



An
Bord
Pleanála

Inspector's Report PL11.247663

Development	Electrical substation related equipment, hardstanding area for external battery equipment, signage, fencing enclosure to site with security gate and site development works.
Location	Midlands Container Depot Ltd., Clonminam Business Park, Knockmay, Portlaoise, Co. Laois.
Planning Authority	Laois County Council
Planning Authority Reg. Ref.	16/199
Applicant(s)	Gaelectric Energy Storage Ltd.
Type of Application	Permission
Planning Authority Decision	Grant permission + conditions
Type of Appeal	Third Party
Appellant(s)	Peter Sweetman & Associates
Observer(s)	None on file.

Date of Site Inspection

9th February 2017

Inspector

Sarah Moran

**NOTE: There is a current appeal relating to adjoining lands, ref. PL11.247052
(Reg. Ref. 16/153)**

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1.0 Site Location and Description

1.1. The site is located at the Clonminam Business Park in an industrial area on the southern side of Portlaoise, nearby to the east of the Dublin/Cork railway line. The M7 runs nearby to the south and junction 18, Portlaoise West, is c. 2 km to the south east. There are various industrial, business, storage and commercial uses within the business park. The site is a 0.14 ha area located to the rear of an existing single storey warehouse. It is situated entirely within the Midlands Container Depot, an area for the storage of shipping / truck containers, which also has truck refuelling and washing facilities. The site is currently used for container and truck storage, truck refuelling and truck washing.

2.0 Proposed Development

2.1. Permission is sought for a battery energy storage facility including rechargeable battery units, an electrical substation (stated area 60 sq.m.), new hardstanding area for external battery equipment, related equipment, signage, fencing with security gate and associated site development works. The development is to be accessed via the existing vehicular access to the tuck and container park from the public road. The site layout indicates a wayleave to the public road. The development has a projected lifespan of c. 20 years. The applicant submitted further information to the planning authority on 3rd August 2016, comprising details of the nature and extent of the development, of potential emissions and odours, of other similar developments and of potential emissions to the water environment and a response to third party submissions. The applicant submitted clarification of further information to the planning authority on 13th October 2016, comprising details of grid connection and energy source for the development and of the purpose of the facility with regard to grid stability issues, also a response to a further submission by Inland Fisheries Ireland (IFI).

3.0 Planning Authority Decision

3.1. Decision

- 3.1.1. The planning authority requested further information on 24th June 2016, in accordance with the recommendations of the planning report on file. It requested clarification of further information on 26th August 2016, in accordance with the second planning report. Permission was granted on 7th November 2016 subject to 8 no. conditions. Of note, condition no. 1(b) specified that the development shall be used for the storage of oversupply energy from the national grid during periods of increased demand; condition no. 6 required the development to connect to an existing hydrocarbon interceptor; condition no. 7 required the developer to consult with the ESB regarding any overhead power line prior to the commencement of development.

3.2. Planning Authority Reports

- 3.2.1. Initial planning report, 23rd June 2016. The proposed development is considered acceptable in principle. Recommends a further information request for details of the nature and extent of the development; details of potential emissions and odours; examples of similar developments; parking, traffic and lighting issues; particulars requested by IFI; response to third party submissions. Second planning report 26th August 2016. Recommends a request for clarification of further information regarding details of grid connection, also issues raised by IFI. Third planning report 4th November 2016. Recommends permission subject to conditions.
- 3.2.2. Acting Chief Fire Officer 17th May 2016. No objection.
- 3.2.3. Executive Scientist, Waste Enforcement Section, 17th August 2016. Permission could be granted subject to conditions.

3.3. Prescribed Bodies

- 3.3.1. Inland Fisheries Ireland (IFI) submission to the planning authority 26th May 2016. States concerns in relation to the types of battery to be used. Requests further information on this issue. Second IFI comment dated 15th August notes certain

discrepancies in the further information submission and states further concerns. Third comment by IFI dated 26th October 2016. The applicant's responses address the concerns stated by IFI, no objection to the development subject to conditions.

