



An
Coimisiún
Pleanála

Inspector's Report ACP-323184-25

Development	Retention of floodlights, maintenance building, mobile tent, hardstanding and associated site works. Permission for washdown separator.
Location	IDA Industrial Estate, Kilmallock Road, Rathgoggan Middle, Charleville Co. Cork
Planning Authority	Cork County Council
Planning Authority Reg. Ref.	254252
Applicant(s)	Charleville Hire and Platform Ltd t/a CPH Ltd.
Type of Application	Retention Permission.
Planning Authority Decision	Grant
Type of Appeal	Third Party
Appellant(s)	Martin and Sinead Moloney.
Observer(s)	Declan Cahalane.
Date of Site Inspection	23 rd September 2025.

Inspector

Jennifer McQuaid

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1.0 Site Location and Description

- 1.1. The subject site (0.94ha) is located within IDA Industrial Estate on the eastern side of Charleville town which is accessed off the Kilmallock Road (R515). The subject site is located to the rear of the IDA Industrial Estate and there is an existing permitted warehouse for plant-hire on site. There are other businesses in operation within the IDA Industrial Estate. There are a dwelling and farm to the rear (northern) boundary of the subject site.

2.0 Proposed Development

- 2.1. The retention development consists of:

- Site floodlighting
- 2no. ancillary single storey maintenance buildings
- 1no. mobile tent structure for storage of battery powered lift machines
- Increase in concrete hardstanding area inside gated entrance and along north-east boundary and its use as an ancillary outdoor storage area
- All associated site works.

Permission for the provision of a washdown separator to the existing power wash bay located on the extended concrete hardstanding.

3.0 Planning Authority Decision

3.1. Decision

Grant subject to 8 no. conditions.

3.2. Planning Authority Reports

3.2.1. Planning Reports

- The lighting on site is akin to the type of public lighting on tall poles with a powerful luminance that would be found at Sports pitches, etc. Further information requested in regard to design for an average illuminance of

140.59 Lux whilst the standard for outdoor working and storage areas is merely a maintained average illuminance of 20 lux for short term handling and 50 lux for continuous handling. Concerns also raised in relation to bat pollution, particularly given the site is adjacent to greenbelt lands.

- The applicant is requested to detail overall composite surface water management proposals taking into account proposed soak pits, aco-channel and all drainage channels and demonstrate how the development meets the requirements of Policy objective WM 11-10 of the CDP. Also required to demonstrate the development meets the greenfield run-off rates and that no surface water will enter onto the public road.
- The subject site is located within Flood Zone A, with the increase in hard standing, the applicant is requested to address the impact of increased on-site drainage system (attenuation tank) and the knock-on impact it will have on flooding in the area. There is an open drain running along the northern and western boundary of the site, a report is required on the maintenance works proposed to said drain including a Schedule for work.
- A comprehensive landscaping plan is required and shall reflect the previous landscaping plan granted on site.

Further Information Report

- The applicant has reduced the lighting levels. A curfew of 9pm at night is suggested to which the floodlight should be dimmed so that the lighting level on the vertical face of the dwelling, to the north, will be reduced below 1.0 lux, which should equate to an output level of about 50% of what is now proposed from the floodlights. Conditions proposed to switch-off existing lighting until the permitted lighting regime is implemented.
- A Drainage Impact Assessment has been submitted. The attenuation onsite volume will be increased. A grant with conditions recommended.
- All surface water will be contained on site and piped to an on-site attenuation tank, no surface water shall be allowed to flow from the site except via the tank and at the rate of flow as outlined in the drainage report.
- An updated landscaping plan submitted and acceptable.

Senior Executive Planner (SEP) Report

- The SEP agrees with the further information request in relation to public lighting, hardstanding areas & landscaping. The SEP notes the site is within a Flood Zone A and that the applicant shall prepare a commensurate assessment of the risks of flooding in accordance with Section 5.28 of the Flood Risk Management Guidelines.

Senior Executive Planner (SEP) Further Information Report

- The FI report was reviewed and generally in agreement, given the nature of the “mobile tent structure” a five-year temporary permission is recommended for this structure due to the temporary construction and quality/durability of materials and the precedent of permitting such a structure permanently on site.
- It is noted that the applicant has not submitted a Flood Risk Report and instead refers to previous planning reference 215295 which outlines proposed mitigation measures which include keeping floor level up to 80.3OD and providing attenuation on site. The Drainage Impact Assessment (DIA) is submitted which proposes to increase the volume of attenuation on site. Having regard to the scale and nature of works under this current application as well as Section 5.28 of the Flood Risk Management Guidelines in relation to applications for minor development, it is considered that the submitted DIA in conjunction with the previously submitted FRA for the earlier application ref. 21/5295 to be adequate.

