



An  
Bord  
Pleanála

## Inspector's Addendum Report

**ABP-322378-23**

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<b>Development</b>	Construction of 3 bonded warehouses, fire pump building, fire fighting tank and attenuation pond, internal roadway and associated site works.
<b>Location</b>	Holyhill, Bantry, Co. Cork
<b>Planning Authority</b>	Cork County Council
<b>Planning Authority Reg. Ref.</b>	24686
<b>Applicant(s)</b>	Bill Enright Limited
<b>Type of Application</b>	Permission
<b>Planning Authority Decision</b>	Grant Permission
<b>Type of Appeal</b>	Third Party
<b>Appellant(s)</b>	Transport Infrastructure Ireland
<b>Observer(s)</b>	None
<b>Date of Site Inspection</b>	3 <sup>rd</sup> July 2025
<b>Inspector</b>	Matthew McRedmond

## 1.0 Introduction

- 1.1. This report is an addendum report to the Inspector's report in respect of ABP-322378-25 dated 8<sup>th</sup> August 2025.
- 1.2. A notice under Section 137 of the Planning and Development Act 2000, as amended, issued to the parties as per the Commission Direction dated 27<sup>th</sup> August 2025, giving the last date for receipt of response as being on or before 17<sup>th</sup> September 2025. The Commission sought the views of the parties in relation to the following:
  - Consideration of the proposal in the context of the Bantry Town Greenbelt.
  - Compliance with Objective 5-17 of the Cork County Development Plan 2022-2028 in terms of 'Exceptional Circumstances' for locating within the Greenbelt instead of zoned lands.
  - The 'exceptional' category of the development given the proposal does not come within the thresholds of the COMAH Regulations. Alternatively, if the proposal is a fire risk, the Commission is minded to consider the lack of a risk assessment or risk mitigation plan.
  - The merits of locating the proposal in an area specifically designated as Greenbelt as opposed to a non-designated alternative rural location and the potential visual impact of the proposal from the N71.
- 1.3. The Commission received a response to the Section 137 notice from the First Party, the Planning Authority and the Third Party appellant within the statutory timeframe.
- 1.4. These responses were circulated to the parties under Section 131 of the Act as per the Commission Direction dated 30<sup>th</sup> September 2025, giving the last date for receipt of response as being on or before 23<sup>rd</sup> October 2025.
- 1.5. The Commission received a response to the Section 131 notice from the Third-Party appellant within the statutory timeframe. This response was not circulated.
- 1.6. This addendum report has been prepared to assess the responses received from the First Party, the Planning Authority and the Third Party appellant.

## 2.0 Response of First Party, Planning Authority and Third Party Appellant to the Commission's Notice to Parties

2.1.1. The First Party submitted the following main points:

- Impacts on Greenbelt are minimised by the established uses on site and the established screening at the boundaries of the site. Proposal will be located on an existing area of hardstanding and therefore will not reduce green field lands. When taken with existing garage on opposite side of N71, this co-locates similar development together and utilises the N71 strategic route for connection to the WCD production site in Skibereen.
- Proposal is more suitably located on unzoned land than employment zoned land, as established under ABP-301078-18 and ABP-300429-17, that states maturation warehouses would be an inefficient use of zoned and serviced land.
- Although rural sites are considered suitable for maturation warehouses due to the Seveso nature of the proposal, the subject proposal is subthreshold for the purposes of Seveso categorisation. Ethanol is however still a highly flammable liquid, and appropriate fire fighting and safety precautions are included in the proposal for this purpose. Under the precautionary principle, rural locations are considered most appropriate for maturation warehouses. Establishment of maturation warehouses is critical to the whiskey industry and supporting employment and economic growth in this industry.
- In relation to visual impact, the subject proposal is low lying and similar in material finish to an agricultural shed. The site is currently used for hardstanding and benefits from existing boundary treatments and access infrastructure, negating the requirement to significantly alter the landscape. Additional landscape planting will bolster the existing screen planting already in place at this site. The proposal is therefore minimally visually intrusive. Notwithstanding the High Value Landscape Area in which the site is located, the existing and proposed landscaping will allow the proposal to be in

accordance with Objectives GI 14-9 and GI 14-15 – Development on the approaches to towns and villages.