3.4. Third Party Observations

3.4.1. The planning authority received 3 no. third party submissions. These generally objected to the development on the following grounds:

- Various inadequacies of the National Renewable Action Energy Plan (NREAP), including inadequate public consultation and lack of SEA for same.
- Lack of health and safety regulations or standards for large batteries.
- Potential threat to the environment and public health.
- Potential fire hazard.
- Environmental damage involved in the production of batteries of this size.
- The storage facility will be a net consumer of energy.
- Energy Return on Investment (EROI). Battery storage devices consume more energy than they produce over the course of their lifetime, leading to increased CO₂ emissions. Storing wind energy in a battery reduced the EROI of wind further than curtailment.
- The development is part of the same project as reg. ref. 16/260, a development for which an EIS has been submitted. The terms of O'Grianna v ABP apply.

4.0 Planning History

4.1. Midlands Container Depot 03/289

4.1.1. Involving a larger area now used as the Midlands Container Depot. Permission granted to Martin Kealey Transport Ltd. to construct a truck and container park, office, security gates and fencing, 40,000 litre underground diesel tank, petrol separator, site drainage and foul sewers, access road, landscaping, connection to ESB, public water mains, sewers and all ancillary works. An area to the east of the container depot is indicated as 'area for future development' on the site layout.

4.2. Lands to East of Midlands Container Depot 03/605

- 4.2.1. Relating to lands to the immediate east of the Midlands Container Depot, accessed off the same local road within Clonminam Business Park. Permission was granted to John Carroll for a 2 storey office unit with adjoining double height warehouse unit and services. This permission was never carried out.

4.3. Midlands Container Depot 09/761

- 4.3.1. Permission granted to the Midlands Container Depot to erect 20 no. individual storage units installed in 4 unit modules and all associated works, all within the depot site. The permitted structures were located to the east of the subject site.

4.4. Midlands Container Depot 11/471

- 4.4.1. Relating to lands to the immediate south of the subject site and to the east of the existing boundary of the Midlands Container Depot. Permission granted to MSM Recycling Ltd. for change use of existing unit to a facility for the recovery and recycling of ferrous metals, non-ferrous metals, glass and end-of-life vehicles along with the internal and external storage of such materials on site, along with associated site works. This permission was not carried out.

4.5. Current Application to Immediate South of Subject Site 16/153 PL11.247052

- 4.5.1. Relating to lands to the immediate south of the subject site, also within the Midlands Container Depot. Permission was granted to VP Equipment Rental (Ireland) Ltd. to subdivide the existing yard with a 2.4m high palisade fence and to change the use of the subdivided yard from existing approved truck and container park to hire depot for construction and construction related equipment. The development also included 4 no. prefabricated single storey buildings to be used as offices, a canteen and a toilet block, a single storey workshop and associated signage at the main site entrance. The permission is now the subject of an appeal by the same third party as the subject case (Peter Sweetman & Associates).

4.6. Adjacent Site to West 08/1465

- 4.6.1. Relating to lands to the immediate west of the Midlands Container Depot, close to the railway line and accessed off a separate distributor road within Clonminam Business Park. Permission was granted to Hibernian Wind Power Ltd. to construct an electricity generation unit with a maximum electrical power output of 60 MW, also

a voltage transformer, a water treatment plant and two water storage tanks, two fuel storage tanks, fuel and water forwarding pumps, office accommodation and personnel welfare and security facilities. The development was to operate as a 'peaking plant', to provide backup electricity generation supply at short notice during calm periods when the wind resource is low. The permitted development was never constructed and the permission has since expired.

5.0 Policy Context

5.1. Laois County Development Plan 2011-2017

- 5.1.1. The delivery of a secure supply of electricity is identified as a key issue to be addressed in the development plan. There are also core aims to support the development of key infrastructure, including electricity, to enable economic development and access to the alternative energy market and to promote and support the development of the renewable energy resource of the county including in particular from wind, waste material, solar, hydro and biomass energy. The green economy sector including wind farm development is identified as having economic potential for the county.
- 5.1.2. Development plan section 7.14 dealing with alternative energy notes that Bord na Mona are examining the feasibility of CHP Plants fired by environmentally positive low carbon fuels such as Biomass as a significant development of its power generation business, in addition to several wind farm developments. Policy EC 7 / P51 is to support the development of peatlands within Co. Laois for appropriate alternative uses subject to general planning and environmental considerations.
- 5.1.3. Development plan chapter 9 deals with energy and telecommunications with the core aim to identify the energy and telecommunications needs for the county and the manner in which the Council can facilitate their development to ensure a secure energy and communications network to support the residents and future development needs of the county while fostering the transition to a lower carbon county. Objective ET 9 / O03 is to encourage and facilitate the development of renewable power generation facilities in the county and objective ET 9 / O05 is to support and facilitate the development of the electricity infrastructure. Section 9.4.1

