



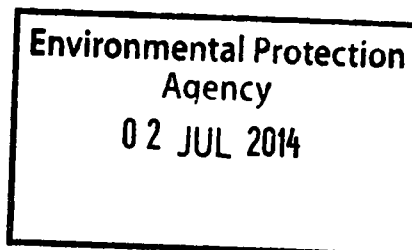
# Comhairle Contae Mhaigh Eo

Áras an Chontae, Caisleán an Bharraigh, Contae Mhaigh Eo.

Teileafón: (094) 9024444 Facs: (094) 9023937

Do Thag. / Your Ref.

Ár dTag. / Our Ref.



Ms. A. Kehoe,  
Environmental Licensing Programme,  
Office of Climate, Licensing & Resource Use,  
Environmental Protection Agency Headquarters,  
PO Box 3000,  
Johnston Castle Estate,  
County Wexford.

1<sup>st</sup> July 2014

**Re: EPA Notification to Mayo County Council under Section 87(1E) (a) of the EPA Act 1992, as amended.**

**Reg. No: P0126-03: Allergan Pharmaceuticals Ireland.**

Dear Ms. Kehoe,

We refer to your letter to the Director of Service, Planning Section, with regard to the following IED application:

**Licence Application Registration Number: P0126-03**

**Allergan Pharmaceuticals Ireland, Castlebar Road, Westport, Co. Mayo.**

We hereby respond to each item as follows:

*1. State whether the activity to which the licence application relates is permitted by the grant of permissions referred to in the attached document:*

We have examined the Industrial Emissions Activity Licence Review application by Allergan Pharmaceuticals Ireland and we have also examined the grant of permission, reference number P12/451. We can confirm that the activity to which the application relates is permitted by the grant of permission issued by Mayo County Council.

2. *Furnish all documents relating to the EIA carried out by your authority in respect of the development or proposed development to which the grant of permission refers.*

Please find enclosed a CD with the relevant documents that relate to the EIA undertaken by Mayo County Council. Please note that in addition all other files relating to the planning application (P12/451) may be accessed and downloaded on the Mayo County Council website under the Planning Section area: [www.mayococo.ie](http://www.mayococo.ie)

3. *Furnish any observations your authority has in relation to the licence application.*

We have examined the Industrial Emissions Activity Licence Review application and we have no further observations to make at this stage in relation to the licence application.

Yours sincerely,



L. Walsh,  
Senior Executive Scientist,  
Environment Section.

1<sup>st</sup> July 2014.

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**MAYO COUNTY COUNCIL**  
**PLANNING & DEVELOPMENT SECTION**

**Applicant:** ALLERGAN PHARMACEUTICALS IRELAND  
**NO:** P12/451

FILE

**PROPOSAL:** PERMISSION: CONSTRUCTION OF A NEW PRODUCTION FACILITY WITH AN OVERALL FLOOR AREA OF 15,677SQM, CONSISTING OF A THREE STOREY OFFICE BLOCK WITH A FLOOR AREA OF 3,456SQM AND HEIGHT OF 16M, A PRODUCTION HALL AND PLANT ROOMS WITH A FLOOR AREA OF 8,705SQM AND HEIGHT OF 12.7M, A WAREHOUSE AND ANCILLARY ACCOMMODATION OF 3,261SQM AND HEIGHT OF 15.8M INCORPORATING SIX LOADING BAYS WITH HGV ACCESS AND AN EXTERNAL STORAGE BUILDING OF 115SQM AND HEIGHT OF 6.3M. SITE WORKS WILL INCLUDE THE RELOCATION OF AN EXISTING LOCAL ACCESS ROAD AND THE CONSTRUCTION OF A NEW CIRCULATION ROUTE TO THE EXISTING ALLERGAN FACILITY, TOGETHER WITH THE PROVISION OF 223 NO. CAR PARKING SPACES IN TWO PHASES AND A SERVICE AND UTILITY YARD OF 985SQM, NEW PEDESTRIAN AND CYCLE LINKS TO THE EXISTING FACILITY, NEW PEDESTRIAN LINK BRIDGE OF 140SQM AND A HEIGHT OF 8.8M TO THE EXISTING MULTI AGENCY ENTERPRISE BUILDING AND ALL ASSOCIATED SITE WORKS AND BOUNDARY TREATMENTS. at GORTAROE WESTPORT

**To:** KAROL DONNELLY

**DATE:** 28/08/2012

Please report before: 11/09/2012

Is notice (copy attached) on site? Yes/No

Is notice erected in accordance with Article 19 of the Planning and Development Regulations, 2001?

Yes/No (If no please state why) \_\_\_\_\_

State Distance of house from centre of road: \_\_\_\_\_ Floor Level \_\_\_\_\_ above/below

Stated data of new wall \_\_\_\_\_ Length \_\_\_\_\_ Height \_\_\_\_\_

\_\_\_\_\_ **for County Secretary**

Please examine septic tank aspect \_\_\_\_\_

Site adjoins ROAD \_\_\_\_\_

Has road been improved? Yes /No Existing roadside drain? Yes/No

Ground level at house location in relation to road \_\_\_\_\_

Any detriment to amenity (views etc.)? Yes /No

Public Watermains? Yes /No Group Water Scheme? Yes /No

Public Sewer? Yes /No E.S.B. lines on site? Yes /No

Eircom lines? Yes /No

Any worthwhile trees or other feature e.g. old fort? \_\_\_\_\_

**RECOMMENDATION:**

GRANT, REFUSE TO GRANT – OUTLINE PERMISSION, PERMISSION, APPROVAL

House location – all right as planned? Yes /No

Front boundary wall all right as planned? Yes /No

Floor level all right as planned? Yes /No

SCANNED

**CONDITIONS:**

(1) The \_\_\_\_\_ shall be located \_\_\_\_\_ from the \_\_\_\_\_

(2) The floor level shall be \_\_\_\_\_

(3) Any new front boundary wall shall be \_\_\_\_\_

(3) The existing wall, fence at the front (roadside) of the site shall be removed over the whole site frontage for a length of at least 60-ft. in front of the house. Any new wall shall be at least \_\_\_\_\_ from the nearer edge of the \_\_\_\_\_ carriageway and the area between the new wall line and the carriageway shall be excavated out, filled up, levelled and made suitable for parking motor vehicles. The roadside drain shall be piped so as to maintain existing drainage. Roadside drainage shall be maintained at all times.

(4) The vehicular entrance gate to the site shall be located at the \_\_\_\_\_ end of the site frontage. Gates shall open inwards.

(5) No surface water shall be discharged from the site onto the public road.

(6) Windows shall be at least \_\_\_\_\_ from the site boundaries.

**REASONS FOR CONDITIONS:**

**MAYO COUNTY COUNCIL**  
**PLANNING & DEVELOPMENT SECTION**

- (1) Building line standards. (2 & 5) To avoid flooding. (3) To provide parking space for vehicles associated with the house. (4) To reduce traffic hazard. (6) To preserve privacy.

SIGNED: \_\_\_\_\_ E.E.,      SIGNED: \_\_\_\_\_ S.E.P.