- A separate assessment was undertaken and attached that found the proposal will not fall within the criteria of the Major Accidents Directive (COMAH). Notwithstanding this subthreshold status, there are associated risks with the development. Fire fighting water requirements, water retention requirements including a 2000m<sup>3</sup> retention pond and a modified surface water drainage network are all included in the proposed design. The proposal is designed in accordance with EPA regulations to ensure the stored substances do not discharge to the environment. Safe Operating Procedures (SOPs), similar to the applicant's production site, will be implemented.
- A number of alternative locations for the proposal were set out in the application documentation and examples of previous refusals are provided. The subject site is considered to address previous reasons for refusal including connectivity, access, adequacy of road conditions and unserviced/unzoned land. Without access to bonded warehouses, the economic and employment benefits of West Cork Distilleries (WCD) would quickly be eroded.
- Proposal is supported by Objective 5-17 of the CDP which provides for exceptional circumstances for the proposed development that has strategic employment value for Skibereen and the wider West Cork Area.
- The First Party included a technical note assessment of dangerous substances at the proposed bonded warehouse facility. Whiskey is noted as highly flammable liquid and vapour. The proposal does not qualify as either a P5a or P5b material under the COMAH Regulations due to storage conditions and temperatures being kept at ambient levels. The proposal does not qualify as a P5c liquid, as the proposed storage quantity does not exceed 5,000 tonnes minimum qualifying quantity for lower tier substances, as set out in Schedule 1 of the COMAH Regulations.
- Typical layout drawing of 3no. proposed bonded warehouses provided with submission.

2.1.2. The Planning Authority submission may be summarised as follows:

- Locations to support population and employment growth in Bantry is key, as set out in Section 2.7.25 of the CDP, which references the West Cork Marine Network and strategic corridor of the N71.
- Bonded warehouses are considered a significantly low-intensity employment generator and are not appropriately located on business or industrial zoned lands, which are required for employment growth targets (1-2 employees per 3,000sqm versus 1 to 3 employees per 100sqm of floor space).
- The proposed site is 'brownfield' and has already compromised the greenbelt status. Relocation of the proposal to a greenfield site would likely lead to a reduction in 'more agriculturally productive soils', contrary to Section 15.9.3 of the Development Plan.
- The subject site is similar to the currently zoned 'Business and Employment' and 'Industry' lands that are nearby to the subject site, and it is noted that due to topographical challenges, there are notably few suitable sites for these uses within the town of Bantry. Existing zoned lands are also within the Greenbelt and it is submitted that to utilise the subject brownfield site would not compromise the function or status of the greenbelt.
- The proposal is considered exceptional as the proposed use is very low intensity employment. Locating on zoned 'Industrial' lands would remove 12.5% of such lands, thus impacting targeted employment ambitions.
- Site is on a brownfield site that is long established, with existing access and screened from the public road. The site is not an un-spoilt greenfield location.

2.1.3. The third-party appellant states the following:

- Advised that contents of original appeal remain.

