



An
Bord
Pleanála

Inspector's Report ABP-304530-19

Development	3,009 sqm light industrial advanced technology building with associated site works and services.
Location	National Technology Park, Plassey, Limerick.
Planning Authority	Limerick City and County Council
Planning Authority Reg. Ref.	18/1259
Applicant(s)	IDA Ireland
Type of Application	Permission
Planning Authority Decision	Grant Permission
Type of Appeal	Third Party V. Grant
Appellant(s)	Paul and Ann Murray
Observer(s)	Joseph Murray
Date of Site Inspection	21 st August 2019
Inspector	Elaine Power

1.0 Site Location and Description

- 1.1. The subject site is located within the IDA National Technology Park approx. 6km east of Limerick City. The National Technology Park is a 156ha Business and Technology Park accommodating a number of high-technology, knowledge based entrepreneurial companies.
- 1.2. The site has a stated area of 1.7ha and is rectangular in shape. The subject site is currently a greenfield site with a level difference of approx. 5m between the south west portion of the site and the north east section of the site, sloping away from the road. The site is generally open with the southern and western boundaries comprising of a hedge row and trees.
- 1.3. The site is bound to the north and west by undeveloped lands within the ownership of the IDA to the east by the 'Advanced Office Building' currently under construction and to the south by the Dublin Road (R445) and 4 no. residential properties.
- 1.4. Access to the site is from the Annacotty Roundabout via the Plassey Park Road. There is an extensive internal road network within the Business and Technology Park with footpaths and lighting.

2.0 Proposed Development

- 2.1. It is proposed to construct part single, part two storey light industrial 'advanced technology' building with a gross floor area of 3009sqm and an ESB substation with a gross floor area of 14sqm.
- 2.2. The proposed building comprises technology research and development facilities, ancillary collaboration and administrative spaces and associated uses. It is a contemporary design with a rectangular shape and a flat roof. It has a projecting feature at first floor level on the north-east and south-east elevations. The external materials include metal cladding panels with a significant element of glazing along the north-eastern elevation and aluminium louvre to selected panels. The building has a maximum height of 11.2m, including roof level plant.

- 2.3. The building is located in the north-western portion of the site with an associated service yard located to the south west (rear) of the building. A car park with 86 no. space is proposed along the east portion of the site, adjacent to the internal access road. The building is located a minimum of 27m from the southern boundary. Substantial landscaping and screening is proposed along the southern boundary.
- 2.4. A vehicular access is proposed along the eastern boundary of the site to the car park from the internal estate road. An additional service access is proposed approx. 65m south of the vehicular access, which provides access to the car park and the service yard.
- 2.5. An Architectural Design Statement, an AA Screening Report and NIS, an Ecological Impact Assessment and Environmental Impact Assessment Screening Report, an Outline Mobility Management Plan, a Traffic and Transport Assessment, an Infrastructure Planning Report and an Archaeological, Architectural and Cultural Heritage Assessment were included with the application.

2.6. ***Unsolicited Further Information lodged 1st February 2019***

The applicant submitted unsolicited further information responding to concerns raised in third party submissions.

2.7. ***Further Information lodged 2nd April 2019***

The response to further information resulted in minor alterations to the internal layout and the external materials. The response included a Noise Impact Assessment, a Design Statement, details of the car park circulation area and details of the proposed surface water disposal.

3.0 Planning Authority Decision

3.1. Decision

Permission was granted subject to 21 no. conditions. The relevant conditions are outlined below: -

Condition 1: Clarified that permission was granted for the scheme modified by way of further information.

Condition 3 and 5: Related to the measures set out in the Appropriate Assessment Screening report and the EIA Screening Report.

Condition 4: Related to landscaping.

Condition 6: Related to noise management

Condition 9: Required a Workplace Travel Plan to be agreed with the Planning Authority.

Condition 17: Archaeology condition.

Condition 18: Required an Invasive Species Management Plan to be agreed with the Planning Authority.

Condition 21: Related to surface water management and disposal.

3.2. Planning Authority Reports

3.2.1. Planning Reports

The initial Area Planners report raised some concerns regarding the proposed development and recommended that further information be sought regarding the following:

- Noise levels
- Car park layout
- Surface water
- Public Lighting
- Boundary treatments

The final report by the Area Planner considered that the concerns raised had been fully addressed in the response to further information and recommended that permission be granted subject to conditions.