states that wind energy is regarded as the biggest potential contributor to the expansion of renewable energy and is to be developed in accordance with the county Wind Energy Strategy. Section 9.5 deals with electricity and outlines ongoing and projected energy infrastructure projects for the lifetime of the development plan. Policy ET 9 / P01 is to facilitate energy infrastructure provision, including the development of renewable energy sources at suitable locations, so as to provide for the further physical and economic development of the county. Policy ET 9 / P14 is to support and facilitate the development of enhanced electricity and gas supplies, and associated networks, to serve the existing and projected residential, commercial, industrial and social needs of the county.

5.2. Portlaoise Local Area Plan 2012-2018

- 5.2.1. The site is zoned for industrial and warehousing uses under the LAP. The zoning provides for industrial and warehousing uses. Other uses, ancillary or similar to industry and warehousing will be considered on the merits of each planning application and may be acceptable within this zone. Where employment is a high generator of traffic, the location of new employment at appropriate scale, density, type and location will be encouraged to reduce the demand for travel. The layout of new employment sites will have to have regard for alternative sustainable modes of transport. Site layout should emphasise the necessary connections to the wider local and strategic public transport walking and cycling network. Residential or retail uses including retail warehousing will not be acceptable in this zone.
- 5.2.2. Lands to the west of the container depot are zoned for transport and utilities, associated with the railway line. Lands to the south of are zoned for enterprise and employment. Both of these zonings are associated with the development of Togher National Enterprise Park, which was the subject of a masterplan prepared in 2009, to be developed as a transportation node and inland port, associated with the location adjacent to the N7 and railway line.

5.3. Natural Heritage Designations

- 5.3.1. The site is not located within or immediately adjacent to any designated sites. The following Natura 2000 sites are located within c. 15km of the development:

Site Name (site code)	Distance from development site
Slieve Bloom Mountains SPA (004160)	c. 7.5km
Slieve Bloom Mountains SAC (000412)	c. 9km
River Barrow and River Nore SAC (002162)	c. 9km
Ballyprior Grassland SAC (002256)	c. 13km
Knockacoller Bog SAC (002333)	c. 15km

6.0 The Appeal

6.1. Grounds of Third Party Appeal

6.1.1. The third party appeal is very brief and makes the following points:

- There are 2 no. white site notices at the entrance to the development site. This is contrary to the planning acts.
- The planner has failed to assess the development in combination with reg. ref. 16/260, a wind farm development by a subsidiary of the same parent of this developer.

6.2. Applicant Response to Third Party Appeal

6.2.1. The main points made may be summarised as follows:

- The site notices referred to in the appeal relate to proposals for different developments by differing developers within different red line boundaries. A yellow site notice was not appropriate in this case with regard to articles 22 and 19 of the Planning and Development Regulations 2001 (as amended).
- The development is not connected with the connection of any individual generator (e.g. wind, solar, conventional, etc.) and the proposed development will not be connected to or associated with any wind farms.
- The applicant has no involvement with the wind farm development referred to as Pinewood Wind Limited and the subject development is not part of that project.

7.0 Assessment

7.1. It is considered that the main issues to be addressed are as follows:

- Principle of Development
- Nature and Extent of Proposed Development and Interaction with Other Developments
- Potential Impacts on the Water Environment
- Traffic and Parking
- Other Matters

7.2. Principle of Development

7.2.1. The site has the zoning 'industrial' under the Portlaoise Local Area Plan 2012-2018. The stated purpose of the objective is as follows:

"This zoning provides for industrial and warehousing uses. Other uses, ancillary or similar to industry and warehousing will be considered on the merits of each planning application and may be acceptable in this zone. Where employment is a high generator of traffic, the location of new employment at an appropriate scale, density, type and location will be encouraged to reduce the demand for travel. The layout for new employment sites will have to have regard to alternative sustainable modes of transport. Site layout should emphasise the necessary connections to the wider local and strategic public transport, walking and cycling networks. Residential or retail uses (including retail warehousing) will not be acceptable in this zone."

