- (ii) details of any features to be temporarily removed/relocated during construction works, where identified, and proposals for their final re-instatement. Once the final strategy has been agreed, there shall be no further changes unless otherwise agreed in writing with the planning authority;
- (iii) Measures to manage, monitor and implement the works on the site and to ensure adequate protection of the retained and historic fabric of the Protected Structure and NIAH buildings during the works. In this regard, all permitted works shall be designed to cause minimum interference to the retained building and facades, structure and/or fabric;
- (iv) The use of best conservation practice in accordance with the "Architectural Heritage Protection Guidelines for Planning Authorities" issued by the Department of Arts, Heritage and the Gaeltacht in October 2011, for the retention of the maximum amount of surviving historic fabric in situ, including structural elements, plasterwork (plain and decorative) and joinery and fittings including methods designed to cause minimum interference to the building structure and/or fabric. Items that have to be removed for repair shall be recorded prior to removal, catalogued and numbered to allow for authentic re-instatement;

- (b) The conservation expert / architect will also certify on completion of the project, that all works were carried out as per agreement with the planning authority.
- (c) A written and photographic record of all works shall be maintained throughout the course of the project and submitted to the planning authority and the national architectural archives on completion of the project.

Reason: In the interest of the protection of architectural heritage in accordance with the provisions of the Architectural Heritage Protection Guidelines for Planning Authorities.

12. As soon as may be, subsequent to the stabilisation of the mill buildings sufficient to facilitate safe interior access, the applicant/developer shall engage the services of a suitably qualified and experienced industrial archaeologist/built heritage specialist to record all surviving interior fabric in the mill buildings and create a report on same to include mitigation of impacts where necessary. This detailed report shall include details of any necessary revisions and/or amendments in relation to works which may be necessitated on foot of gaining full access to the buildings and suggested mitigation measures where relevant, for the preservation of fabric. This report shall be submitted for the written approval and agreement of the planning authority.

Reason: In the interest of the protection architectural heritage in accordance with the provisions of the Architectural Heritage Protection Guidelines for Planning Authorities.

13. (a) The developer shall engage a suitably qualified archaeologist (licensed under the National Monuments Acts) to carry out pre-development archaeological testing in areas of proposed ground disturbance and to submit an archaeological impact assessment report for the written agreement of the Planning Authority, following consultation with the Development Applications Unit of the Department of Housing, Local Government and Heritage. The testing shall take place in advance of any site preparation works or groundworks (other than those which may be necessary to fulfil this condition, e.g. demolition) including site investigation works / topsoil stripping / site clearance and / or construction works.
- (b) The report shall include an archaeological impact statement and a mitigation strategy to include all mitigation measures in relation to the archaeology and Industrial heritage as set out in Section 4.3 of the submitted Archaeological and Industrial Heritage Impact Assessment, of Shanarc Archaeology Ltd. and Dr. Colin Rynne dated December 2025, which shall be implemented in full. A full methodology shall be agreed with the Local Authority providing all phases of work proposed, prior to the commencement of development.
- (c) Where archaeological material is shown to be present, avoidance, preservation in-situ, preservation by record (archaeological excavation) and/or monitoring may be required.
- (d) Any further archaeological mitigation requirements specified by the planning authority, following consultation with the Department, shall be complied with by the developer, and a full methodology agreed with the planning authority. No site preparation and/or construction works shall be carried out on site until the archaeologist's report has been submitted to the National

Monuments Service and the Planning Authority and approval to proceed is agreed in writing with the planning authority.

- (e) The planning authority and the Department of Housing, Local Government and Heritage shall be furnished with a final archaeological report describing the results of any subsequent archaeological investigative works and/or monitoring following the completion of all archaeological work on site and the completion of any necessary post excavation work. All resulting and associated archaeological costs shall be borne by the developer.

Reason: To ensure the continued preservation (either in situ or by record) of places, caves, sites, features or other objects of archaeological interest.

- 14. A bat survey shall be carried out by a competent, experienced bat ecologist during the bat activity seasons, in the year of construction and for the first two years of operation of the development. Proposed survey methodologies shall be submitted to the planning authority for approval prior to the commencement of development. The results of these surveys shall be submitted to the planning authority annually for review.

Reason: To protect biodiversity.

- 15. All works will take place in accordance with the mitigation measures and license conditions set out in the Wildlife Act Derogation License issued by the National Parks and Wildlife Service in respect of the proposed development.

Reason: To protect biodiversity.