10 SEP 2012

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10/9/12

**Planning & Development Section**

**Applicant: Allergan Pharmaceuticals Ireland**

**No. P12/451**

**Comments:**

Upon examination of Sections 11, 12 and 13 of the accompanying EIS (Volume 2) and Volumes 2 and 3, the NIS and the Landscape Master Plan, the following comments are of note.

**Section 11 Terrestrial Ecology, EIS**

- While some amphibians and birds will likely be impacted by the proposed development (breeding and hibernating *Lissotriton vulgaris* and *Rana temporaria*) and meadow pipit (*Anthus pretensis*), the application for a NPWS licence in the case of frogs and newts and the restriction of works around the marsh and colonised bare grounds of the site (inhabited by *A. pretensis*) outside of the nesting season of 1<sup>st</sup> March to 31<sup>st</sup> August proposed as mitigation measures during construction are deemed adequate.

**Section 12 Aquatic Ecology, EIS**

- Currently the water quality of the stream on the boundary to the site of proposed development is at poor status. While biological monitoring upstream and downstream of the Allergan complex indicated Q3 ratings, biological monitoring at a site adjacent to the Allergan complex was Q2-3/0. This rating and associated complete absence of 'EPT taxa' indicated a recent toxic event. While 'watering animals' likely contribute to the general poor ecological status (organic enrichment), it is likely that some toxic element is contributing to the Q2-3/0 rating at Site 1, adjacent to the site. Notably, EIS Volume 2 records this result as Q2-3; the inclusion of the '0' by the biologist indicating a recent toxic event in field sheet shown in Appendix B of EIS Volume 3 is very significant and of concern. While measures to prevent and reduce suspended solids and other pollutants during construction and operation phases of development appear sufficient and generally propose consultation and agreement with the IFI, the restoration of this, albeit unimportant

PLANNED

stream for salmonids, lamprey and white-clawed crayfish fishery value, has not been addressed, with reference to WFD primary objectives. There appears to be some toxic element entering the stream adjacent to the Allergan complex, which needs investigation. Attenuation of surface water run-off measures proposed in Section 13 should alleviate future contaminants entering the stream from impermeable areas of the site, but the possibility of an accidental release of a toxic agent should be investigated to determine its exact source. (No emissions to water are currently permitted under IPPC licence P0126-02.) However, the proposal for a controlled flow being discharged to the stream at a single outfall monitoring station and under IPPC licence should prevent any future accidental discharges to the stream.

#### Section 13 Drainage and Flooding, EIS

- No specific comments

#### Natura Impact Statement (NIS)

- As with Section 12, EIS Volume 2, the quality of the stream bordering the site at Site 1 was described as Q2-3/0 and not Q2-3. The inclusion of '0' indicates a toxic influence and resultant loss of 'EPF' taxa, and is important.
- Section 5.6.1 (iii) should include the word 'indigenous' plants when re-vegetating is recommended, just to completely alleviate the possibility of introducing non-native, possible invasive plants i.e. *Rhododendron ponticum*, though vegetation is identified as native Irish plants in the Landscape Master Plan. Further, soil from the construction phase should be returned in a 'first-removed-in-first' / reverse order to its removal in order for roots to re-establish in as natural and speedy a progression as possible.

#### Landscape Master Plan

- Riparian shrub mix on the northern shore of the stream consisting of a selection of indigenous macrophytes should not only reduce the visual impact caused by the proposed development, but riparian vegetation should provide some level of protection of the water quality, due to potential removal of nutrients and other pollutants.

**Recommendation:**

I recommend grant of permission of new production facility at Gortaroe, Westport with the following conditions.

**Conditions:**

1. Ensure strict adherence with all mitigation measures proposed for the protection of terrestrial and aquatic ecology from impacts associated with construction and operational phases of the proposed development, as agreed with the NPWS and IFI, and other appropriate environmental authorities.
2. Ensure strict compliance with EPA IPPC licence P0126-02 conditions.
3. Repeat biological sampling at Site 1 and determine source of water pollution if Q rating is same or deteriorated since July 2012.

**Reasons for conditions:**

To prevent further deterioration and ensure the restoration of the status of the stream on the southern boundary of the proposed development site, dividing the existing Allergan facility and the proposed development site, to at least good in line with the primary objective of the Water Framework Directive and the core objectives of the Western RBD, in addition to the prevention of significant impacts on the Clew Bay Complex SAC.

Signed: \_\_\_\_\_

*Paul Smiddy*

Date: 7<sup>th</sup> September 2012

## Cunningham Orla

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**From:** Walsh Laurence  
**Sent:** 05 October 2012 17:56  
**To:** Stanaway Tanya  
**Cc:** Douglas Iain; Burke Noel; Planning Reports  
**Subject:** Allergan Planning Application 12/451 - 'Revised' Environment Report  
**Attachments:** 12451\_EnvRpt Allergan05102012.docx

Tanya,

Please find attached a 'revised' Environment Report following the receipt of the recent unsolicited information from the applicant and my further consideration of the application.

I have included a recommendation for detailed environmental conditions for the Construction Phase of the development.

Please now disregard my previous report dated 25<sup>th</sup> September 2012.

If you have any queries on the conditions please contact me.

Regards,

Larry.

L. Walsh.  
Senior Executive Scientist,  
Environment Section,  
Aras An Chontae,  
Mayo County Council,  
Castlebar,  
Co. Mayo, Ireland.

Telephone: 094-9047419  
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**COMHAIRLE CHONTAE MHAIGH EO**

**MAYO COUNTY COUNCIL**

**ENVIRONMENT SECTION**

**MEMORANDUM**

**To:** Ms. T. Stanaway, Forward Planning Section.

**From:** Mr. L. Walsh, Senior Executive Scientist, Environment Section.

**Date:** 5<sup>th</sup> October 2012

**Re: 12/451 – Allergan Pharmaceuticals Ireland – Environment Report.**

I refer to the above planning application and the associated Environmental Impact Statement and Natura Impact Statement.

I have examined the application details, drawings, the associated Environmental Impact Statement and the Natura Impact Statement. I have completed a site inspection.

The proposed development is for a 'scheduled activity' under the Environmental Protection Agency Act, 1992, as amended by the Protection of the Environment Act, 2003. The applicant will therefore be required to obtain an Integrated Pollution Prevention and Control (IPPC) Licence for the operation of the proposed development, or in this case, as the applicant already has an IPPC Licence for the existing operation, a revised IPPC Licence will be required.

The IPPC Licence, if granted by the EPA, will ensure that the development is operated in accordance with Best Available Techniques (BAT) and the IPPC Licence will address the environmental monitoring and control aspects relating to air, water, waste and noise emissions associated with the operation of the facility.

It is clear from the application details and the associated EIS and Natura Impact Statement that some environmental impacts will occur during the construction phase of the development however these impacts are considered to be transient and of a temporary to short-term nature. Where environmental impacts are identified during construction and operation the Environmental Impact Statement and the Natura Impact Statement outlines mitigation measures that when implemented will minimise the potential impacts.

I recommend that planning permission is granted for the development subject to the attached conditions.

L. Walsh.

L. Walsh.

Senior Executive Scientist.