3.2.2. Other Technical Reports

- Area Engineer: Further information requested in relation to surface water run-off rates, maintenance works to drain and landscaping plan. Further information submitted and conditions recommended.
- Waste Water Operations: No comments
- Public Lighting: Further Information requested in relation to revised lighting design. Further information submitted and conditions recommended.
- Environment: No comments

3.2.3. Conditions

- Condition 2: Permission for the mobile tent structure is for a temporary period of five (5) years from the date of the grant of permission after which time the structure shall be removed from the site, unless a separate grant of planning permission has first been made for the continuation of the use and maintenance of the associated structures.

Reason: To define the terms of the permission and to cater for orderly development of the area. To permit the Planning Authority to reassess the situation in light of the circumstances at this time.

- Condition 3: There shall be an immediate switch off of existing floodlighting on-site until such time as the new lighting regime is implemented as per the further information submission of 10/06/2025.

Reason: In order to safeguard residential amenities in the immediate area, and in the interests of proper planning and sustainable development.

- Condition 4: External lighting within this development shall be directed and cowed as necessary so as not to cause undue glare or obtrusive light spill to adjoining residential properties, when assessed against "ILP Guidance Notes for the Reduction of Obtrusive Light GN01:2021 and in particular that the limits in Table 3 for environmental zone E2 shall not be exceeded and that the limits outlined in Table 4 (E2) shall not be exceeded. A curfew of 9pm (or earlier if activities cease in this depot before then) shall apply after which time the post-curfew level of 1 lx (maximum value of vertical illuminance on premises (dwellings) shall not be exceeded and the floodlighting shall be dimmed to not greater than 50% of its normal output after this time.

Reason: In the interest of road safety and of not interfering with adjacent dwelling owners.

- Condition 5: Floodlighting within this development shall be directed and cowed as necessary (by the use of Louvres, cowls, hoods or shields) to restrict obtrusive light onto adjacent road(s) to less than the relevant threshold increment (FTI) limit detailed in Table 5 of ILP GN 01/21, applying to a road lighting, in this instance.

Reason: To avoid creating a road hazard for motorists due to excessive glare from the Floodlights.

3.3. Prescribed Bodies

- No observations received.

3.4. Third Party Observations

Three number observations were received, the issues raised were:

- Floodlighting impacting residential amenity
- More hardstanding than that depicted.
- All stored machinery should be lowered to reduce visual impact
- Lack of landscaping & the existing palisade fencing is impactful.
- Surface water drainage
- Flooding concerns
- Washdown facilities could have environmental impact.

4.0 Planning History

Enforcement Notice: EF23/192: A Warning Letter sent in relation to unauthorised floodlighting, shed structures and hardstanding area.

ABP 311373-21 (PA Reg: 215295): Permission granted for new light industrial unit (for plant hire business) to include a two-storey section to the front of the building which will consist of ancillary plant and tool hire shop and office space on the ground floor and storage/office space on the first floor and all associated site works.

Adjacent site:

PA Reg: 184135: Permission granted for construction of extension to existing industrial unit and all associated site works.

PA Reg: 1706287: Permission granted for construction of storage building attached to existing storage building for storage of electro-mechanical valves for use in dairy and pharmaceutical industry and all associated site works.

PA Reg: 804310: Outline permission granted for IDA industrial development.

PA Reg: 973002: Permission granted for extension to existing access road and services on industrial estate.

5.0 Policy Context

5.1. Development Plan

Cork County Development Plan 2022-2028

The subject site is zoned as ZU 18-10: Existing Mixed/General Business/Industrial Uses. The objective is to facilitate development that supports in general the employment uses of the Existing Mixed/General Business/Industrial Areas. Development that does not support or threatens the vitality or integrity of the employment uses of these areas shall not be permitted.

Section 18.3.10 refers to Existing Mixed/General Business/Industrial Uses (MGB).

The areas identified as Existing Mixed/General Business/Industrial Uses consists of a mix of employment uses generally including long term establishments. These areas include (but not exhaustively) a large range of uses including general warehousing, manufacturing, storage, builders' provider/yard, food processing facility, logistics, vehicle sales outlets, high technology manufacturing, plant and tool hire, public services, service station, vehicle servicing/maintenance garage. This zoning will protect existing uses and support expansion where appropriate of existing uses while not permitting uses that would threaten the vitality and integrity of the primary use of these areas.