7.2.2. The site is located in an extensive area of light industrial / warehousing / retail warehousing, etc. land uses. The application states that there are no residential dwellings within 300m of the development site. Potential impacts on residential amenities by way of noise, visual intrusion, etc. therefore do not arise. The proposed energy infrastructure land use is not specified in the zoning matrix under the 'industrial' zoning objective. However, LAP chapter 12 states that uses other than the primary use for which an area is zoned may be permitted provided they are not in conflict with the primary use-zoning objective. With regard to the above provisions, I consider that the proposed land use is generally compatible with the industrial zoning

objective of the area where it is located. The development is therefore acceptable in principle and may be considered on its merits.

7.3. **Nature and Extent of Proposed Development and Interaction with Other Developments**

7.3.1. The Subject Proposal

The subject proposal comprises a battery energy storage facility comprising 24 no. rechargeable battery units, an electrical substation (60 sq.m.), related equipment, signage and palisade fencing. It will not produce electricity but will be used to charge and discharge it. I note that there is an area entirely within the site which is marked as 'possible future expansion' on the proposed site layout. The development has a projected lifetime of c. 20 years. Its purpose is described as follows in the material submitted with the application:

"...it is intended that the battery project would be used to provide services to the electrical grid. The services include fast frequency response which is the provision of energy in short cycles over the duration of the day. The actual operation profile of the unit is undefined as the events that the battery is required to support are intermittent..."

The application states that the applicant is developing 'grid level battery storage', i.e. large battery systems located at points on the grid, which are capable of repeated charging and release of power using intermittent generated energy. Energy storage is used to balance fluctuations in supply by storing 'oversupply' of energy during high winds and releasing it at periods of demand. Eirgrid has identified major grid stability issues associated with high levels of wind integration onto the system. This type of infrastructure facilitates the integration of a dramatic increase in intermittent wind generated renewable energy with other traditional energy sources. It ensures security of energy supply and the stability of the electrical grid and helps to manage resources effectively. The applicant submits that the development will help to maintain the long term stability of the electricity system in Ireland and to contribute to meeting national renewable energy targets of 40% of total energy consumption by 2020. The development is part of a programme currently being undertaken by Eirgrid known as the "Delivering a Secure Sustainable System" (DS3) programme, which involves delivering a range of system services that are necessary to ensure the

secure operation of the power system. A similar type of development was permitted in Co. Louth under reg. ref. 09520106.

With regard to connection to the national grid, the development is to connect to a substation on Abbeyleix Road, Portlaoise via an underground cable. The final route and specifications of the works will be determined by ESB Networks. The development will be charged directly from the national grid and will discharge stored energy back to the grid as required.

7.3.2. Reg. Ref. 16/153 PL11.247052 on Adjoining Lands

The subject proposal is to be considered in the context of another appeal currently before the Board relating to adjoining lands, ref. PL11.247052, as outlined above. That development relates to a change of use of lands to the immediate south of the subject site from the existing truck and container depot to a hire depot for construction and construction related equipment. The applicant in that case is V.P. Equipment Rental (Ireland) Ltd. The documentation on that file clarifies that the adjoining development is unrelated to the subject proposal. The adjoining permission was appealed by the same third party appellant as the subject case. The third party appeal in that case raises the following issues:

- Lack of clarity regarding the separate uses of the adjoining lands and the relationship between the two developments.
- The planning authority did not cross examine the two developments.

Having examined the documentation on both files, I am satisfied that the nature and extent of both the subject proposal and the adjoining application is clear in both cases. I consider that both developments are functionally unrelated and note that they have been made by separate applicants. I consider that they are generally reasonably compatible and that permission for one would not preclude permission for the other. I accept that possibilities may arise for cumulative impacts if both are permitted, principally relating to traffic and the water environment. These matters are considered further in the following assessment.

7.3.3. Requirement for EIA

The proposed development is not of any type included in Schedule 5 of the Planning and Development Regulations 2001 (as amended), i.e. development for which

mandatory EIA is required. In addition, with regard to the available information, it does not in my view meet any of the criteria set out in schedule 7 of the Regulations for determining whether a sub-threshold development would be likely to have significant effects on the environment, with regard to the characteristics of the proposed development, its location and the characteristics of potential impacts.