Environment Section

5/10/ 2012

## 12/451 – Allergan Pharmaceuticals Ireland – Environmental Conditions.

1. The development shall be carried out in accordance with the plans and particulars submitted to Mayo County Council, the Environmental Impact Statement, the Natura Impact Statement and the mitigation measures contained therein except where amended by conditions attached hereto.

**Reason:** In the interests of the proper planning and development of the area and to comply with the Planning and Development Regulations.

2. Prior to the commencement of the development the developer shall submit a detailed Construction Environmental Management Plan (CEMP) and the development shall be governed by the CEMP. The details of the Construction Environmental Management Plan shall be based upon the provisions of the Environmental Impact Statement and the Natura Impact Statement including the mitigation measures and also the terms of the conditions of this approval. The developer shall prepare a draft CEMP following consultation with the relevant bodies and it shall be submitted to Mayo County Council for written agreement. In particular, the Construction Environmental Management Plan (CEMP) shall include, as a minimum, the details of the following matters:
  - a) The Management and Reporting Structure.
  - b) A Schedule of Environmental Objectives and Targets.
  - c) The order and duration of the various works, including details of how seasonally sensitive works are to be accommodated in the programme.
  - d) Pre-construction surveys.
  - e) Method statements for construction.
  - f) Temporary site access.
  - g) Provision of temporary parking facilities.
  - h) Provision of wheel washing facilities.
  - i) Details for the minimisation of suspended solids to surface water systems, including sedimentation, filtration and attenuation of all surface waters from the construction site prior to discharge and also the maintenance routines for these facilities.
  - j) Details of the temporary surface water drainage swales, channels and settlement ponds to serve the construction works, with capacity to cater for severe rain episodes based upon conservative parameters.
  - k) Measures to monitor and control noise and vibration arising from the development.
  - l) Traffic Management Plan and monitoring.
  - m) Monitoring programme for surface water, dust, noise and vibration.
  - n) Corrective action procedures.
  - o) Emergency Response Procedures for environmental or other incidents.
  - p) Environmental Awareness and Training Programme.
  - q) Environmental Complaints Register.
  - r) Proposed Community Liaison Programme.
  - s) Communications Programme.
  - t) Waste Management Plan, including a minimisation plan for solid waste emanating from the construction works site.

On written request by Mayo County Council the developer shall submit a report on any specific environmental matter or an environmental audit. The Construction Environmental Management Plan shall be the subject of an annual review by Mayo County Council, following consultation with the Project Monitoring Committee. The developer shall modify the Construction Environmental Management Plan in accordance with any reasonable requirement of Mayo County Council, at any stage.

**Reason:** In the interest of environmental protection and the proper planning and sustainable development of the area.

3. Prior to commencement of development, a Project Monitoring Committee (PMC) shall be established by Mayo County Council to monitor progress of the construction, the CEMP, surface water run-off, drainage control, traffic management and road maintenance, implementation of the landscape plan and other environmental issues during the period of construction. The PMC shall comprise two representatives of the developer, two representatives of Mayo County Council, and an invitation shall be extended to the North West Regional Fisheries Board and the Environmental Protection Agency to provide one representative each for the committee. In addition, two representatives of the local community, selected in accordance with procedures to be agreed with Mayo County Council, shall be invited to serve on this committee. The PMC shall have the right to co-opt other members as required. The Mayo County Manager or his/her nominee shall chair the PMC.

**Reason:** To ensure effective monitoring during construction in the interest of the proper planning and sustainable development of the area.

4. Prior to the commencement of the development the developer shall obtain the written agreement of Mayo County Council for an Environmental Monitoring Plan in relation to surface water, dust, noise and vibration. Such monitoring shall be carried out by the developer throughout the earthworks and construction phase (to the date of commissioning of the development). The monitoring plan shall, as a minimum, include –
  - (a) A list of all monitoring locations,
  - (b) Description and specification of equipment to be used,
  - (c) The identity and qualifications of persons responsible for monitoring,
  - (d) Parameters to be used,
  - (e) Monitoring intervals,
  - (f) Averaging times,
  - (g) Proposal for the presentation of data,
  - (h) Codes of practice to be used, and
  - (i) Details of right of access to Mayo County Council appointed staff to carry out environmental monitoring checks as required.

Costs incurred by Mayo County Council Environment Staff in carrying out any necessary monitoring, monitoring checks, inspections and environmental audits, shall be reimbursed by the developer.

**Reason:** In the interest of clarity, and the protection of the environment during the earthworks and construction phase.

5. Monitoring results required under the conditions of this permission shall be submitted to Mayo County Council electronically and in hard copy form, and shall be made available for public inspection during normal office hours at the offices of Mayo County Council.

**Reason:** In the interest of clarity and transparency, and to facilitate ease of interpretation of all monitoring data collected and recorded.

6. The developer shall appoint a suitably qualified and experienced Environmental Officer for the period of the earthworks and construction phase. The Environmental Officer shall

liaise with the Project Management Committee in relation to the implementation of the required Construction Environmental Management Plan (CEMP) and the Environmental Monitoring Plan, and shall be responsible for reporting to the PMC and to Mayo County Council in respect of:

- (a) any malfunction of any environmental protection system,
- (b) any occurrence with the potential for environmental pollution,
- (c) any emergency,

which could reasonably be expected to give rise to pollution.

The Environmental Officer shall maintain a record of any such occurrences and any action taken. The records shall be available for public inspection at the developer's site offices during normal office hours.

**Reason:** In the interest of proper environmental control during the earthworks and construction phase.

- 7. Construction work required to implement the development shall be carried out only between the hours of 07.00hrs and 20.00hrs Mondays to Fridays and between 08.00hrs and 16.30hrs on Saturdays. No construction work shall be carried out on Sundays or Bank Holidays, unless otherwise specifically agreed in writing by Mayo County Council.

**Reason:** In order to safeguard the amenities of adjoining residential occupiers.

- 8. Noise emission levels during the construction period at the nearest noise sensitive receptor (dwellings) shall not exceed –

Day (07.00 to 20.00hrs) Emission Limit Value: 65dB(A)  $L_{Acq}$  (1 hour)

Night-time (20.00 to 07.00hrs) Emission Limit Value: 50dB(A)  $L_{Ar}$  (1 hour)

There shall be no clearly audible tonal component or impulsive component in the noise emission from the activity at any noise-sensitive location at night-time.

- 9. During construction and haulage, noise levels shall be kept to a minimum. Any activity that will result in a significant increase in the ambient noise levels, for example, piling or rock breaking, shall be notified to Mayo County Council and the Project Management Committee in advance.

**Reason:** In the interest of public health and residential amenity.

- 10. Dust levels shall not exceed 350 mg/m<sup>2</sup> per day (TA Luft Air Quality Standard) when levels averaged over thirty days and as measured at agreed locations at the site boundaries. Any activity, which could reasonably be expected to exceed that dust level shall be notified to Mayo County Council and the Project Monitoring Committee in advance and shall be notified to the public that may be affected.

**Reason:** In the interest of public health and residential amenity.

- 11. All tank and drum storage areas on the site shall, as a minimum, be bunded to a volume not less than the greater of the following -
  - (a) 110% of the capacity of the largest tank or drum within the bunded area, or

- (b) 25% of the total volume of substance which could be stored within the bunded area.

Covering of the bunded areas shall be considered to minimise the requirement to dispose of contaminated rainwater collecting in the bunded area.