## 2.2. Further Responses

2.2.1. Following the circulation of responses received to all parties, a further response was received from the third party appellant. This response may be summarised as follows:

- Concern that national, regional and local planning policy in relation to the N71 has been ignored in the submissions by the Planning Authority and the applicant, particularly policies in relation to road safety. The appellant refers the Commission to their original appeal for details on policies related to national roads.
- Section 2.6 of the National Roads and Spatial Planning Guidelines is again highlighted. This allows for a less restrictive approach for development to access national roads, but this mechanism has not been engaged with by Cork County Council.
- Council did not prepare a necessary evidence base for agreement of 'exceptional circumstances' accessing the N71, as allowed for in the Guidelines.
- No exceptional reasons have been outlined to justify such a significant departure from national policy.
- Concern in relation to creation of a precedent for ad-hoc, piecemeal development that would create an access on to a 100kph road, which should have been raised by the planning and roads authority at pre-planning stage – in conjunction with other planning issues that have now been highlighted by the Commission.
- A grant of permission would set an undesirable and unacceptable precedent for further similar development accessing national roads throughout the country.

### **3.0 Assessment**

3.1.1. The matters raised as a consequence of the Commission's direction relate to:

- Greenbelt and Potential Alternative Locations

- COMAH Regulations and Fire Risk
- Visual Impact

### **3.2. Greenbelt and Potential Alternative Locations**

- 3.2.1. The Commission's Section 137 notice sought the views of the parties in relation to the proposed location of the development within a designated Greenbelt for the town of Bantry. Objective 5-17 of the Development Plan is specifically referenced in terms of acknowledging that there may be exceptional and strategic development that may be more suitably located in the Greenbelt than on zoned land, noting the impact on the specific functions and open character of the greenbelt should be minimised. The Commission noted their consideration of 'Exceptional Circumstances' may extend to the merits of locating the proposal in an area specifically designated as Greenbelt as opposed to non-designated alternative rural location and the potential visual impact of the proposal from the N71.
- 3.2.2. The applicant states the subject proposal represents an exceptional and strategic development in line with Objectives 8-13 and 8-14 of the CDP in relation to the rural economy and business development within the rural area. The First Party response notes that there is an existing, authorised use established on the site, which is within the greenbelt, and is effectively screened from public view with mature landscaping. The first party submits that the existing hardstand area of the proposed development will not utilise a greenfield site, will be a low lying structure, which is well screened and therefore will not diminish the greenbelt.
- 3.2.3. In relation to exceptional circumstances the applicant references file numbers ABP-301078-28 and ABP-300429-17 that state the development of maturation warehouses within an urban area would result in inefficient use of zoned land, injurious to employment-generating enterprises. Although the proposal is sub-threshold for the purposes of Seveso categorisation, ethanol is a flammable liquid as submitted by the applicant and is more appropriately located in rural locations. The applicant submits the proposal will contribute to the growth of a key employment sector in the West Cork Area in line with Table 8.4 of the CDP – Employment Network - West Cork Marine Network and Objectives 8-13 and 8-14 that relate to the rural economy and business development within the rural area. It is submitted the

proposal is therefore of critical local strategic importance for rural economic growth and development.

- 3.2.4. The Planning Authority submits that the character and function of the greenbelt would not be impacted by the subject proposal due to the existing developed nature of the site, the screening in place and to relocate to a rural location outside of the greenbelt would likely result in the removal of more agriculturally productive soils. The Planning Authority have had specific regard to the low intensity employment levels expected at the proposed development, noting that this level of employment numbers would be unsuitable on commercial/industrial zoned and serviced land. They note the subject site is close to industrially zoned land and ultimately can avail of the developed nature of the subject site.
- 3.2.5. The Third-Party appellant refers to their original appeal that refers to the Planning Authority's own Development Plan policies related to national roads as well as national and regional planning policy. Section 2.6 of the DoECLG Spatial Planning Guidelines is referenced in terms of a less restrictive approach that may be applied to the control of development accessing national roads. The Third-Party appellant notes that the Planning Authority have not engaged with this process, which should be part of the Development Plan. It is submitted that a grant of permission would set an unacceptable and undesirable precedent.
- 3.2.6. I consider matters of the COMAH Regulations and Visual Impact under separate sections below. I have considered the provisions of the County Development Plan in relation to Objective 5-17, the details submitted by the First Party, the Planning Authority and the Third Party Appellant in response to the Section 137 notice from the Commission. Objective 5-17 - Strategic and Exceptional Development - includes a specific provision to allow development of a strategic and exceptional nature to be accommodated successfully in Greenbelt locations. I note that in such circumstances, the impact on the specific functions and open character of the Greenbelt should be minimised.
- 3.2.7. I have had regard to the employment implications of the subject proposal and the intrinsic link to the whiskey distilling industry in West Cork. Objective EC: 8-13 of the Cork County Development Plan 2022-2028 seeks to encourage employment growth