GI 14-9 Landscape

- (a) Protect the visual and scenic amenities of County Cork's built and natural environment.
- (b) Landscape issues will be an important factor in all land-use proposals, ensuring that a pro-active view of the development is undertaken while

protecting the environment and heritage generally in line with the principle of sustainability.

(c) Ensure that new development meets high standards of siting and design.

(d) Protect skylines and ridgelines from development.

(e) Discourage proposals necessitating the removal of extensive amounts of trees, hedgerows and historic walls or other distinctive boundary treatments.

Section 14.8 refers to Landscape Character Assessment of County Cork.

Appendix F refers to Landscape Character Areas.

TM 12-2 relates to Active Travel

TM 12-8 relates to Traffic/Mobility Management and Quality of the Public Realm

TIM 12-9 relates to Parking

PL 3-1 relates to Building Design, Movement and Quality of the Public Realm.

WM 11-10 relates to Surface Water, SuDs and Water Sensitive Urban Design.

WM 11-15 relates to Development in Flood Risk Areas.

North Cork Plan 2022-2028, Volume Three.

Section 2.5.39 relates to Economy and Employment

Industrial activity is concentrated to the east of the town centre along the Kilmallock Road, Station Road and at the Ballysallagh Industrial Estate to the southeast. A number of leading companies in the engineering sector have also established themselves in the town. In addition to meeting the employment and service needs of the town itself, Charleville serves a wide rural hinterland that stretches into County Limerick.

CV-I-01 Industrial estate development. Proposals will be considered which set out a framework for the overall co-ordinated and phased development of these lands.

Provision for pedestrian/cyclist connectivity need to be included as part of any development proposals. Watercourses/riparian habitats on site shall be retained and protected. Field boundaries, hedgerows and other features of biodiversity value should be protected where possible. Proposals should include a detailed landscape plan.

5.2. Natural Heritage Designations

The site is not located within a designated site. The nearest are:

- Blackwater River (Cork/Waterford) SAC (site code: 002170) is located approximately 4.7km south of the subject site.
- Mountrussell Wood pNHA (site code: 002088) is located approximately 7km southeast of the subject site.
- Ballyhora Mountains SAC (site code: 002036) is located approximately 8km southeast of the subject site.

5.3. EIA Screening

- 5.3.1. The retention & proposed development has been subject to preliminary examination for environmental impact assessment (refer to Form 1 and Form 2 in Appendices of this report). Having regard to the characteristics and location of the retention & proposed development and the types and characteristics of potential impacts, it is considered that there is no real likelihood of significant effects on the environment. The retention & proposed development, therefore, does not trigger a requirement for environmental impact assessment screening and an EIAR is not required.

6.0 The Appeal

6.1. Grounds of Appeal

The grounds of appeal have been received from a local resident. The concerns raised are:

- Timelines should be set for attenuation tank, associated works/drainage solutions and landscaping. Until the attenuation tank is installed, flooding remains an issue.
- Visual impact: The proposal overlooks the dwelling and garden space; the view of tall hoists is imposing. The hardstanding area was granted in front of dwelling; can this be relocated?
- Overlooking: employees are at raised levels on the hoists and overlook the property. Landscaping may be beneficial.

6.2. **Applicant Response**

- None

6.3. **Planning Authority Response**

A response was received from Public Lighting. The following comments were made:

- Having studied the appeal, no element of the appeal refers to floodlighting element of this application, which I consider to be adequately covered by condition in any case.

6.4. **Observations**

An observation has been received from a resident to the northeast. The following comments were made:

- Floodlighting: applicant requested to reduce and amend the level of flood lighting and implement landscaping. Timeline required as to when these works will take place.
- Increased risk of flooding.
- Visual impact.

6.5. **Further Responses**

- None

7.0 **Assessment**

7.1. Having examined the application details and all other documentation on file, including all of the submissions received in relation to the appeal, the reports of the local authority, and having inspected the site, and having regard to the relevant local/regional/national policies and guidance, I consider that the substantive issues in this appeal to be considered as follows:

- Flooding & Surface Water
- Visual Impact & Overlooking

- Floodlighting
- Appropriate Assessment
- Water Framework Directive

7.2. **Flooding & Surface Water**

- 7.3. The site is located within Flood Zone A as per OPW maps and as per Cork County Development Plan 2022-2028 (CDP). The site is enclosed with earthen berms to the north and east, an open drain and earthen berm to the west and a fence to the south. The open drain is an unnamed tributary of Charleville Stream which flows to the River Maigue and which in turn flows northwards towards Shannon Estuary. The site slopes gently from the road at 80m OD to the north and east where it meets the northern and eastern boundaries at an approximate level of 79m to 79.5m OD respectively.
- 7.4. The grounds of appeal state that timelines should be set for the attenuation tank, associated works/drainage solutions and landscaping. It is outlined that until the attenuation tank is installed, flooding remains an issue.
- 7.5. The observation raised concerns in relation to flooding and timeline for attenuation tanks.
- 7.6. I have assessed the Flood Risk Assessment which was carried out as part of the previous planning application on site under planning reference 215295. The assessment indicated that the majority of the site is within the Flood Zone A on the CDP and Shannon CFRAM maps while the analysis of the topographic data suggests the site is located in Flood Zone C. The lowest permitted finished floor level for the building will have 0.94m freeboard to the estimated 0.1% AEP event.
- 7.7. The applicant acknowledges that a flood incident occurred since the flood risk assessment and was believed to have been partially caused by the blockage of the watercourse upstream of CPH's site and caused flood waters to overflow onto the IDA Industrial site and lands downstream. This flood incident did not cause the flooding of the CPH site which is believed to be down to the adherence of the mitigation measures proposed in the Flood Risk Assessment. The main mitigation

measures included keeping the floor level up to 80.3m OD and providing attenuation on site.

- 7.8. A Drainage Impact Assessment was submitted as part of the current application, and it is proposed to increase the volume of the attenuation on site to 200m³ due to the increase in permeable areas. All surface water generated on site will be conveyed through a proposed surface water network including SuDs and attenuated/managed on site prior to final discharge at Qbar greenfield run-off rates. The surface water discharge rates from the proposed surface water drainage network will be controlled by a vortex flow control devices (Hydrobrake or equivalent) attenuation tank and incorporated SuDs measures. Surface water will also pass via a full retention fuel/oil separators (sized in accordance with permitted discharge from the site). Surface water runoff from the site's road network will be directed to the proposed pipe network/constructed tree pits in green areas via conventional road gullies with additional surface water runoff from roofs also routed to the proposed surface water pipe network. All flow velocities within the network fall within the limits of 0.75 and 3m/sec as set out in "Recommendations for Site Development Works" as published by the Department of Environment. The storm water network and infiltration basin are designed to accommodate the 100 year return period plus an additional 20% to account for the effects of climate change.
- 7.9. It is in my opinion, given the mitigation measures of the previous Flood Risk Assessment in addition to the proposed mitigation measures including the increase in the size of the attenuation tank that flooding will not be an issue on the subject site or the adjoining lands due to the increase in hardstanding area.
- 7.10. The observation received requested that an appropriate timeline should be set for attenuation tank to be increased along with associated works/drainage solutions and landscaping. I consider, given that the site works have been carried out prior to the submission of a planning application, it is appropriate to require the applicant to carry out the required works to the attenuation tank with six months of a grant of permission.
- 7.11. Having regard to the location of the subject site within lands zoned for industry uses, while considering the previous Flood Risk Assessment and the proposed drainage mitigation measures, I consider that the retention development and proposed

development will be in accordance with Cork County Development Plan 2022-2028 and will not cause a negative impact to flooding in the area.

7.12. Visual Impact & Overlooking

- 7.13. The subject site is located to the rear of an existing IDA Industrial Estate on lands zoned as “Existing Mixed/General Business/Industrial Uses”. The site is located within a High Value Landscape. Any development within this area shall comply with Objective GI 14-9 of the CDP which seeks to protect the visual and scenic landscape. The surrounding lands to the north and west of the subject site are zoned as Greenbelt1.
- 7.14. The grounds of appeal state that there is a visual impact from the development as the tall hoists are imposing, and the hoists overlook the dwelling and garden space of the appellant’s property to the north and the property to the northeast. The hardstanding area could be relocated.
- 7.15. The observation also noted visual impact as a concern.
- 7.16. The dwelling to the north is located approximately 22 metres from the boundary to the subject site and over 170 metres from the property to the northeast. The hoists are located along the northern boundary of the site within the hardstanding area. I note the hoists were extended during my site visit and are intermittently visible from the adjacent local road to the eastern boundary. There is an existing mature hedgerow along the eastern and northern boundary of the subject site, some trees are taller than others and there are some gaps within the hedgerow, thereby offering some views towards the subject site and hoists from the dwelling to the north and adjacent road to the east.
- 7.17. A landscaping plan was submitted with the planning application as part of the further information request, and it outlines that a new hedgerow and tree planting on the existing earth berm on the northern, western and eastern boundary and a small degree along the southern boundary will be implemented. As part of the previous permission on site, An Bord Pleanála conditioned under condition 5 that the site shall be landscaped in accordance with a comprehensive scheme of landscaping. Therefore, the Planning Authority requested an updated landscaping plan to reflect the retention development. It is in my view that if the full landscaping plan was carried out, the visual impact of the existing hoists from the appellant’s dwelling and

adjacent road will be reduced. Therefore, I consider that in the event of a grant of permission, a condition shall be attached instructing the applicant to carry out a landscaping plan within the first planting season on receipt of a grant of this retention permission.