16. Prior to the commencement of development, the following shall be submitted to, and agreed in writing with, the planning authority:

- (a) Details of the materials, colours and textures of all the external finishes to the proposed dwellings and creche.
- (b) Details of any advertisements / signage relating to the creche facility, café, and retail units.

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

17. Proposals for a naming / numbering scheme and associated signage shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. Thereafter, all signs, and house/apartment numbers, shall be provided in accordance with the agreed scheme. The proposed names shall be based on local historical or topographical features, or other alternatives acceptable to the planning authority. No advertisements/marketing signage relating to the name(s) of the development shall be erected until the developer has obtained the planning authority's written agreement to the proposed name(s).

Reason: In the interest of urban legibility and to ensure the use of locally appropriate place names for new residential areas.

18. Prior to the commencement of development, the developer shall enter into Connection Agreements with Uisce Eireann to provide for a service connection to the public water supply and/or wastewater collection network.

Reason: in the interest of public health and to ensure adequate water/wastewater facilities.

19. Drainage arrangements, including the attenuation and disposal of surface water, shall comply with the requirements of the planning authority for such works and services, and final details of same shall be submitted by the developer, for the written agreement of the planning authority.

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

20. All service cables associated with the proposed development (such as electrical, telecommunications and communal television) shall be located underground. Ducting shall be provided by the developer to facilitate the provision of broadband infrastructure within the proposed development. All existing over ground cables shall be relocated underground as part of the site development works.

Reason: In the interests of visual and residential amenity.

21. The internal road network serving the proposed development including turning bays, junctions, parking areas, footpaths, and kerbs shall comply with the detailed construction standards of the planning authority for such works and design standards outlined in Design Manual for Urban Roads and Streets (DMURS).

Reason: In the interest of amenity and of traffic and pedestrian safety.

22. (a) Prior to the commencement of development, A stage 1/2 and 3/4 Road safety audit shall be carried out by an approved consultant of the Kearney's cross junction for the written agreement of the planning authority. Measures to address issues raised in the audit shall be agreed in writing and associated costs borne by the applicant unless otherwise agreed in writing.
- (b) The layout shall strictly accord with and incorporate the recommendations of the road safety audit. Full details, including revised layout plan, shall be submitted to the planning authority for agreement in writing prior to commencement of development.

Reason: In the interest of orderly development.

23. (a) All the communal parking areas serving the residential units shall be provided with functional electric vehicle charging points, and all of the in-curtilage car parking spaces serving residential units shall be provided with electric connections to the exterior of the houses to allow for the provision of future electric vehicle charging points.
- (b) 5% of vehicular parking spaces shall be for mobility impaired users. Details of how it is proposed to comply with these requirements shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: in the interest of sustainable transportation.

24. 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.

25. The construction of the development shall be managed in accordance with a Construction and 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:
- (a) the location of the site and materials compound(s) including area(s) identified for the storage of construction refuse;
 - (b) the location of areas for construction site offices and staff facilities;
 - (c) the details of site security fencing and hoardings;
 - (d) the details of on-site car parking facilities for site workers during the course of construction;
 - (e) the details of the timing and routing of construction traffic to and from the construction site and associated directional signage, to include proposals to facilitate the delivery of abnormal loads to the site;

- (f) measures to obviate queuing of construction traffic on the adjoining road network;
- (g) the details of intended construction practice for the development;
- (h) measures to prevent the spillage or deposit of clay, rubble or other debris on the public road network;
- (i) alternative arrangements to be put in place for pedestrians and vehicles in the case of the closure of any public road or footpath during the course of site development works;
- (j) the details of appropriate mitigation measures for noise, dust and vibration, and monitoring of such levels;
- (k) the containment of all construction-related fuel and oil within specially constructed bunds to ensure that fuel spillages are fully contained. Such bunds shall be roofed to exclude rainwater;
- (l) the off-site disposal of construction/demolition waste and details of how it is proposed to manage excavated soil; and
- (m) the means to ensure that surface water run-off is controlled such that no silt or other pollutants enter local surface water sewers or drains.

A record of daily checks that the works are being undertaken in accordance with the Construction Environmental Management Plan shall be available for inspection by the planning authority. The agreed CEMP shall be implemented in full in the carrying out of the development.

Reason: In the interest of amenities, public health and safety and environmental protection.

26. Prior to the commencement of any works associated with the development hereby permitted, the developer shall submit a Construction Traffic Management Plan (CTMP) for the construction phase of the development for the written agreement of the planning authority. The Plan shall incorporate details of the road network to be used by construction traffic including oversized loads, detailed proposals for the protection of bridges, culverts and other structures to be traversed, as may be required. The agreed CTMP shall be implemented in full during the course of construction of the development.