3.2.2. **Other Technical Reports**

Environmental Services report recommended conditions

Physical Development Directorate report raised concerns regarding noise

Operations and Maintenance Services report recommended conditions

Archaeologist report recommended conditions.

Fire and Rescue Service report: No objection

3.3. **Prescribed Bodies**

Transport Infrastructure Ireland: No objection

Mid-West National Road Design Office: No objection

3.4. **Third Party Observations**

3 no. third party submissions were received. The concerns raised are similar to those in the appeal.

4.0 **Planning History**

Subject site

None

Adjoining sites

Reg. Ref. 18/1020: Permission was granted in 2018 for a multi-purpose manufacturing, assembly and warehouse with utility functions and administration areas (gross floor area 17,774sqm) and all associated works on a site to the north of the subject site within the National Technology Park.

Reg. Ref. 17/295: Permission was granted in 2017 for a three-storey 'Advanced Office Building' (gross floor area 4,544sqm) on a site located to the east of the subject site, within the National Technology Park.

5.0 Policy Context

5.1. Castletroy Local Area Plan 2019-2025

The subject site is located on lands zoned 'Enterprise and Employment'. The proposed use is therefore permissible in principle. The plan notes that undeveloped Enterprise & Employment zoned lands in the National Technology Park amounts to 51.47 hectares. Section 11.3 of the Plan requires that the form and scale of industrial development shall be appropriate to the location having regard to the surrounding uses and scale.

Objective PV02: Provision of high-quality Enterprise & Employment

5.2. Limerick County Development Plan 2010-2016 (as extended)

Relevant policies and objectives of the plan are set out below: -

- Policy ED P9: Facilitation of range of sites for industry
- Objective ED O2: Location of industrial and enterprise land

Section 10.6.1 Industrial/Commercial Development of Chapter 10 – Development Management Guidelines is also considered relevant.

5.3. Natural Heritage Designations

The subject site is located approx. 600m west of the Lower River Shannon SAC (002165).

5.4. EIA Screening

An Environmental Impact Assessment Screening report was submitted with the application. Schedule 5 of the Planning and Development Regulations 2001, as amended, sets the thresholds for projects which would require an EIA. Class 10 *Infrastructure Projects* and Class 13 *Changes, Extensions, Development and Testing* of Part 2 of Schedule 5 of the Planning and Development Regulations 2001 (as amended) are considered to be relevant:

- *10(a) Industrial estate development projects, where the area would exceed 15 hectares.*
- *10(b)(iv) Urban development which would involve an area greater than 2 hectares in the case of a business district, 10 hectares in the case of other parts of a built-up area and 20 hectares elsewhere. Due to the site's location in a built-up area 10 hectares is the relevant threshold in this case.*
- *13(a)(ii) Any change or extension of development already authorised, executed or in the process of being executed (not being a change or extension referred to in Part 1) which would: - result in an increase in size greater than: -*
 - *25 per cent, or*
 - *An amount equal to 50 per cent of appropriate threshold,*

Whichever is greater.

It is proposed to construct a 3,009sqm light industrial advanced technology building with associated site works and services on a site with a stated area of 1.7ha. The site is located within an existing Industrial Estate. The National Technology Park has an overall area of approx. 156ha. Having regard to the limited size and the location of the development, and by reference to any of the classes outlined above, a mandatory EIA is not required.

Section 109(2) and (2A) – (2C) of the Planning and Development Regulations, 2001 (as amended) sets out the process for dealing with an appeal relating to a sub-threshold development where an EIAR has not been submitted. Article 109 (2)(a) requires the Board to carry out a preliminary examination. The relevant preliminary examination form is attached to the file and has been completed. The conclusion is that there is no real likelihood of significant effects on the environment arising from the proposed development. As per the legislation the Board, therefore, must conclude that an EIA is not required.

Notwithstanding the submission of information under Schedule 7A of the Planning and Development Regulations, 2001 (as amended) by the applicant, it is my view, that in

light of the conclusion under preliminary examination that a screening determination in this instance is not necessary.