7.18. I note the appellant has concerns regarding the overlooking of the hoists onto their private amenity space. I note the appellant's dwelling is located over 22 metres from the northern boundary of the subject site. The private garden amenity space adjoins the northern boundary of the subject site. As noted above, the applicant will be required to carry out the proposed landscaping scheme within the first planting season and this will reduce the overlooking of the hoists into the neighbouring property to the north.

7.19. Having regard to the location of the subject site within lands zoned as Existing Mixed/General Business/Industrial Uses, the existing and proposed landscaping on site and in particular along the northern boundary, I do not consider that the retention development will negatively visually impact or negatively overlook the appellant's property to the north of the subject site.

7.20. Floodlighting

7.21. The retention permission consists of retention of 4 no. floodlights around the subject site.

7.22. The grounds of appeal state that in regard to floodlighting, the applicant was requested to reduce and amend the level of flood lighting. The appellant requests timelines as to when these works will take place.

7.23. The observation received also requested a timeline for the reduced level of lighting from the floodlights.

7.24. I have reviewed the report from Public Lighting of Cork County Council and as part of further information response, the applicant indicated that they have reduced the lamp flux of the four floodlights and Public Lighting have stated this change would be an acceptable level for a storage area/yard with significant activity. I note that Public Lighting have also suggested a curfew be set at 9pm at night at the subject site, after which time the flood light should be dimmed so that the lighting level on the vertical face of the dwelling, to the north, will be reduced below 1.0 lux, which should equate

to an output level of about 25% of what is now proposed from the floodlights. Two conditions were attached to the grant of permission in relation to floodlights including external lighting shall be directed and cowled as necessary so as not to cause undue glare or obtrusive light spill to adjoining properties and roads and a curfew of 9pm (or earlier if activities cease in this depot before then) shall apply. I note the observation has not raised concerns in relation to the proposed lighting levels but has requested a timeframe for the works to be completed. I consider this is a reasonable request and I suggest an appropriate condition shall be attached outlining the works shall be carried out within one month of the grant of retention permission and evidence of same shall be submitted to the Planning Authority for written approval.

- 7.25. Having regard to the lighting amendments proposed within an industrial zoned site along the local road and in proximity to the adjacent properties, I consider the proposed lighting amendments and design will not negatively impact the residential amenity of the adjacent properties.

8.0 AA Screening

- 8.1. I have considered the retention & proposed development in light of the requirements S177U of the Planning and Development Act 2000 as amended.

The subject site is not located within a designated site, Blackwater River (Cork/Waterford) SAC (site code: 002170) is located approximately 4.7km south of the subject site and Ballyhora Mountains SAC (site code: 002036) is located approximately 8km southeast of the subject site.

The retention development comprises of floodlighting, maintenance building, mobile tent, hardstanding and associated site works. Permission is sought for washdown separator. No conservation issues were raised in the appeal.

Having considered the nature, scale and location of the project, I am satisfied that it can be eliminated from further assessment because it could not have any effect on a European Site.

The reason for this conclusion is as follows:

- Scale and size of the retention and proposed development within an existing plant hire business located on zoned lands;
- Distance to the nearest European site Blackwater River (Cork/Waterford) SAC (site code: 002170) is located approximately 4.7km south of the subject site and Ballyhora Mountains SAC (site code: 002036) is located approximately 8km southeast of the subject site.
- The lack of connections to the SAC.
- Disposal of surface water to onsite attenuation tank.

Taking into account the Planning Authority's AA screening, I conclude, on the basis of objective information, that the retention & proposed development would not have a likely significant effect on any European Site either alone or in combination with other plans or projects. Likely significant effects are excluded and therefore Appropriate Assessment (under Section 177V of the Planning and Development Act 2000) is not required.