All fuel storage areas and cleaning areas, particularly for concrete trucks, shall be rendered impervious to the stored or cleaned materials and shall be constructed to ensure no discharges from the areas.

**Reason:** To prevent surface and ground water pollution.

12. The developer shall maintain on the site for the duration of the construction period a satisfactory quantity of oil abatement kits comprising of booms and absorbent materials. The precise nature and extent of the kits shall be agreed in writing with Mayo County Council prior to commencement of development.

**Reason:** To prevent water pollution.

13. No waste material generated on the site during the construction phase, other than material being transferred to a licensed waste facility, shall be removed off site without the prior agreement of Mayo County Council.

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

14. Prior to commencement of development, the developer shall submit, and obtain the agreement of Mayo County Council to a waste management plan containing details for the management of waste (and, in particular, recyclable materials) within the development, including the provision of facilities for the storage, separation and collection of waste and, in particular, recyclable materials, and for the ongoing operation of these facilities.

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

L. Walsh.

L. Walsh,  
Senior Executive Scientist,  
Environment Section,  
5<sup>th</sup> October 2012.

**P12/451 Allergan Pharmaceuticals, Gortaroe, Westport, Co. Mayo  
PLANNER'S REPORT**

<b>Planning Reference</b>	P12/451
<b>Pre-planning Reference</b>	P16/12/048
<b>Date received</b>	23 <sup>rd</sup> August 2012
<b>Decision date</b>	17 <sup>th</sup> October 2012
<b>Development Description</b>	<p>Construction of a new production facility with an overall floor area of 15,677 sq metres, consisting of:</p> <ul style="list-style-type: none"><li>▪ A three storey office block with a floor area of 3456 sq metres and height of 16 metres;</li><li>▪ A production hall and plant rooms with a floor area of 8705 sq metres and height of 12.7 sq metres;</li><li>▪ A warehouse and ancillary accommodation of 3261 sq. metres and height of 15.8 metres incorporating six loading bays with HGV access;</li><li>▪ An external storage building of 115 sq metres and height of 6.3 metres; and</li><li>▪ A pedestrian link bridge of 140sq metres.</li></ul> <p>Site works will include:</p> <ul style="list-style-type: none"><li>▪ The relocation of an existing local access road and the construction of a new circulation route to the existing Allergan facility;</li><li>▪ The provision of 223 car parking spaces in two phases;</li><li>▪ A service and utility yard of 985 sq metres;</li><li>▪ New pedestrian and cycle links to the existing facility;</li><li>▪ New pedestrian link bridge of 140 sq metres and a height of 8.8 metres to the existing multi-agency enterprise building;</li><li>▪ All associated site works; and</li><li>▪ Boundary treatment.</li></ul>
<b>Planner</b>	Tanya Stanaway
<b>Date of site inspection</b>	30 <sup>th</sup> August 2012
<b>Site Notice</b>	Site notice erected at three locations on 30 <sup>th</sup> August 2012– junction of N5 and Carrowbeg Road; site entrance; and Lodge Road
<b>Submissions/Observations</b>	No submissions/observations were submitted by members of the public

**P12/451 Allergan Pharmaceuticals, Gortaroe, Westport, Co. Mayo  
PLANNER'S REPORT**

<b>Referrals</b>	Westport Area Engineer	Report submitted
	Mayo Regional Design Office	Report submitted
	National Roads Authority	Report submitted
	Water Services	Report submitted
	Environment Section	Report submitted
	Karol Donnelly, Ecologist	Report submitted
	Gerry Walsh, Archaeologist	Report submitted
	Chief Fire Officer	Report submitted
	Westport Town Council	Report submitted
	Health & Safety Authority	Report submitted
	Chief Medical Officer	Report submitted
	Environmental Protection Agency	Report not submitted
	Inland Fisheries Ireland	Report not submitted
Development Applications Unit	Report submitted (DAHG)	

**Other information**

Environment Impact Assessment submitted  
Addendum to EIA submitted (11/09/2012)  
Addendum to EIA submitted (03/10/2012)  
Natura impact Statement submitted  
Flood Risk Assessment submitted (14/09/2012)  
Building Services Design Sustainability Report submitted  
Civil/Structural Engineering Planning Report submitted  
Revised Civil/Structural Engineering Planning Report submitted (03/11/2012)  
Architectural Planning Report submitted

Development subject to an IPPC licence

**P12/451 Allergan Pharmaceuticals, Gortaroe, Westport, Co. Mayo  
PLANNER'S REPORT**

**Summary**

- a. The proposed development consists of a large scale extension to the existing Allergan complex on a site north of Allergan. The existing complex is within the jurisdiction of Westport Town Council.
- b. Planning permission was granted on the site for a Business and Technology Park in 2002. This permission has been acted upon and the site is currently serviced for industrial use. It is proposed to remove and alter existing infrastructure on the site and to construct additional infrastructure on the site to meet the needs of the proposed development.
- c. The development when complete will employ c. 200 persons. Construction will take approximately 2 years, employing up to 300 persons.
- d. The development is consistent with the policies and objectives in the Westport Town & Environs Development Plan 2010-2016.
- e. Public services (water, wastewater, surface water) required for the proposed development can be provided.
- f. Three environmental reports were submitted with the application – an Environmental Impact Statement (EIS); a Natura Impact Statement (NIS); and a Flood Risk Assessment (FRA). The content of the reports is considered adequate.
- g. The EIS indicates that the proposed development will not have a significant effect on the environment. Potential impacts are greatest during construction stage rather than the operation of the proposed plant. Mitigation measures are proposed to avoid adverse environmental impacts resulting from construction and/or operation of the proposed development.
- h. The NIS indicates that the proposed development will not have an adverse impact on any Natura 2000 site in the area. Mitigation measures are proposed.
- i. The projected areas at risk of flooding are located on the southern end of the site and are proposed for car parking and open space. Such uses are permitted under the Flood Risk Management Guidelines. The proposed building units are located in an area identified as Flood Zone C, where the probability of flooding is low. Conditions are recommended to minimise flood risk to land and property elsewhere along the stream.
- j. Although there are no Recorded Monuments on site, archaeological finds have been discovered (and recorded) on site and in the area in recent years. Therefore it is recommended that monitoring of all groundworks occurs on site.



**P12/451 Allergan Pharmaceuticals, Gortaroe, Westport, Co. Mayo  
PLANNER'S REPORT**

- k.** The building is designed and located to minimise the potential visual impact a development of this size would have on the landscape and the surrounding area. Photomontages submitted illustrate this. However it is recommended that the roofscape be finished in river rounded pebbles, as advised at pre-planning meetings, to ensure adverse impacts to the surrounding elevated landscape (which includes protected views and tourist accommodation) are minimised.
- l.** Allergan Pharmaceuticals Ireland does not currently come under the EC (Control of Major Accident Hazards involving Dangerous Substances) Regulations 2006 and is not expected to come under these regulations with the proposed development (Biologics 2).
- m.** It is recommended that contributions in accordance with the Development Contribution Scheme and Supplementary Development Contribution Scheme are sought. The total amount of contributions required is €4,478,813
- n.** No objections have been received in relation to the proposed development.
- o.** Having considered the proposed development and accompanying documentation including an Environmental Impact Statement, a Natura Impact Statement and a Flood Risk Assessment; the provisions of the Westport Town & Environs Development Plan 2010-2016; and national planning guidelines, I recommend that the proposed development is granted for reasons set out in the First Schedule and subject to 39 conditions set out in the Second Schedule of this report.