6.0 The Appeal

6.1. Grounds of Appeal

A third-party appeal was received from Paul and Ann Murray. The issues raised are summarised below.

- The IDA has not actively engaged with local residents regarding the proposed development.
- Additional trees were to be provided along the southern boundary of the National Technology Park to provide additional screen. This planting has not taken place and number of mature trees and a hedgerow were recently removed.
- The proposed development would have a negative impact on the existing residential amenities of adjoining properties, in terms of overlooking, overshadowing and visual amenity.
- Concerns are also raised regarding noise levels from the proposed development.

6.2. Applicant Response

The applicant's response is summarised below: -

- The subject site is located in a parkland setting and provides a world class business environment and is connected to a modern university campus. The proposed use is compatible with the land use zoning objective for the site and has been designed to ensure it does not negatively impact on the existing residential amenities of adjoining properties.
- The applicants have actively engaged with local residents on a number of occasions.

- There is a level difference of approx. 5m between the subject site and the adjoining residential properties. The development has a similar ridge height to the existing adjoining houses. The development would not result in overlooking as there is a minimum separation distance of 50m between the location of the proposed windows and the adjoining houses.
- Due to the orientation of the site and the proposed height and siting of the building it would not result in any overshadowing of adjoining properties.
- It is proposed to provide a 3m deep band of additional landscaping along the southern boundary. There would be no negative impact on existing visual amenities.
- There is potential for disturbance to adjoining properties during the construction phase however this is temporary. The building does not have a manufacturing or physical production function. Therefore, there would be no significant disturbance to adjoining properties during the operational phase.
- A noise impact assessment and a light spill diagram have confirmed that there would be no negative impact on adjoining properties in terms of noise and light.
- No trees have been removed from the site. Some hedging was removed to facilitate access to the site.

6.3. Planning Authority Response

None

6.4. Observations

An observation from Joseph Murray was received. The concerns raised are similar to those in the appeal.

6.5. Further Responses

The appellants response to the applicant's submission reaffirmed the concerns raised in the appeal.

The Department of Culture Heritage and the Gaeltacht responses to the appeal is summarised below:

- Having regard to the close proximity of the site to the Lower River Shannon SAC it should be ensured that there is no impact on water quality in the River Shannon as a result of the development.
- Bats may be present in trees on site. A bat survey should be completed by a suitably qualified ecologist prior to works being carried out on site.
- Himalayan honeysuckle occurs on the site. An invasive species management plan should be agreed with the Planning Authority.

The applicant's response to the submission by the Department of Culture, Heritage and the Gaeltacht is summarised below: -

- Detailed mitigation measures have been provided in the NIS and EIA screening report in relation to water quality. Subject to the implementation of these measures there is no potential impact on water quality.
- A Bar survey was submitted which concludes that the proposed development is unlikely to have a significant adverse impact upon bats. Therefore, no restrictions with respect to bats are considered necessary.
- An Invasive Species Management Plan would be put in place by the contractor to remove the Himalayan Honeysuckle within the coniferous woodland. The applicant is amenable to a condition being attached to any grant of permission

7.0 **Assessment**

7.1. The main issues in this appeal relate to the impact of the proposed development on existing residential amenities, noise and light. Appropriate Assessment requirements and bats are also addressed. The main planning issues can be dealt with under the following headings:

- Principle of Development
- Residential Amenities

- Noise and Light
- Bats
- Appropriate Assessment

7.2. ***Principle of Development***

- 7.2.1. The subject site is located within the National Technology Park and is zoned for 'Enterprise and Employment'. The proposed use is therefore permissible in principle and is in accordance with the policies and objectives of the Castletroy Local Area Plan 2019-2025 and the Limerick County Development Plan 2010-2016 (as extended).
- 7.2.2. Having regard to the zoning objective for the site, the high-quality design of the building and the provision of a landscaped buffer zone along the southern boundary of the site, it is my view that the proposed use is compatible with the policy objective for the National Technology Park and is acceptable in principle.