9.0 Water Framework Directive

- 9.1. The subject site is located in an urban area, to the east of Charleville, Co. Cork. The nearest river is Charleville Stream, and it is located approximately 100 metres northeast of the subject site, an open drain to the north of the site possibly flows into the Charleville Stream. The retention development consists of floodlighting, maintenance building, mobile tent, hardstanding and associated site works. Permission is sought for washdown separator. No water deterioration concerns were raised in the appeal; concerns were raised in relation to surface water run-off and flooding.

I have assessed the retention and proposed development and have considered the objectives as set out in Article 4 of the Water Framework Directive which seeks to protect and, where necessary, restore surface & ground water waterbodies in order to reach good status (meaning both good chemical and good ecological status), and to prevent deterioration. Having considered the nature, scale and location of the project, I am satisfied that it can be eliminated from further assessment because

there is no conceivable risk to any surface and/or groundwater water bodies either qualitatively or quantitatively. The reason for this conclusion is as follows.

- Scale and size of the retention and proposed development within an existing plant hire business located on zoned lands.
- Disposal of surface water to onsite attenuation tank.

I conclude that on the basis of objective information, that the retention & proposed development will not result in a risk of deterioration on any water body (rivers, lakes, groundwaters, transitional and coastal) either qualitatively or quantitatively or on a temporary or permanent basis or otherwise jeopardise any water body in reaching its WFD objectives and consequently can be excluded from further assessment.

10.0 Recommendation

10.1. I recommend that retention permission should be granted, subject to conditions as set out below.

11.0 Reasons and Considerations

11.1. Having regard to the site zoning as Existing Mixed/General Business/Industrial Uses as per Cork County Development Plan 2022-2028 and the planning history on site within an existing permitted site, it is considered that, subject to compliance with the conditions set out below, the retention development & proposed development would not adversely affect the residential or visual amenity of the adjacent properties, and would be in accordance with the provisions of Cork County Development Plan 2022-2028. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

12.0 Conditions

1. The development shall be carried out and retained and completed in accordance with the plans and particulars lodged with the application, as amended by the further plans and particulars received by the planning authority on the 19th day of February 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. Permission for the mobile tent structure is for a temporary period of five (5) years from the date of the grant of permission after which time the structure shall be removed from the site, unless a separate grant of planning permission has first been made for the continuation of the use and maintenance of the associated structures.

Reason: To define the terms of the permission and to cater for orderly development of the area. To permit the Planning Authority to reassess the situation in light of the circumstances at this time.

3. There shall be an immediate switch off of existing floodlighting on-site until such time as the new lighting regime is implemented as per the further information submission of 10/06/2025.

Reason: In order to safeguard residential amenities in the immediate area, and in the interests of proper planning and sustainable development.

4. External lighting within this development shall be directed and cowled as necessary so as not to cause undue glare or obtrusive light spill to adjoining residential properties, when assessed against "ILP Guidance Notes for the Reduction of Obtrusive Light GN01:2021 and in particular that the limits in Table 3 for environmental zone E2 shall not be exceeded and that the limits outlined in Table 4 (E2) shall not be exceeded. A curfew of 9pm (or earlier if activities cease in this depot before then) shall apply after which time the post-curfew level of 1 lx (maximum value of vertical illuminance on premises (dwellings) shall not be exceeded and the floodlighting shall be dimmed to not greater than 50% of its normal output after this time. The works shall be

carried out within six months of the grant of permission and all works shall be agreed in writing with the Planning Authority.

Reason: In the interest of road safety and of not interfering with adjacent dwelling owners.

5. Floodlighting within this development shall be directed and cowled as necessary (by the use of Louvres, cowls, hoods or shields) to restrict obtrusive light onto adjacent road(s) to less than the relevant threshold increment (FTI) limit detailed in Table 5 of ILP GN 01/21, applying to a road lighting, in this instance. The works shall be carried out within six months of the grant of permission and all works shall be agreed in writing with the Planning Authority.

Reason: To avoid creating a road hazard for motorists due to excessive glare from the Floodlights.

6. The landscaping scheme shown on drawing number A31, as submitted to the planning authority on the 10th day of June 2025 shall be carried out within the first planting season following receipt of the grant of retention permission. 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.

7. The attenuation and disposal of surface water, shall comply with the requirements of the planning authority for such works and services. Within six months of grant of permission, the developer shall submit details of the completed works for disposal of surface water from the site for the written agreement of the planning authority.

Reason: In the interest of public health.