**P12/451 Allergan Pharmaceuticals, Gortaroe, Westport, Co. Mayo  
PLANNER'S REPORT**

**1. Site Description**

- 1.1 The proposed site is located at Gortaroe, Westport, approximately 1 km north east of Westport town centre. The proposed site, 5.7ha in size, forms a substantial part of the existing "IDA site". Photos of the site are in Appendix I of this report.
- 1.2 Ground levels on site ascend from south to north; with a 10<sup>+</sup> metre difference in ground level at the southern site boundary compared with the ground level at the northern site boundary. Currently the site is split into two partially developed (see 1.3-1.5 below) levels with a retaining embankment between the levels, and a third undeveloped lower level south of the site. The undeveloped lower part of the site (south) is partially filled with spoil and the area is very marshy and wet underfoot. There is an existing stream traversing the site, located in close proximity to the southern site boundary. The stream is overgrown but water gushing through the stream at certain locations was observed. The site boundaries are open and exposed with limited planting.
- 1.3 There are three existing buildings/structures on the original IDA site, namely Portwest located east of the proposed site; an ESB substation located north east of the proposed site; and a multi-agency enterprise unit located on the proposed site. All three buildings/structures are to remain in situ.
- 1.4 Access to the site is off a local cul-de-sac (Carrowbeg Road) and there is an existing access and internal road network serving the site. The internal road network includes a roundabout, footpaths and a cycle lane.
- 1.5 The site is serviced (water, sewerage, surface water infrastructure, public lighting). There are three linked attenuation ponds located on the south western part of the site which appear to feed into the stream south of the site.
- 1.6 Allergan Pharmaceuticals, a large industrial complex, is located adjacent south of the site. It was noted on the date of inspection that the complex is commendably landscaped and well kept.
- 1.7 The area south, south west and south east of the site forms part of the urban area of Westport. There are housing developments located south west of the site and industrial/commercial developments located south east of the site. There are a couple of individual dwellings and farm buildings north of the site.
- 1.8 The Great Western Greenway and extensions to the Greenway are located adjacent south, and west, of the proposed site.

**P12/451 Allergan Pharmaceuticals, Gortaroe, Westport, Co. Mayo  
PLANNER'S REPORT**

**2. Proposed development**

- 2.1 The proposed development consists of a large expansion to the existing Allergan complex at Carrowbeg, Westport for the purposes of increasing the capacity of the existing facility to manufacture botox.
- 2.2 A detailed description of the proposed development is set out above but can be summarised as consisting of the construction of a large production facility with office accommodation (15,677 sq metres; maximum height of 16m), an external storage building (115 sq metres and height of 6.3 metres), car parking (223 spaces), internal roads and footpaths including the re-routing of an existing road to serve Portwest and ESB substation, landscaping and all ancillary site works. Access to the proposed development will be through the existing Allergan complex.
- 2.3 It is estimated that 300 construction workers will be employed to construct the proposed development. Construction period will take approximately 2 years, commencing c. 2013.
- 2.4 Earthworks will take six months to complete with an estimated 180 HCV movements per day. It is estimated that cut and fill volumes associated with earthworks are 80,000m<sup>3</sup> cut and 62,000m<sup>3</sup> fill. Approximately 25-40% of excavated soil could be reused in construction and landscaping.

**3. Planning History**

- 3.1 A number of developments have been granted permission on or adjacent to the site (note: only applications in jurisdiction of MCC were available at time of reporting). Permitted development details are summarised below.
- 3.2 On site:  
P02/2104 IDA Ireland – Change of use from Agriculture to Business and Technology Park  
P03/94 IDA Ireland – Erection of main entrance sign  
P06/211 Poplar Linens – Warehouse and administration building  
P07/3326 IDA Ireland – Commercial Unit on Site No. 3  
P10/409 Westport Multi-Agency Enterprise Ltd – Multi-tenant business enterprise centre
- 3.3 North east of site:  
P06/3671 ESB – Transformer station and associated site works  
P06/3043 J & B Mayock – Demolish dwelling and construct new dwelling and septic tank
- 3.5 Adjacent east of site:  
P06/1783 Portwest Ltd – Two story office building and associated site works  
P07/997 Portwest Ltd – Modifications to elevations and site layout plan
- 3.5 East of site:  
P05/3087 C. Hughes – Segregation of warehouse from Allergan complex and associate works  
P12/20 Allergan Pharmaceuticals – Production facility and associated works

**P12/451 Allergan Pharmaceuticals, Gortaroe, Westport, Co. Mayo  
PLANNER'S REPORT**

3.6 The proposed development will impact on sites of P06/1783 (Portwest) and P06/3671 (ESB) in so far as the existing access road to these sites will be removed. This issue is addressed below.

**4. Pre-planning**

4.1 Extensive pre-planning was held between Mayo County Council and Taylor Architects from April to August 2012. The main aim of the pre-planning was to identify any issues arising and to try and address such issues prior to submitting a planning application. A number of issues were identified by Mayo County Council including:

- Proposed use and operations
- Access, parking, pedestrian movement and smarter travel
- Impact of development on proposed N5
- Traffic Impact Assessment
- Waste water calculations and disposal
- Surface water calculations and disposal
- Water consumption
- Noise
- Waste management (construction and operational)
- Flood Risk Assessment
- Environmental Impact Assessment
- Habitats Directive Assessment (NIS)
- Building design (internal and external)
- Landscaping

4.2 Full details of pre-planning consultations are recorded in file reference P16/12/048.

4.3 Some of the issues outlined in the pre-planning process have been addressed in the application. Other issues can be resolved by way of conditions.

**5. Provisions of the Development Plan**

5.1 The site is located within the plan boundary of the Westport Town & Environs Development Plan 2010-2016. The plan was adopted on 28<sup>th</sup> January 2010 and has been subject to three variations on 14<sup>th</sup> November 2011, 5<sup>th</sup> March 2012 and 9<sup>th</sup> July 2012.

5.2 The site is zoned *D Industrial* and the objective of the Industrial land use is to *provide for high quality industrial development* (p. 40 of Development Plan).

5.3 It is stated in the development plan that modern, high quality design, business and technology park type development, research and design enterprises, incubation centres and development deemed ancillary to these uses shall be permitted along with developments carrying out any industrial process.

**P12/451 Allergan Pharmaceuticals, Gortaroe, Westport, Co. Mayo  
PLANNER'S REPORT**

5.4 Normally permitted uses in the Zoning Matrix include car parks; general industry; light industry; special industry; and workshops. Uses Open for Consideration in the Zoning Matrix include heavy commercial vehicle parks; offices; utilities; and warehouses.

5.5 Objectives in the development plan which relate specifically to the site include:

EO-02 It is an objective of the Council to encourage any new industrial development to be located to existing serviced sites at the IDA site at Gortaroe and to the northwest of the town at the Newport Road Industrial Park or adjacent to such sites if additional lands are required.