and strengthen rural economies. I note the specific issues encountered by the First Party in relation to sourcing appropriate land for the maturation process that is involved in whiskey distillation and have had regard to previous Board decisions (ABP-301078-28 and ABP-300429-17), that noted such facilities are more appropriately located on rural, non-zoned lands.

3.2.8. Objective EC: 8-14 of the Development Plan refers to Business Development in Rural Areas and it provides that the development of appropriate new businesses in rural areas will normally be encouraged where the scale and nature of the proposed new business are appropriate to the rural area and are in areas of low environmental sensitivity. Also, that the development will enhance the strength and diversity of the local rural economy, that the proposal will not adversely affect the character, appearance, and biodiversity value of the rural landscape and that the existing or planned local road network and other essential infrastructure can accommodate extra demand generated by the proposal.

3.2.9. I consider the subject proposal to provide a strategic function in support of the whiskey distillation process and given the specific attributes of the proposed development that in itself will not generate significant employment numbers but would support employment at the primary production facility, I consider the proposal represents a strategic and exceptional development as set out under the provisions of Objective 5-17 of the Development Plan. I acknowledge that an alternative rural location may result in the loss of productive agricultural land, may not have the benefit of existing access and hardstanding arrangements, may not have appropriate road infrastructure, and that such lands may not be easily sourced as set out by the First Party. I therefore accept the subject site is an appropriate location for the development proposed and is consistent with the strategic and exceptional circumstances as set out under Objective 5-17.

3.2.10. In relation to appropriate siting and the requirement for the impact on the specific functions and open character of the Greenbelt to be minimised, I note the existing developed nature of the site, including the location of the proposal within the subject site is already an area of hardstanding that does not contribute to the characteristics associated with a greenbelt. Furthermore, I note the extensive mature planting already on the site and the landscape plan put forward with the application

documents, that will supplement the existing greenery on site. I believe the existing planting on site and the existing access, with stone wall, already provides a good quality of visual screening to the public road and with additional planting, I do not consider the subject proposal would be unacceptably visible from any public viewpoint. I note the wing walls at the site entrance were of concrete block construction when I visited the site. I recommend a condition to ensure the stone wall element be completed to include these entrance walls, which would further enhance the visual appearance of the site from the N71.

3.2.11. I note the separate provision for 'Exceptional Circumstances' in the Spatial Planning and National Roads Guidelines, Section 2.6, as referenced by the Third Party appellant in their initial appeal and in their response to the submissions by the First Party and the Planning Authority. I additionally note the provisions of Section 2.5 of the Guidelines that relate to lands adjoining National Roads to which speed limits greater than 60 kmh apply. This section notes the policy of the planning authority will be to avoid the creation of any additional access point from new development or the generation of increased traffic from existing accesses to national roads to which speed limits greater than 60 kmh apply. This requirement is directly transposed into Objective TM 12-13(m) of the Development Plan.