8. The developer shall pay to the planning authority a financial contribution in respect of public infrastructure and facilities benefiting development in the area of the planning authority that is provided or intended to be provided by or on behalf of the authority in accordance with the terms of the Development Contribution Scheme made under section 48 of the Planning and Development Act 2000, as amended. The contribution shall be paid prior to commencement of development or in such phased payments as the planning authority may facilitate and shall be subject to any applicable indexation provisions of the Scheme at the time of payment. Details of the application of the terms of the Scheme shall be agreed between the planning authority and the developer, or, in default of such agreement, the matter shall be referred to An Coimisiún Pleanála to determine the proper application of the terms of the Scheme.

Reason: It is a requirement of the Planning and Development Act 2000, as amended, that a condition requiring a contribution in accordance with the Development Contribution Scheme made under section 48 of the Act be applied to the permission.

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.

Jennifer McQuaid
Planning Inspector

28th October 2025

Appendix A: Form 1 - EIA Pre-Screening

Case Reference	ACP-323184-25
Proposed Development Summary	Retention of floodlights, maintenance building, mobile tent, hardstanding and associated site works. Permission sought for washdown separator.
Development Address	IDA Industrial Estate, Kilmallock Road, Rathgoggan Middle, Charleville, Co. Cork.
	In all cases check box /or leave blank
1. Does the proposed development come within the definition of a 'project' for the purposes of EIA? (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.
2. Is the proposed development of a CLASS specified in Part 1, Schedule 5 of the Planning and Development Regulations 2001 (as amended)?	
<input type="checkbox"/> Yes, it is a Class specified in Part 1. EIA is mandatory. No Screening required. EIAR to be requested. Discuss with ADP.	State the Class here
<input type="checkbox"/> No, it is not a Class specified in Part 1. Proceed to Q3	
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?	
<input type="checkbox"/> No, the development is not of a Class Specified in Part 2, Schedule 5 or a prescribed type of proposed road	

<p>development under Article 8 of the Roads Regulations, 1994.</p> <p>No Screening required.</p>	
<p><input type="checkbox"/> Yes, the proposed development is of a Class and meets/exceeds the threshold.</p> <p>EIA is Mandatory. No Screening Required</p>	
<p><input checked="" type="checkbox"/> Yes, the proposed development is of a Class but is sub-threshold.</p> <p>Preliminary examination required. (Form 2)</p> <p>OR</p> <p>If Schedule 7A information submitted proceed to Q4. (Form 3 Required)</p>	<p>Class 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.</p> <p>Class 10 (dd) All private roads which would exceed 2000 metres in length.</p> <p>The retention subject site size is 0.94ha. The applicant is utilising an existing access road off the R515.</p>

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)?	
Yes <input type="checkbox"/>	Screening Determination required (Complete Form 3)
No <input checked="" type="checkbox"/>	Pre-screening determination conclusion remains as above (Q1 to Q3)

Inspector: _____ Date: _____

Appendix A: Form 2 - EIA Preliminary Examination

Case Reference	ACP-323184-25
Proposed Development Summary	Retention of floodlights, maintenance building, mobile tent, hardstanding and associated site works. Permission sought for washdown separator.
Development Address	IDA Industrial Estate, Kilmallock Road, Rathgoggan Middle, Charleville, Co. Cork.
This preliminary examination should be read with, and in the light of, the rest of the Inspector's Report attached herewith.	
Characteristics of proposed development (In particular, the size, design, cumulation with existing/ proposed development, nature of demolition works, use of natural resources, production of waste, pollution and nuisance, risk of accidents/disasters and to human health).	The retention development consisted of typical construction and related activities and site works. No excavation works are proposed or carried out. The works do not result in the production of significant waste, emissions or pollutants. The hardstand area will dispose of surface water via an attenuation tank on site.
Location of development (The environmental sensitivity of geographical areas likely to be affected by the development in particular existing and approved land use, abundance/capacity of natural resources, absorption capacity of natural environment e.g. wetland, coastal zones, nature reserves, European sites, densely populated areas, landscapes, sites of historic, cultural or archaeological significance).	<p>The subject site is located within an urban area on zoned lands; there are no significant sensitivities in the immediate area.</p> <p>The subject site is not located within a designated site, the nearest are as follows:</p> <ul style="list-style-type: none"> • Blackwater River (Cork/Waterford) SAC (site code: 002170) is located approximately 4.7km south of the subject site. • Mountrussell Wood pNHA (site code: 002088) is located approximately 7km southeast of the subject site. • Ballyhora Mountains SAC (site code: 002036) is located approximately 8km southeast of the subject site. <p>My appropriate assessment screening concludes that the proposed & retention development would not likely have a significant effect on any European Site.</p> <p>The subject site is located within a flood risk area as identified in the CDP and OPW Flood Risk maps, however, the applicant has carried out a flood risk assessment and outlined the site is within Flood Zone C and has outlined mitigation measures in order to prevent</p>