IO-02 It is an objective of the Council to provide cycle lanes and additional cycle park at locations identified on Map 2.

OO-12 It is an objective of the Council to develop pedestrian walkways and cycleways in accordance with Map 2. Any new developments along these routes shall be required to provide links to these ways.

5.6 Objectives in the development plan that relate specifically to lands in the vicinity of the site that are considered relevant are:

IO-02 It is an objective of the Council to reserve lands for the provision of a southern and northern relief road over the medium to long term. The lines shown on the Map 1 are indicative only and subject to modification or alternative lines. Each proposed project/planning application within the Constraints Study Area will be considered individually in the context of the above by the National Roads Design Office.

LO-01 It is an objective of the Council to preserve the Views and Prospects listed in Appendix 2 and Map 2 and to ensure they are protected from development which would interfere with such Views and Prospects.

5.7 Other objectives in the development plan relevant to this site are listed in Appendix II of this report.

5.8 The proposed development complies with the land use zoning and objectives pertaining to this site in the Westport Town & Environs Development Plan 2010-2016. The proposed development and recommended Conditions set out in this report will ensure compliance with the remaining relevant objectives in the development plan.

**P12/451 Allergan Pharmaceuticals, Gortaroe, Westport, Co. Mayo  
PLANNER'S REPORT**

**6. Infrastructure**

6.1 The proposed development will involve the dismantling of part of the existing business park infrastructure; altering remaining infrastructure; and providing new infrastructure. Details and an assessment of the same are outlined below.

**6.2 Road network**

6.2.1 Existing access to the site is via a local cul-de-sac (Carrowbeg Road) off the N5 National Primary Road. The internal road network serving the existing business park consists of a roundabout in close proximity to the entrance which provides access to two existing distributor roads (one north and one south) on the site. The southern distributor road currently serves Portwest and the ESB substation site.

6.2.2 Allergan proposes to extend their current complex into the proposed site, with one entrance serving the entire development in the interests of security. It is proposed that the existing entrance serving Allergan, south of the proposed site, shall serve the entire (existing and proposed) development. This will require the provision of a vehicular bridge and a pedestrian bridge over the stream which currently serves the properties.

6.2.3 It is proposed to demolish the lower (southern) distributor road and to retain and extend the higher (northern) distributor road which will serve Portwest, ESB and any future development along its route. It is stated in the application that the proposed arrangements are agreed with Portwest (Engineering Planning Report p.5) and the road will be constructed as one of the first elements of the project (Engineering Planning Report p.14). Having assessed the proposal Mayo National Regional Design Office (MNRDO) have indicated that some of the works required to extend this distributor road will be outside the development boundary of the proposed site. However this land is owned by Allergan and therefore can be conditioned accordingly.

6.2.4 An internal road network serving the proposed development is proposed, which will circumvent the proposed building.

6.2.5 Mayo National Regional Design Office has indicated that future development of the proposed N5 may interfere with the operation of the facility and have requested Allergan to consider constructing an alternative road layout along the south western part of the site. Works required would include the removal of the existing roundabout at this location, constructing a re-aligned road and constructing a T-junction along the re-aligned road and the existing distributor road north of the site. The lands required to facilitate this are partially owned by Allergan and partially owned by Mayo County Council. However Allergan have indicated that the proposed development has been

**P12/451 Allergan Pharmaceuticals, Gortaroe, Westport, Co. Mayo  
PLANNER'S REPORT**

designed taking into consideration future development of the N5 (including avoidance of disturbance to their facility) and are of the opinion that the re-alignment as proposed by MNRDO is unnecessary at this stage. Allergan have also submitted a letter (dated 10/10/2012) stating that they are fully aware of the potential implications that the proposed works to construct the N5 may have on their development and the operation of the same; and have consulted with and informed Portwest and ESB of the future works that will be required for the N5 construction and the works will cause some disturbance to their operations. Mayo Regional Design Office has not recommended any planning conditions.

- 6.2.6 The NRA have indicated that the proposed development is located in close proximity to a future national road scheme (NRS) and the developer should be informed of the same and the NRS should be kept free from any development or accesses. No future claims in respect of impacts will be entertained. As indicated in 6.2.5 above the developer is aware of the scheme and consequences.

**6.3 Car parking**

- 6.3.1 In order to comply with the development plan standards 223 car parking spaces and 51 bicycle spaces are required. The spaces can be provided on site. However it is submitted that as there will be operational shifts, the maximum shift occupancy is 60 personnel. With this in mind it is requested that the car parking development occurs in two phases; one providing 119 spaces and a second consisting of 104 spaces should they be required in the future. It is considered that this request is reasonable and may assist in increasing smarter travel movements to and from the site.

**6.4 Smarter Travel**

- 6.4.1 It is proposed to provide dedicated pedestrian routes and bicycle lanes throughout the proposed site along with bicycle parking and showering and changing facilities for employees.
- 6.4.2 The proposed site is located off the former Westport to Achill railway line which has, and continues to be, converted to a cycle/walk way known as the Great Western Greenway. A cycle path runs along the site entrance that will serve Portwest and ESB but terminates at the existing Allergan complex. Works are required to continue the Greenway from the existing Allergan complex to the Castlebar Road (N5). However the area that requires the linkage is within the Town Council area.

**P12/451 Allergan Pharmaceuticals, Gortaroe, Westport, Co. Mayo  
PLANNER'S REPORT**

**6.5 Traffic Management**

6.5.1 A Traffic Assessment (TA) has been submitted as part of the EIS. The TA indicates that the existing road network leading to the site can accommodate additional traffic movements arising from the proposed development. However the greatest traffic impact will be during the construction phase of the development.

6.5.2 A detailed traffic management plan will be required prior to the commencement of any development on site. This is acknowledged in the EIS. It is recommended that this required by way of condition.

**6.6 Water Services**

6.6.1 Water services required for the development include water, wastewater and surface water infrastructure for both domestic and process use. Water Services Section (MCC) have assessed the application and have recommended a number of conditions and have provided a basis for calculating development contributions.

**6.7 Fire Safety**

6.7.1 A report from the Chief Fire Officer indicates that the development shall comply with the Building Control Act, 1990; require a Fire Safety Certificate and shall require a Commencement Notice. A number of specific requirements are set out in the report. It is recommended that a cover letter is included with the planning decision informing the developer of the requirement to comply with the aforementioned Act and procedures.

**7. Archaeology**

7.1 Although there are no Recorded Monuments on site archaeological finds have been discovered in the area (e.g. during construction of the Westport Waste Water Treatment Plant).

7.2 The Senior Archaeologist (MCC) recommends that as the site, and the area in vicinity of the site, has undergone substantial archaeological work (including geophysical, aerial and field surveys) and considering the extent and importance of the archaeological remains uncovered in the previous archaeological work there is a high potential for further archaeological remains to be present on the remainder of the proposed development site.

7.3 The Senior Archaeologist recommends that archaeological monitoring of all groundworks associated with the proposed development be undertaken. This approach has been approved by the Department of Arts, Heritage and the Gaeltacht in their submission.