3.2.12. As the subject proposal does provide for additional traffic generation, albeit minimal (at one vehicle per day once established), this is inconsistent with the requirements of Objective TM 12-13(m) of the CDP, which in my opinion is a material contravention. In this instance, I consider Section 37(2)(a) of the Planning and Development Act 2000 (as amended) may apply. Section 37 (2) (a) states as follows:

*“(a) Subject to paragraph (b), the Board may in determining an appeal under this section decide to grant a permission even if the proposed development contravenes materially the development plan relating to the area of the planning authority to whose decision the appeal relates.”*

3.2.13. Given the exceptional and strategic nature of the subject proposal as set out above and in my initial report, I consider there to be sufficient justification to support the subject proposal at this location. I refer the Commission to my initial report for an assessment of the proposal against the requirements of Section 2.6 of the

Guidelines and reiterate that once the proposal is established, the level of additional traffic will be limited to one vehicle trip per day, will support a strategic employment function, will support the strategic function of national road infrastructure and will not impact on the carrying capacity of the N71.

- 3.2.14. I have had regard to the comments of the third party appellant in relation to the establishment of an unacceptable precedent if the subject proposal is granted permission. I consider the specific circumstances and strategic function of the proposed development, the existing developed nature of the site with an existing access, and the minimal traffic that will be generated by the proposal cannot be easily replicated. I am therefore satisfied that a grant of permission will not result in the establishment of an undesirable precedent.
- 3.2.15. The type of development proposed is supported by the over-arching national policy as set out in National Policy Objective 30 of the National Planning Framework 2040 which seeks to facilitate the development of the rural economy through supporting a sustainable and economically efficient agricultural and food sector. Having regard to the nature and scale and the unique characteristics of the proposed development, I recognise that it is different to standard warehousing and that directing this type of development into zoned lands would result in an inefficient use of serviced zoned lands and could prejudice the delivery of employment/enterprise provisions of the Cork County Development Plan 2022-2028 and would therefore be unsustainable.
- 3.2.16. Based on the submissions provided, I maintain the proposed development of a bonded warehouse at this location would not result in a significant generation of additional traffic, would not compromise the character and function of the Bantry Greenbelt and would provide a strategic employment function to West Cork. The proposed development would therefore be consistent with the provisions of Objective 5-17 which recognises that strategic and exceptional development can be considered on their merits where certain criteria are met. In this regard, I am satisfied that the character and function of the greenbelt would not be compromised and that the proposed development would contribute significantly to the rural economy of Cork County and the region and would support whiskey producers nationally.

### 3.3. **COMAH Regulations and Fire Risk**

- 3.3.1. The Commission sought the views of the parties in relation to the 'exceptional' category of the development given the proposal does not come within the thresholds of the COMAH Regulations. The Commission noted that alternatively, if the proposal is a fire risk, they are minded to consider the lack of a risk assessment or risk mitigation plan in support of the subject proposal.
- 3.3.2. The First Party provided a technical note with their Section 137 response, that assessed the proposal against various categories of flammable substances under the Control of Major Accident Hazards (COMAH) Regulations. The assessment noted that whiskey is a highly flammable liquid and vapour. The proposal does not qualify as either a P5a or P5b material due to storage conditions and temperatures being kept at ambient levels. The proposal does not qualify as a P5c liquid, as the proposed storage quantity does not exceed the 5,000 tonnes minimum qualifying quantity for lower tier substances, as set out in Schedule 1 of the COMAH Regulations.
- 3.3.3. I note the proposal does not come within the criteria for a Major Accident Directive (COMAH), owing largely to storage temperatures and conditions and the quantity of product to be stored on site. Notwithstanding that the proposal does not come within SEVESO categorisation; I acknowledge that there are associated risks with the development associated with the flammable risk of ethanol storage. I note the proposal incorporates fire fighting water requirements, a water retention pond of 2,000m<sup>3</sup> and a modified surface water drainage network to manage outflow of fire water if required. I further note the proposal is designed in accordance with the HAS and EPA Guidelines in relation to the storage of Hazardous Materials and that these would be subject to separate regulatory compliance if permitted.
- 3.3.4. I consider that the proposed storage of approximately 4,100 tonnes of Whiskey may present a fire risk that would necessitate the location of the subject proposal in a rural location, remote from residential properties and the built up area. I have already assessed the exceptional circumstances for locating the subject proposal within the Greenbelt and I consider this fire risk to be an additional justification for the location within a rural area.