7.3. ***Residential Amenities***

- 7.3.1. Concerns have been raised in the appeal and observation regarding the negative impact the proposed development would have on the existing residential amenities of neighbouring properties.
- 7.3.2. The proposed building is located a minimum of 27m from the southern boundary, with the adjoining residential properties. The subject site is low lying with a level difference of approx. 5m between the south west portion of the site and the north east section of the site. It is proposed to level the site to accommodate the development. This would result in the ground floor level of the proposed site being approx. 5m lower than the adjoining residential properties. A retaining wall is proposed along the western boundary of the service yard. The proposed building has a maximum height of 11.2m (including roof level plant). Drawing no. P0004 – Site Context shows the proposed building in context with existing buildings. Due to the level differences on site the proposed building has a similar ridge height to the adjoining residential properties. The proposed ridge height is also approx. 4m lower than the ridge height of the recently constructed 'Advanced Office Building'. It is noted that the first-floor windows are located a minimum of approx. 50m from the adjoining houses.

- 7.3.3. Having regard to the elevational difference between the subject site and the adjoining residential properties, the limited height of the development and the separation distances, it is my opinion that the proposed development would not negatively impact on the existing residential amenities in terms of overlooking, overshadowing or result in an overbearing impact.
- 7.3.4. Concerns were also raised in the appeal regarding the negative impact the proposed development would have on the existing visual amenities of the adjoining residential properties. It is proposed to retain a substantial number of existing mature trees along the southern and western boundaries and to provide a new 3m deep hedge along the southern boundary, adjacent to the existing residential properties and the Dublin Road. It is noted that hard and soft landscaping is also proposed within the site.
- 7.3.5. The site is not located within a designated scenic or amenity area. The wider area is identified as '*Shannon Integrated Coastal Management Zone*' in the Development Plan. Having regard to the high-quality design and limited height of the development and the proposed landscaping, it is my view that the proposed development would not have a significant negative impact on the existing visual amenities of the adjoining residential properties.

7.4. **Noise and Light**

- 7.4.1. Concerns have been raised that the proposed development would negatively impact on existing residential amenities in terms of noise and light disturbance.
- 7.4.2. A Noise Impact Assessment was submitted by way of further information. A baseline noise survey was undertaken to categorise the existing noise environment and the assessment was carried out at the nearest sensitive noise receptors, in this regard the appellants house and a tennis court located on the Dublin Road. The assessment concluded that during the survey no noise was audible from the surrounding facilities and, therefore, no cumulative impacts are predicted during the operational phase.
- 7.4.3. The assessment did not provide any information regarding noise during the construction phase. In my opinion construction related noise would be variable throughout the construction period, particularly during site preparation, excavation and

earthworks, however as the construction phase is temporary it is considered that it would not have a significant negative impact on the existing residential amenities.

7.4.4. With regard to light pollution, a Lighting Plan, Drawing No. IDAAMC-ARP-XX-DR-E-1001 submitted by way of further information indicates the extent of the light spread. It is noted that all lighting is contained within the subject site. Having regard to the distance of the proposed development from the nearest residential property, it is considered that, the proposed development would not result in undue light pollution.

7.4.5. In conclusion, having regard to the existing uses within the National Technology Park, the distance from residential properties and the relatively small nature and scale of the proposed development, it is considered that upon completion, it would not adversely impact on the existing residential amenities in terms of noise and light disturbance.

7.5. **Bats**

7.5.1. The Department of Culture, Heritage and the Gaeltacht raised concerns that the proposed development could have a potential negative impact on bats and recommended that a bat survey be carried out to establish if bat species are roosting in the trees.

7.5.2. An Ecological Impact Assessment was submitted with the application to the Planning Authority. It considered that the site was of low roost potential, due to the absence of buildings or very old trees. A Bat Survey and Assessment was carried out on the 5th September 2019 on behalf of the IDA Ireland and submitted with the applicant's response to the submission by the Department of Culture, Heritage and the Gaeltacht. The survey found that there was no evidence of roosting bats within the trees present at the site. The report noted that the hedgerow to be removed was not suitable to support roosting bats. In addition, the hedgerow is not well connected to the wider landscape and as such is of low sustainability for foraging and commuting bats. The report also considered that the proposed landscaping would enhance the connectivity of the site to the wider landscape.

7.5.3. Having regard to the findings of the Bat Survey and Assessment, it is my view that, the proposed development would not have a significant adverse impact upon bats and, therefore, there are no restrictions required.

7.6. *Appropriate Assessment*

7.6.1. *Stage 1 Screening*

The proposed development would not be located within an area covered by any European site designations and the works are not relevant to the maintenance of any such sites.