**P12/451 Allergan Pharmaceuticals, Gortaroe, Westport, Co. Mayo  
PLANNER'S REPORT**

**8. Environmental Impact Assessment**

- 8.1 An Environmental Impact Assessment (EIA) has been submitted with the application. The EIA consists of three volumes - Volume 1 (Non-Technical Summary); Volume 2 (EIS); and Volume 3 (Technical Appendices).
- 8.2 Two Addendums to the EIA have been submitted to rectify anomalies between the EIA and other reports submitted as part of the application.
- 8.3 The EIA sets out a description of the proposed development, alternatives considered and the rationale for the proposed option, the impacts the development will have on traffic and transportation, human beings, air quality and climate, noise and vibration, landscape and visual, terrestrial ecology, aquatic ecology, drainage and flooding, soils, geology and hydrogeology, material assets, archaeology, architectural heritage and cultural heritage. Interrelationship between the environmental factors has been assessed, along with cumulative impact of the proposed development and other developments in the area. Mitigation measures and residual impacts are also included.
- 8.4 Having assessed the EIS it is considered that the content is adequate.
- 8.5 The EIA summary states that no likely significant adverse impacts are predicted at construction or operation stage.
- 8.6 The HSE have expressed concerns relating to noise and dust. However these issues are addressed in 8.7 and 8.8 below.
- 8.7 The Environment Section (MCC) have assessed the application and have indicated that the development will require an IPC licence issued by the EPA which will ensure that the development is operated in accordance with Best Available Techniques and will address the environmental monitoring and control aspects relating to water, air, noise, and waste emissions associated with the proposed development.
- 8.8 Environmental impacts are likely to occur at construction stage more so than operational stage especially in relation to noise, dust and traffic and may have adverse effects on human beings, aquatic and terrestrial ecology. However it is considered that the impacts will be transient and of a temporary to short-term nature. Mitigation measures are proposed to reduce or eliminate potential impacts. Environment Section has also recommended a number of conditions to be attached to any grant of permission to eliminate or reduce impacts.
- 8.9 The Environment Section recommends construction working hours as follows:

**P12/451 Allergan Pharmaceuticals, Gortaroe, Westport, Co. Mayo  
PLANNER'S REPORT**

*7am to 8pm Monday to Friday; 8am to 4:30pm Saturdays*

Given that the development is close to existing residential properties I recommend that the construction operation hours should be amended as follows to ensure some residential amenity during the construction phase which will be approximately 2 years:

*7am to 7pm Monday to Friday; 8am to 1pm Saturdays*

**8.10 The key points in the EIS are:**

*Traffic & Transportation* Main disruption is the construction phase which will give rise to noise, dust, traffic and potential to impact on water quality and species. However these can be mitigated against.

Main operational impact is air quality. However it is stated that this is regulated by the EPA through the IPPC licence.

*Human Beings*

The main adverse impacts identified during the construction phase are noise and traffic. However it is considered that the development is situated a sufficient distance from the existing residential population. There will be temporary impacts (dust and noise) on Allergan employees and the veterinary practice in the vicinity of the site. Mitigation measures are proposed to reduce impact.

The main potential adverse operational impact on human beings is botulism. However it is stated that SOPs are currently in place so this is unlikely.

Positive impacts include employment and requirement for services and accommodation both at construction and operational stage.

*Air Quality & Climate*

The main adverse impacts identified during the construction phase are dust and emissions arising from provision of materials and transportation. Mitigation is proposed to reduce impact.

Main operational impact is air quality but this is considered negligible. However it is stated that this is regulated by the EPA through the IPPC licence.

*Noise*

Impacts of noise during construction can not be quantified at this stage as specific information regarding works is not available. Notwithstanding this mitigation measures are proposed.

**P12/451 Allergan Pharmaceuticals, Gortaroe, Westport, Co. Mayo  
PLANNER'S REPORT**

It has been demonstrated using noise modelling that noise levels during operation are generally low and within required noise limits.

*Landscape & Visual*

Eight viewpoints (including protected views) have been assessed. It is considered that in most cases the proposed development will not be read against the skyline but against the existing development and although the proposed development will be apparent, it will not be overly prominent. Landscaping is proposed.

The most visual impact will be from "Viewpoint 4 View north from Carrowbeg housing estate" onto the site. It is stated in the EIS that although the proposed development will be prominent in the view at this point, the potential magnitude of change in visual resource is reduced by the presence of the existing facility in the view and the existing partial development of the site. The *Magnitude of Change* therefore is stated as *Medium* and the *Significance of Visual Impact* is stated as *Moderate Negative*.

I do not agree with the statement and analysis regarding Viewpoint 4 as I consider that the existing view from this viewpoint will be of great magnitude. However, this is not a protected view; there is no entitlement to a view; and the proposed landscape should reduce the overall adverse impact at this location.

*Terrestrial Ecology*

Two species protected under the Wildlife Act have been identified on the proposed site (Smooth newt and Common frog). No Annex II (EU Habitats Directive) species have been identified on site. It is stated that most of the habitat that will be lost is of low ecological value.

Construction may cause significant disturbance but a number of mitigation measures are proposed to address this.

*Aquatic Environment*

Water quality in the existing stream on site is of poor quality (Q2-3) indicating significant environmental degradation typical of considerable organic pollution.

**P12/451 Allergan Pharmaceuticals, Gortaroe, Westport, Co. Mayo  
PLANNER'S REPORT**

Mitigation proposed to ensure adverse impacts of further water pollution do not occur.

*Drainage & Flooding*

It is stated in the original EIS that there is no record of flooding for the stream on the southern boundary of the site and/or its catchment area. However following the completion of a Flood Risk Assessment (FRA) (see below) which states otherwise, an Addendum to the EIS (submitted on 11/09/2012) reflecting the findings of the FRA.

Ground water monitoring occurs on the existing Allergan complex which contains monitoring wells. The underlying ground water status is classified as *Good*.

*Material Assets*

Main impacts to material assets identified are temporary severance to Portwest operations, impacts of noise, dust, drainage and traffic on adjoining properties. Mitigation measures are proposed to address these issues.

*Archaeology, Architectural  
Heritage & Cultural  
Heritage*

No features of archaeological, architectural or cultural heritage merit were identified in the area of the development. However due to previous finds on the site and the vicinity archaeological monitoring is recommended as a mitigation measure.

**10. Habitats Directive Assessment**

10.1 A Natura Impact Statement (NIS) has been submitted with the application. It is considered that the NIS is adequate. The NIS has been assessed by ecologist Dr. Karol Donnelly (MCC). Conditions are recommended.

**11. Flood Risk Assessment**

11.1 A Flood Risk Assessment (FRA) was received on 14/10/2012. The FRA was submitted as the Western CFRAM Preliminary Flood Maps (Jan 2012) indicates that the stream on the southern boundary of the site could be subject to flooding under the 1 in 100 year event.

11.2 The projected areas at risk of flooding are located on the southern end of the site and are proposed for car parking and open space. Such uses are permitted under the Flood Risk Management Guidelines. The proposed building units are located in an area identified as Flood Zone C, where the probability of flooding is low.

**P12/451 Allergan Pharmaceuticals, Gortaroe, Westport, Co. Mayo  
PLANNER'S REPORT**

11.3 The FRA was assessed by David Mellet Executive Engineer (MCC). Conditions are recommended to minimising flood risk to land and property elsewhere along the stream.