	flooding. I consider the proposed mitigation measures are acceptable and will not create a flooding event.
Types and characteristics of potential impacts (Likely significant effects on environmental parameters, magnitude and spatial extent, nature of impact, transboundary, intensity and complexity, duration, cumulative effects and opportunities for mitigation).	The site size measures 0.94ha. The size of the development is not exceptional in the context of an urban environment on an existing site. There are existing dwellings and commercial business adjacent to the subject site. Concerns were raised from the adjacent property in relation to overlooking, floodlights and flooding. All issues can be dealt with by way of condition if required. The retention development is a relatively small development in the urban context. There is no real likelihood of significant cumulative effects within the existing and permitted projects in the area
Conclusion	
Likelihood of Significant Effects	Conclusion in respect of EIA
There is no real likelihood of significant effects on the environment.	EIA is not required.

Inspector: _____ **Date:** _____

DP/ADP: _____ **Date:** _____

(only where Schedule 7A information or EIAR required)

Appendix B: Water Framework Directive Screening

WFD IMPACT ASSESSMENT STAGE 1: SCREENING			
Step 1: Nature of the Project, the Site and Locality			
An Bord Pleanála ref. no.	ACP-323184-25	Townland, address	IDA Industrial Estate, Kilmallock Road, Rathgoggan Middle, Charleville, Co. Cork
Description of project		Retention of floodlights, maintenance building, mobile tent, hardstanding and associated site works. Permission sought for washdown separator.	
Brief site description, relevant to WFD Screening,		The site is located within the urban area of Charleville, Co. Cork on lands zoned as Existing Mixed/General Business/Industrial Uses; the site is located adjacent existing dwellings and commercial enterprises. The hardstand area will be stoned & tarred, surface water will be disposed off via an increased attenuation tank on site, wastewater is disposed via public sewer. There is an open drain to the north and west of the subject site. The site is within a flood risk area.	
Proposed surface water details		Surface water will be disposed via enlarged attenuation tank on site.	

Proposed water supply source & available capacity	Public mains are available.					
Proposed wastewater treatment system & available capacity, other issues	Public sewer are available.					
Others?						
Step 2: Identification of relevant water bodies and Step 3: S-P-R connection						
Identified water body	Distance to (m)	Water body name(s) (code)	WFD Status	Risk of not achieving WFD Objective e.g.at risk, review, not at risk	Identified pressures on that water body.	Pathway linkage to water feature (e.g., surface run-off, drainage, groundwater)
Groundwater	The site is on the	Groundwater Charleville	Groundwater status is described as	Groundwater is described as At Risk	None Identified	Potential surface water run-off.

River	groundwater.	IE_SH_G_055	Poor (period for GW 2019-2024)				
	The site is located c.100m northeast from Charleville Stream	Charleville stream_010 Code:IE_SH_24C020780	River status is described as Poor (period for GW 2019-2024)	River is under At Risk	None Identified	Potential surface water run-off.	
Step 4: Detailed description of any component of the development or activity that may cause a risk of not achieving the WFD Objectives having regard to the S-P-R linkage.							
CONSTRUCTION PHASE							
No.	Component	Water body receptor	Pathway (existing and new)	Potential for impact/ what	Screening Stage	Residual Risk (yes/no)	Determination** to proceed to Stage 2. Is there a risk to the water

		(EPA Code)		is the possible impact	Mitigation Measure*	Detail	environment? (if 'screened' in or 'uncertain' proceed to Stage 2.
1.	Surface	Charleville stream_010 Code:IE_SH_24C020780	Located appropriately c.100m northeast from Charleville Stream. Open drain to north of subject site and possible flows into Charleville Stream.	Spillages	Standard Construction practice & SuDs Measures	No due to mitigation measures outlined.	Screened Out
2.	Ground	Groundwater Charleville IE_SH_G_055	Pathways through drainage underground	Spillages	Standard Construction practice	No	Screened Out

OPERATIONAL PHASE							
3.	Surface	Charleville stream_01 0 Code:IE_S H_24C020 780	Located appropriately c.100m northeast from Charleville Stream. Open drain to north of subject site and possible flows into Charleville Stream.	Spillages	SuDs Measures	No	Screened Out
4.	Ground	Groundwat er Charleville IE_SH_G_ 055	Pathways exist through drainage underground & seepage.	Spillages/see page	SuDs measures.	No	Screened Out
DECOMMISSIONING PHASE							
5.	N/A						