The only European site that could potential be affected by the proposed development is the Lower River Shannon SAC

Conservation Objectives: to maintain or restore the favourable conservation condition of the Annex 1 habitat(s) and / or the Annex II species for which the SAC has been selected.

European Site	Site Code	Relevant QI's and CI's	Distance
Lower River Shannon SAC	002165	Sandbanks Estuaries Mudflats and Sandflats Coastal Lagoons Large Shallow inlets and bays Reefs Perennial vegetation Vegetated sea cliffs Salicornia and other annuals Salt meadows Water courses of plain to montane levels with the Ranunculum fluitantis and Callitriche-Batrachion vegetation	600m

		Monlinia meadows Alluvial forests Freshwater Pearl Mussel Lamprey Salmon Bottlenose Dolphin Otter	
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The subject site is located within the catchment for the River Mulkear which is located approx. 600m to the east of the site and flows to the River Shannon approx. 1.3km to the north of the subject site. Both the River Shannon and the Mulkear River form part of the Lower River Shannon SAC. The National Parks and Wildlife Services Conservation Objectives Series maps for the Lower River Shannon SAC indicate that several of the habitats and species are not located within the zone of influence of the proposed development. The potential effects are limited to the Freshwater Pearl Mussel, Salmon and Lamprey. Potential indirect effects on the Lower River Shannon SAC relates to sediment laden surface water run off entering the Mulkear River. In the absence of mitigation measures, it is not possible to rule out impacts on water quality which could negatively impact on water sensitive qualifying interests of the SAC.

On the basis of the information on the file, which I consider adequate in order to issue a screening determination, it is not possible to conclude that the proposed development, individually or in combination with other plans or projects would not be likely to have a significant effect on European Site 002165, or any other European site, in view of the site’s Conservation Objectives. A Stage 2 Appropriate Assessment is therefore, required.

7.6.2. Appropriate Assessment - Stage 2 NIS

A Natura Impact Statement was submitted to the Planning Authority as part of the original planning application.

Lower River Shannon SAC

The Lower River Shannon SAC stretches for over 120km through counties Clare, Limerick and Kerry. The site is of great ecological interest as it contains a high number of habitats and species listed on Annexes I and II, including the priority habitats lagoon and alluvial woodland, Bottle-nosed dolphin and lamprey. The proposed development would not be located within the SAC and there would be no direct effects as a result of the works.

As the subject site is located within the catchment area for the River Mulkear, surface water run-off associated with the construction stage and operational phase could potentially enter the SAC. Therefore, in the absence of mitigation measures, there is potential for indirect effects on surface water quality during site preparation and earthworks or from accidental fuel spills.

The NIS noted that sedimentation and pollution control measures would be implemented during the construction phase to prevent any run off potentially contaminating the SAC. It is also proposed that surface water generated during the operational phase of the proposed development would be attenuated and discharged in accordance with best practice guidelines.

Potential Effects

Freshwater Pearl Mussel: Freshwater pearl mussel are highly susceptible to changes in hydrology, and in particular from sedimentation and pollution. Any deterioration water quality due to an increase in suspended sediments could undermine the vitality of the population. They are also reliant on salmon as a host fish, so the potential for indirect impacts on salmon is also a concern.

The full implementation of mitigation measures and adherence to best practice would ensure that downstream water quality is protected, with no adverse effects on this Qualifying Interest species anticipated.

Fisheries

Salmon: The viability of salmon populations is strongly influenced by water quality. Any impact on the watercourses has the potential to adversely affect the salmon population, in particular spawning and juvenile habitats. Access to spawning habitat is

a fundamental requirement. In addition, elevated levels of suspended solids can clog the respiratory structures of salmon.

Lamprey: Changes to water quality from sediment releases could impact the species, either directly or indirectly through the deterioration of clean gravels at spawning grounds.

The full implementation of mitigation measures and adherence to best practice would ensure that downstream water quality is protected, with no adverse effects on these Qualifying Interest species anticipated.

Notwithstanding the presence of an aquatic connection to a European site, via surface water run-off, it is my view that the nature and scale of the development, the distance to the SAC, the nature of the qualifying interests and the conservation objectives, the proposed development would not have the potential to affect the SAC and its conservation objectives, subject to full implementation of the mitigation measures and compliance with best practice methodologies during the construction and operational phase.