#### 3.4. **Visual Impact**

- 3.4.1. The Commission's Section 137 notice referred to the consideration of the potential visual impact of the proposal from the N71.
- 3.4.2. The applicant submits that due to the low lying nature of the proposed warehouse and the existing and proposed screening at the subject site, that the visual impact from the proposal would be minimal.
- 3.4.3. The Planning Authority notes the proposal is located on a brownfield site and that it is screened from the public roads.
- 3.4.4. I have given due regard to the acceptability of the subject proposal within the greenbelt and partially alluded to visual impact in preceding sections of my report. In my opinion, the site is already well screened and will benefit from additional landscaping as a result of the proposed development. I consider this to be an enhancement of this primarily hardstanding area of land within a Greenbelt location. The proposed warehouse will be 10m in height and 1.75-2m high scots pine trees are proposed along the western boundary of the proposed development. Given the level difference between the site and the public road, and the mature height expected of Scots Pine in excess of 20m, I am satisfied that the subject proposal can be successfully assimilated into the landscape at this 'Greenbelt' location and visual impacts are minimal.

## **4.0 Recommendation**

- 4.1. I recommend that permission be granted for the following reasons and considerations.

## **5.0 Reasons and Considerations**

- 5.1. The 'agri-food' development proposed is supported by over-arching national policy as set out in National Policy Objective 30 of the National Planning Framework 2040 (First Revision) which seeks to facilitate the development of the rural economy through supporting a sustainable and economically efficient agricultural and food sector. Having regard to the nature and scale and the unique characteristics of the proposed development (whiskey maturation) the Commission recognises that it is

different to standard warehousing and that directing this type of development into zoned lands would result in an inefficient use of serviced zoned lands. Having regard to the provisions of the Cork County Development Plan 2022-2028 specifically Objective EC:8-13 which refer to Rural Economy and Objective EC:8-14 which refer to Business Development in Rural Areas, the Commission considers that the proposed development would contribute to the rural economy of Cork County and the region. It is further considered that the development would not give rise to an unacceptable traffic hazard and would not detract from the strategic nature or carrying capacity of the N71. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

- 5.2. Based on the submissions provided, the Commission considers the proposed development of a bonded warehouse at this location would not result in a significant generation of additional traffic, would not compromise the character and function of the Bantry Greenbelt and would provide a strategic employment function to West Cork. The proposed development would therefore be consistent with the provisions of Objective 5-17 which recognises that strategic and exceptional development can be considered on their merits where certain criteria are met. In this regard, the Commission is satisfied that the character and function of the greenbelt would not be compromised and that the proposed development would contribute significantly to the rural economy of Cork County and the region and would support whiskey producers nationally.
- 5.3. The proposed development materially contravenes Objective TM 12-13(m) of the Cork County Development Plan 2022-2028 as it will generate additional traffic. The Commission considers that Section 37(2)(a) of the Planning and Development Act 2000 (as amended) applies. Given the exceptional and strategic nature of the subject proposal there is sufficient justification to support the subject proposal at this location, as the level of additional traffic will be limited, the proposal will support a strategic employment function and will support the strategic function of national road infrastructure by linking the site to the primary production facility.

## 6.0 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 11<sup>th</sup> day of March 2025, except as may otherwise be required in order to comply with the following conditions. Where such conditions require details to be agreed with the planning authority, the developer shall agree such details in writing with the planning authority prior to commencement of development and the development shall be carried out and completed in accordance with the agreed particulars.

**Reason:** In the interest of clarity.

2. A drainage grating, of sufficient capacity to dispose of the expected volume of surface water from site/roadways, along with a discharge pipe to a soakaway/watercourse located within the site, shall be installed at the entrance to the site to the satisfaction of the Planning Authority. Details of the proposed surface water design and materials shall be submitted to the Planning Authority for written approval prior to the commencement of Development.