The third party appeal submits that the proposed development should be assessed along with potential impacts associated with reg. ref. 16/260. In that case, permission was granted to Pinewood Wind Limited to construct 11 no. wind turbines and associated site works including a 110kV electricity substation, road works, access tracks, underground cabling, etc., at Knockardugar, Boleybawn, Garrintaggart, Ironmills (Kilrush) and Graiguenahown, Co. Laois. That development was part of a larger development which also extends onto lands in the townland of Crutt, Co. Kilkenny. The application was accompanied by an EIS which included an assessment of the likely impacts of the proposed development as a whole and in combination with the relevant off-site or secondary developments occurring as a direct result of the development, including connection to the national electricity grid.

The applicant states that the proposed development will not be connected to or associated with any wind farms. The applicant's response to the appeal states that the applicant, Gaelectric Energy Storage, is a wholly owned subsidiary of Gaelectric Holdings PLC, and has no involvement with the wind farm development permitted under 16/260. I am satisfied that the subject proposal is not integral to any wind farm development. The JR case Pol O Grianna and Others v An Bord Pleanála is of relevance here. It related to ABP case PL04.242223, which granted permission for a 6-turbine wind farm (13.8 MW), electricity sub-station and associated works near Ballingeary, Co. Cork. The application was accompanied by an EIS and by an AA screening report. Paragraph 26 of the O'Grianna judgement notes that the Board decision did not involve any assessment of the potential environmental impacts of the grid connection stage of the wind farm development. The judgement concluded that the wind farm connection to the national grid was an integral part of the overall development and fundamental to the entire project, therefore both were in reality a single project and should be subject to EIA. However, in this case, the proposed development does not relate to a grid connection for a single wind farm but to an entirely separate piece of energy infrastructure, which would generally facilitate the

integration of energy from renewable sources, such as wind energy, with the national grid. The development is therefore not integral to any wind farm and O’Grianna does not apply.

7.3.4. Conclusion

To conclude, I am satisfied that the proposed development is clearly defined and is separate from the current proposal on adjoining lands to the south, ref.

PL11.247052. The subject development does not require mandatory EIA and, in my view, does not meet the criteria for sub-threshold EIA. In addition, is not fundamental to any specific wind energy project such that the O’Grianna judgement would apply.

7.4. **Potential Impacts on the Water Environment**

7.4.1. Existing site drainage is as permitted under 03/289. There is a small surface water gully along the western site boundary (indicated as an existing wayleave on the site layout). The hardstanding area at the container depot currently drains to this watercourse via an existing hydrocarbon interceptor. The interceptor is located at the north western corner of the depot site and has a stated capacity of 1,750 litres (there is a specification on file PL11.247052). The proposed development would drain to this interceptor, in agreement with the site owner. The site is located outside Flood Zones A and B as identified in the Portlaoise LAP and the risk of flooding is therefore not considered to be significant.

7.4.2. There are several submissions on file by Inland Fisheries Ireland, which state concerns in relation to the following issues:

- That toxic metals or other toxic or dangerous constituents from the batteries within the development could discharge to surface waters.
- That the batteries could contain flammable materials and, in the event of combustion occurring, that by-products could reach the aquatic environment.
- That the hydrocarbon interceptor at the site is owned by a third party.

7.4.3. The applicant submits that the battery packs do not contain free liquid electrolyte and do not pose a liquid release hazard. In addition, the cells and batteries do not contain metallic lithium or heavy metals such as lead, cadmium or mercury. The contents therefore cannot spill out in the event of a puncture. The further information submission reiterates that the design of the batteries is such that they do not pose a

liquid electrolyte release hazard. The power pack systems also contain sealed thermal management systems with coolants and refrigerants, details of same are provided. The applicant submits that the batteries have been tested by the US National Fire Protection Association and that the development would adhere to standard protocol, health and safety and electrical safety rules, to prevent any increased risk of fire.