7.6.3. ***In-combination effects***

Having regard to the nature and limited scale of the proposed development it is considered that it does not have the potential for in-combination effects, after mitigation measures are applied, to undermine the integrity of a European Site.

7.6.4. ***AA Conclusion***

I consider it reasonable to conclude on the basis of the information on the file, which I consider adequate in order to carry out a Stage 2 Appropriate Assessment, that the proposed development, individually or in combination with other plans or projects would not adversely affect the integrity of European Site 002165, or any other European site, in view of the site's Conservation Objectives.

8.0 Recommendation

It is recommended that permission be granted subject to conditions.

9.0 Reasons and Considerations

- 9.1. Having regard to the zoning objective of the subject site, its location within the existing National Technology Park and the nature and scale of the proposed development it is considered that, subject to compliance with the conditions set out below, the proposed development would be acceptable and would not seriously injure the amenities of the area. The proposed 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 2nd day of February 2019, 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 development shall be operated and managed in accordance with an Environmental Management System (EMS), which shall be submitted by the developer to, and agreed in writing with, the planning authority prior to commencement of development. This shall include the following:
 - a. Proposals for the suppression of on-site noise
 - b. Proposals for the on-going monitoring of sound emissions at dwellings in the vicinity.

- c. Proposals for the suppression of dust on site.
- d. Monitoring of ground and surface water quality, levels and discharges.
- e. Details of site manager, contact numbers (including out of hours) and public information signs at the entrance to the facility.

Reason: In order to safeguard local amenities.

3. The developer shall ensure that all construction methods and environmental mitigation measures set out in the Natura Impact Statement and associated documentation, and in the document entitled 'EIA Screening Report' are implemented in full, save as may be required by conditions set out below.

Reason: In the interest of protection of the environment

4. The landscaping scheme shown on drawing 054919_LP_01, as submitted to the planning authority by way of further information on the 2nd day of April, 2019 shall be carried out within 12 months of the date of commencement of development

All planting shall be adequately protected from damage until established. Any plants which die, are removed or become seriously damaged or diseased, within a period of five years from the completion of the development shall be replaced within the next planting season with others of similar size and species, unless otherwise agreed in writing with the planning authority.

Reason: In the interest of residential and visual amenity.

5. Prior to commencement of development an Invasive Species Management Plan shall be submitted and agreed in writing with the Planning Authority.

Reason: In the interest of orderly development.

6. Prior to the opening of the development, a Mobility Management Strategy shall be submitted to and agreed in writing with the planning authority. This shall provide for incentives to encourage the use of public transport, cycling, walking and carpooling by staff employed in the development and to reduce and regulate the extent of staff parking. The mobility strategy shall be prepared and implemented

by the management company within the development. Details to be agreed with the planning authority shall include the provision of centralised facilities within the development for bicycle parking, shower and changing facilities associated with the policies set out in the strategy.

Reason: In the interest of encouraging the use of sustainable modes of transport.

7. The developer shall facilitate the preservation, recording and protection of archaeological materials or features that may exist within the site. In this regard, the developer shall -
 - a. notify the planning authority in writing at least four weeks prior to the commencement of any site operation (including hydrological and geotechnical investigations) relating to the proposed development,
 - b. employ a suitably-qualified archaeologist who shall monitor all site investigations and other excavation works, and
 - c. provide arrangements, acceptable to the planning authority, for the recording and for the removal of any archaeological material which the authority considers appropriate to remove.

In default of agreement on any of these requirements, the matter shall be referred to An Bord Pleanála for determination.

Reason: In order to conserve the archaeological heritage of the site and to secure the preservation and protection of any remains that may exist within the site.

8. Proposals for a development name, numbering scheme and associated signage shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. Thereafter, all such names and numbering shall be provided in accordance with the agreed scheme.

Reason: In the interest of visual amenity and legibility.

9. 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

10. 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

11. All public service cables for the development, including electrical and telecommunications cables, shall be located underground throughout the site.

Reason: In the interest of visual amenity.

12. 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.

Elaine Power
Planning Inspector

18th September 2019