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

3. The proposed front boundary wall at the site entrance shall be completed in natural stone to the satisfaction of the Planning Authority.

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

4. Water supply and drainage arrangements, including the attenuation and disposal of surface water, shall comply with the requirements of the planning authority for such works and services.

**Reason:** In the interest of public health.

5. The land and buildings to which this permission relates shall be utilised for purposes of maturation of spirit to whiskey and provision of cask filling services only.

**Reason:** To define the use permitted by this permission, having regard to the justification for, and particular characteristics of, the proposed development, and to prevent any other form of warehousing or industry at this rural location.

6. Detailed specification for all proposed external materials and finishes to the proposed buildings shall be submitted to, and agreed in writing with, the planning authority prior to the commencement of development. External cladding shall be dark green in colour throughout.

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

7. No development shall commence until a landscaping and biodiversity scheme has been submitted to and agreed in writing by the planning authority to suitably screen the proposed development over the life of the facility. The scheme shall comprise a planting plan and schedule which shall include details of:

- (i) Existing and proposed ground levels in relation to an identified fixed datum;
- (ii) Existing area of tree cover, landscaping features and vegetation to be retained;
- (iii) Location design and materials of proposed boundary treatment, fences and gates;
- (iv) Proposed soft and hard landscaping works including the location, species and size of every tree/shrub to be planted;
- (v) Details of the location of the perimeter berm and landscaping to include native species proximate to the closest house;
- (vi) Biodiversity enhancement proposals;
- (vii) A programme for the timing, method of implementation, completion and subsequent on-going maintenance;

Any trees/shrubs which within a period of five years from the completion of the approved landscaping scheme fail to become established, die, become seriously diseased, or are removed or damaged shall be replaced in the

following planting season with equivalent numbers, sizes and species as those originally required to be planted unless otherwise approved in writing by the planning authority.

**Reason:** In the interests of visual amenity and to integrate the development into its surroundings.

8. Details of the finished floor level of proposed structures relative to the existing ground levels shall be submitted to, and agreed in writing with, the Planning Authority Prior to commencement of development.

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

9. Hours of construction and operation of the proposed facility shall be between 0800 and 1900 Monday to Friday, 0800 and 1400 on a Saturday and not at all on Sundays or bank or public holidays.

Deviation from these times shall only be allowed in exceptional circumstances where prior written agreement has been received from the planning authority.

**Reason:** In order to safeguard the amenities of property in the vicinity.

10. 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. The plan shall include details of waste to be generated during site clearance and construction phases, and details of the methods and locations to be employed for the prevention, minimisation, recovery and disposal of this material in accordance with the provision of the Waste Management Plan for the Region in which the site is situated.

**Reason:** In the interest of sustainable waste management.

11. The construction of 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. The plan shall provide a demolition management plan, together with details of intended construction practice for the development, including a detailed traffic management plan, hours of working, and noise management measures.

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

12. Details of any external lighting to be used within the site shall be submitted to and agreed in writing with the Planning Authority prior to installation. Such details shall include the location, type, angle of direction and wattage of each light, which shall be so positioned and angled to prevent any glare or light spillage over from the site boundary. No external lighting shall be installed except in accordance with the duly agreed scheme.

**Reason:** In order to avoid light pollution in the interest of amenity.

13. All works on site shall be implemented in accordance with a Construction Environmental Management Plan (CEMP) to be submitted and agreed with the Planning Authority prior to the commencement of development.