- 7.4.4. The further information submission states that the applicant intends to enter into an agreement with the site owner and to take full responsibility for the ongoing maintenance of the existing hydrocarbon interceptor. I note that the applicant of PL11.247052 has also proposed to take responsibility for the ongoing maintenance of the interceptor. The Environment Section of Laois County Council did not state any concerns in relation to the arrangement proposed under PL11.247052, subject to conditions including the ongoing maintenance of the interceptor. I accept that the existing hydrocarbon interceptor is adequately sized to cater for run-off from the existing yard area. The combined developments would not generate significantly different surface water run-off in terms of quantity or quality than the present situation. The issue of ongoing maintenance can be addressed by way of condition if the Board is minded to grant permission.
- 7.4.5. I note that the third IFI submission on foot of the clarification of further information indicates no objections to the development subject to conditions. The concerns raised by IFI have therefore been resolved. The proposed drainage arrangement is considered acceptable on this basis and I am satisfied that the development would not result in any significant adverse impacts on the water environment, subject to the adequate implementation of the proposed mitigation measures.

7.5. Traffic and Parking

- 7.5.1. The subject proposal is unlikely to generate significant traffic movements once construction is completed. A roads layout indicating the subject proposal and the adjoining PL11.247052 was submitted as further information. The layouts appear to be compatible. The documentation on file PL11.247052 states that the use of that part of the site as a construction equipment hire premises would generate significantly less traffic than the existing truck and container depot at the site, which involves a constant stream of HGV and other traffic. The construction equipment hire

business would generate up to 10 loads per day at peak. This point is accepted. The proposed development includes 7 no. off-street parking spaces and PL11.247052 includes parking provision (18 spaces) in excess of development plan standards for industrial / office development (15 required to meet standards). The proposed roads and parking layout is considered satisfactory on this basis.

7.6. Other Matters

7.6.1. Procedural – Site Notice

The appeal states that there were two no. white site notices at the entrance to the Midlands Container Depot from the Clonminam Business Park. The applicant's response to the appeal notes the requirements of article 19(4) of the Planning and Development Regulations 2001 (as amended), which provides the following in relation to site notices:

Where a valid planning application is made in respect of any land or structure, and a subsequent application is made within 6 months from the date of making the first-mentioned application in respect of land substantially consisting of the site or part of the site to which the first-mentioned application related, in lieu of the requirements of sub-article (1)(b), the site notice for the subsequent application shall be inscribed or printed in indelible ink on a yellow background and affixed on rigid, durable material and be secured against damage from bad weather and other causes.

The applicant notes that there had been no previous application relating to the subject site within 6 months prior to the subject application. Therefore, there was no requirement for a yellow site notice. The other white site notice related to PL11.247052, which relates to a different site, i.e. outside the red line site boundary. This point is accepted.

7.6.2. Appropriate Assessment

Having regard to the nature and scale of the proposed development, the nature of the receiving environment and the distance to the nearest European sites, no Appropriate Assessment issues arise and it is not considered that the proposed development would be likely to have a significant effect individually or in combination with other plans or projects on a European site.

8.0 Recommendation

- 8.1. In view of the above assessment, permission is recommended subject to the conditions set out below.

9.0 Reasons and Considerations

- 9.1. Having regard to the provisions of the Laois County Development Plan 2011-2017 and the Portlaoise Local Area Plan 2012-2020, it is considered that, subject to compliance with the conditions set out below, the proposed development would constitute an appropriate use for the site and would not have significant adverse impacts on the environment or amenities of the area. The development would, therefore, be in accordance with the proper planning and sustainable development of the area.

10.0 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 3rd day of August, 2016 and the 13th day of October, 2016, 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. Surface water drainage arrangements for the proposed development shall comply with the requirements of the planning authority.

Reason: In the interest of public health.

3. The proposed development shall connect to the existing hydrocarbon interceptor on adjoining lands. Prior to the commencement of development on site, the developer shall submit a written agreement with the owner of the interceptor to allow access to same for written approval of the Planning Authority. The developer shall also submit an annual maintenance contract for the hydrocarbon interceptor for the written approval of the planning authority.

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

4. The internal road network serving the proposed development shall comply with the detailed standards of the planning authority for such road works.

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

5. 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 hours of working, noise management measures and off-site disposal of construction/demolition waste.

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

6. 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.

Reason: In the interest of sustainable waste management.

7. 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.

Sarah Moran
Senior Planning Inspector

1st March 2017