Reason: In the interest of traffic safety and convenience and residential amenity.

27. Prior to the commencement of development, the developer or any agent acting on its behalf, shall prepare a Resource Waste Management Plan (RWMP) as set out in the Environmental Protection Agency's Best Practice Guidelines for the Preparation of Resource and Waste Management Plans for Construction and Demolition Projects (2021) including demonstration of proposals to adhere to best practice and protocols. The RWMP shall include specific proposals as to how the RWMP will be measured and monitored for effectiveness; these details shall be placed on the file and retained as part of the public record. The RWMP must be submitted to the planning authority for written agreement prior to the commencement of development. All records (including for waste and all resources) pursuant to the agreed RWMP shall be made available for inspection at the site office at all times.

Reason: In the interest of proper planning and sustainable development.

28. A plan containing details for the management of waste (and, in particular, recyclable materials) within the development, including the provision of facilities for the storage, separation and collection of the waste and, in particular, recyclable materials within each house plot and for each apartment unit shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. Thereafter, the agreed waste facilities shall be maintained, and waste shall be managed in accordance with the agreed plan.

Reason: To provide for the appropriate management of waste and, in particular recyclable materials, in the interest of protecting the environment.

29. The site shall be landscaped in accordance with the plans and particulars, including the Landscape Design submitted with the application on the 9th day of February 2026, and shall be carried out within the first planting season following substantial completion of external construction works for each phase. 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 or until the development is taken in charge by the local authority, whichever is the sooner, 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 residential and visual amenity.

30. No dwelling unit shall be occupied until all services (drainage, water supply, electricity and / or other energy supply, public lighting and roads) for each dwelling unit have been completed and are operational.

Reason: In the interests of residential amenity and the proper planning and sustainable development of the area.

31. Prior to commencement of development, the developer or other person with an interest in the land to which the application relates shall enter into an agreement in writing with the planning authority in relation to the provision of housing in accordance with the requirements of section 94(4) and section 96(2) and (3) (Part V) of the Planning and Development Act 2000, as amended, unless an exemption certificate shall have been applied for and been granted under section 97 of the Act, as amended. Where such an agreement is not reached within eight weeks from the date of this order, the matter in dispute (other than a matter to which section 96(7) applies) may be referred by the planning authority or any other prospective party to the agreement to An Coimisiún Pleanála for determination.

Reason: To comply with the requirements of Part V of the Planning and Development Act 2000, as amended, and of the housing strategy in the development plan of the area.

32. (a) Prior to the commencement of the development as permitted, the applicant or any person with an interest in the land shall enter into an agreement with the planning authority (such agreement must specify the number and location of each house or duplex unit), pursuant to Section 47 of the Planning and Development Act 2000, that restricts all relevant residential units permitted, to first occupation by individual purchasers, that is, those not being a corporate entity, and/or by those eligible for the occupation of

social and/or affordable housing, including cost rental housing.

- (b) An agreement pursuant to Section 47 shall be applicable for the period of duration of the planning permission, except where after not less than two years from the date of completion of each specified housing unit, it is demonstrated to the satisfaction of the planning authority that it has not been possible to transact each of the residential units for use by individual purchasers and/or to those eligible for the occupation of social and/or affordable housing, including cost rental housing.
- (c) The determination of the planning authority as required in (b) shall be subject to receipt by the planning and housing authority of satisfactory documentary evidence from the applicant or any person with an interest in the land regarding the sales and marketing of the specified housing units, in which case the planning authority shall confirm in writing to the applicant or any person with an interest in the land that the Section 47 agreement has been terminated and that the requirement of this planning condition has been discharged in respect of each specified housing unit.

Reason: To restrict new housing development to use by persons of a particular class or description in order to ensure an adequate choice and supply of housing, including affordable housing, in the common good.

33. Prior to commencement of development, the developer shall lodge with the planning authority a cash deposit, a bond of an insurance company, or other security to secure the provision and satisfactory completion and maintenance until taken in charge by the local authority of roads, footpaths, watermains, drains, public open space and other services required in connection with the development, coupled with an agreement empowering the local authority to apply such security or part thereof to the satisfactory completion or maintenance of any part of the development. The form and amount of the security shall be as agreed between the planning authority and the developer or, in default of agreement, shall be referred to An Coimisiún Pleanála for determination.

Reason: To ensure the satisfactory completion and maintenance of the development until taken in charge.

34. 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.


MaryRose McGovern

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

Dated this 12th day of August 2026