**Reason:** In the interest of environmental protection.

14. The construction of the development shall be managed in accordance with a Construction and Traffic 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) Location of the site and materials compound(s) including area(s) identified for the storage of construction refuse;
- (b) Location of areas for construction site offices and staff facilities;
- (c) Details of site security fencing and hoardings;
- (d) Details of on-site car parking facilities for site workers during the course of construction;

- (e) 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) Measures to prevent the spillage or deposit of clay, rubble or other debris on the public road network;
- (h) 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;
- (i) Details of appropriate mitigation measures for noise, dust and vibration, and monitoring of such levels;
- (j) 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;
- (k) Off-site disposal of construction/demolition waste and details of how it is proposed to manage excavated soil;
- (l) Means to ensure that surface water run-off is controlled such that no silt or other pollutants enter local surface water sewers or drains.
- (m) A record of daily checks that the works are being undertaken in accordance with the Construction Management Plan shall be available for inspection by the planning authority.

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

15. Prior to commencement of development, the developer shall lodge with the planning authority a cash deposit, a bond of an insurance company, or such other security as may be acceptable to the planning authority, to secure the reinstatement of public roads that may be damaged by construction transport coupled with an agreement empowering the planning authority to apply such

security or part thereof to such reinstatement. 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 Bord Pleanála for determination.

**Reason:** To ensure the reinstatement of public roads that may be damaged by construction transport.

16. 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.

I confirm that this report represents my professional planning assessment, judgement and opinion on the matter assigned to me and that no person has influenced or sought to influence, directly or indirectly, the exercise of my professional judgement in an improper or inappropriate way.

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Matthew McRedmond  
Senior Planning Inspector

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18<sup>th</sup> December 2025

## Appendix 1 - Form 1

### EIA Pre-Screening

**[EIAR not submitted]**

<b>Case Reference</b>	ABP-322378-25
<b>Proposed Development Summary</b>	3 bonded warehouses and associated works.
<b>Development Address</b>	Hollyhill, Bantry, Co. Cork
<b>In all cases check box /or leave blank</b>	
<b>1. Does the proposed development come within the definition of a 'project' for the purposes of EIA?</b>  (For the purposes of the Directive, "Project" means: - The execution of construction works or of other installations or schemes,  - Other interventions in the natural surroundings and landscape including those involving the extraction of mineral resources)	<input checked="" type="checkbox"/> Yes, it is a 'Project'. Proceed to Q2.
	<input type="checkbox"/> No, No further action required.
<b>2. Is the proposed development of a CLASS specified in Part 1, Schedule 5 of the Planning and Development Regulations 2001 (as amended)?</b>	
<input type="checkbox"/> Yes, it is a Class specified in Part 1.  <b>EIA is mandatory. No Screening required. EIAR to be requested. Discuss with ADP.</b>	State the Class here
<input checked="" type="checkbox"/> No, it is not a Class specified in Part 1. Proceed to Q3	
<b>3. Is the proposed development of a CLASS specified in Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended) OR a prescribed type of proposed road development under Article 8 of Roads Regulations 1994, AND does it meet/exceed the thresholds?</b>	

<input checked="" type="checkbox"/> No, the development is not of a Class Specified in Part 2, Schedule 5 or a prescribed type of proposed road development under Article 8 of the Roads Regulations, 1994.  <b>No Screening required.</b>	
<input type="checkbox"/> Yes, the proposed development is of a Class and meets/exceeds the threshold.  <b>EIA is Mandatory. No Screening Required</b>	
<input type="checkbox"/> Yes, the proposed development is of a Class but is sub-threshold.  <b>Preliminary examination required. (Form 2)</b>  <b>OR</b>  <b>If Schedule 7A information submitted proceed to Q4. (Form 3 Required)</b>	
<b>4. Has Schedule 7A information been submitted AND is the development a Class of Development for the purposes of the EIA Directive (as identified in Q3)?</b>	
<b>Yes</b> <input type="checkbox"/>	<b>Screening Determination required (Complete Form 3)</b>
<b>No</b> <input checked="" type="checkbox"/>	<b>Pre-screening determination conclusion remains as above (Q1 to Q3)</b>

**Inspector:** \_\_\_\_\_ **Date:** \_\_\_\_\_