**12. Design & Visual Impact**

12.1 The main building of the proposed development will house a production facility, warehousing and an office block. The building will be finished in Kingspan Benchmark Ceramic Granite, KS1000 FC Box Profile, KS1000 AWP Mini Micro, Kingspan Design Louvre Wall and Pilkington Solar Control Planar Glazing – all of which are varying shades of grey/blue.

12.2 Advice was given at pre-planning to reduce the finished floor level to that of the existing complex south of the site and to pay particular attention to the roofscape finish. An appropriate roofscape will reduce the visual impact the development will have when viewed from the surrounding elevated areas such as Knockranny House Hotel and the protected Prospects and Views north of the site.

12.3 It is proposed to excavate the site so that the finished floor level of the proposed building will be approximately 1.3m higher than the finished floor level of the main building in the existing Allergan complex south of the proposed site. Justification for the proposed finished floor levels and building height have been submitted, which include user requirements, equipment sizes, services, air conditioning, structural requirements and avoidance of flooding.

12.4 Boundary treatment also includes a stone wall and vertical rail around the entire site in keeping with the existing stone wall and rail boundary along the Carrowbeg Road. Landscaping proposals have been submitted which consist of planting suitable species around the perimeter of the site, along with acceptable planting within the site.

12.5 Photomontages have been submitted, taken from key visual points including protected Views and Prospects set out in the Westport Town & Environs Development Plan 2010-2016. The photomontages indicate that the proposed development will not have an adverse visual impact on the surrounding area. The landscaping will also assist in reducing the visual impact on the surrounding area.

12.6 A Building Services Design Sustainability Report has been submitted. The purpose of the report is to evaluate alternative energy options available to the proposed development. The report outlines sustainable design techniques available for the proposed development with comments relating to the suitability of the techniques available for the proposed development.

**P12/451 Allergan Pharmaceuticals, Gortaroe, Westport, Co. Mayo  
PLANNER'S REPORT**

Out of the 21 options proposed 5 are to be implemented; 6 are to be considered; and 10 are considered unsuitable/unviable.

**13. Seveso**

- 13.1 It is stated in the application that Allergan Pharmaceuticals Ireland does not currently come under the EC (Control of Major Accident Hazards involving Dangerous Substances) Regulations 2006 and is not expected to come under these regulations with the proposed development (Biologics 2). Correspondence received from the HSA confirms this.

**14. Submissions/Observations**

No submissions or observation were received from the public or non prescribed bodies.

**15. Contributions**

- 15.1 The Planning Acts permit Local Authorities to seek a development contribution as a condition of a planning permission. There are three types of development contribution schemes namely the Development Contribution Scheme, Special Development Contributions and Supplementary Development Contribution Scheme.
- 15.2 Mayo County Council *Development Contribution Scheme* was adopted on 5<sup>th</sup> February 2007, with a *Supplementary Development Contributions Scheme* adopted on 9<sup>th</sup> March 2009.
- 15.3 Development Contributions totalling €160,000 were paid in respect of P02/2104 (IDA). Additional development contributions were sought for subsequent applications on 'internal' sites of P02/2104 (P10/409; P06/211; P06/1782 & P07/3226 refer). There was no waiver or discount applied to the latter applications on the site. Therefore in the interests of consistency it is recommended that the development contributions set out in 15.4 are sought for the proposed development.
- 15.4 Having regard to the Schemes outlined in 15.1 the following contributions are required for the proposed development.

**P12/451 Allergan Pharmaceuticals, Gortaroe, Westport, Co. Mayo  
PLANNER'S REPORT**

**15.4.1 Calculation Basis:**

**Domestic Requirements**

The proposed development will employ 200 persons (maximum staff complement stated on p.12 of Civil/Structural Engineering Report revised in letter dated 10/10/2012).

200 employees @ 60 l/p/day = 12,000 l/day. Based on usage of 600 litres/house/day this equates to 20 households for the domestic water requirements.

**Process requirements**

The proposed development will also require 250m<sup>3</sup> of water for processing. Based on usage of 600 litres/house/day this equates to 417 households.

The proposed development therefore equates to 437 households.

**15.4.2 Contribution Scheme**

Service	Amount/ h/hld equiv		No. h/hld equiv	Amount
Water	€1,191	x	437 =	€520,467
Sewerage	€1,787	x	437 =	€780,919
Amenities	€357	x	437 =	€156,009
Roads	€1,519	x	437 =	€663,803
Footpaths/Lighting	€238	x	437 =	€104,006
Community Open Space & Recreational Facilities	€357	x	437 =	€156,009
<b>TOTAL</b>	<b>€5449</b>	<b>x</b>	<b>437 =</b>	<b>€2,381,213</b>
Breakdown				
Domestic:	€5,449 x 20 equiv. houses		€108,980	
Process:	€5,449 x 417 equiv. houses		€2,272,233	

**15.4.3 Supplementary Development Contribution Scheme**

Service	Amount/ h/hld equiv		No. h/hld equiv	Amount
Westport Main Drainage	€4800	x	437 =	€2,097,600
Breakdown				
Domestic:	€4,800 x 20 equiv. houses		€96,000	
Process:	€4,800 x 417 equiv. houses		€2,001,600	

**15.4.4 Total contribution amount required = €4,478,813**

**P12/451 Allergan Pharmaceuticals, Gortaroe, Westport, Co. Mayo  
PLANNER'S REPORT**

**16. Recommendation**

- 16.1 Having considered the proposed development and accompanying documentation including an Environmental Impact Statement, a Natura Impact Statement and a Flood Risk Assessment; the provisions of the Westport Town & Environs Development Plan 2010-2016; and national planning guidelines, I recommend that the proposed development is granted for reasons set out in the First Schedule and subject to 39 conditions set out in the Second Schedule of this report.

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**P12/451 Allergan Pharmaceuticals, Gortaroe, Westport, Co. Mayo  
PLANNER'S REPORT**

**FIRST SCHEDULE**

Having regard to the Westport Town & Environs Development Plan 2010-2016 (as varied), the planning history on site, the documentation submitted with the application including the Environmental Impact Statement (and Addendums), Natura Impact Statement and Flood Risk Assessment, it is considered that the proposed development would be in keeping with the proper planning and sustainable development of the area subject to conditions set out in the Second Schedule.

**SECOND SCHEDULE – SCHEDULE OF CONDITIONS – P12/451**

**General**

1. The development proposed shall be in accordance with the documents, plans and particulars submitted to Mayo County Council on the 27/08/2012, the 11/09/2012, the 14/09/2011 (FRA), the 03/10/2012 and the 10/10/2012 except as amended by conditions hereunder.

**Reason:** To ensure satisfactory completion of the development.

2. All mitigation measures proposed in the Environmental Impact Statement, Natura Impact Statement and Flood Risk Assessment shall be implemented unless amended by any of the Conditions contained in this Schedule.

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

**Construction Management**

3. Prior to the commencement of the development the developer shall submit a detailed Construction Environmental Management Plan (CEMP) and the development shall be governed by the CEMP. The details of the Construction Environmental Management Plan shall be based upon the provisions of the Environmental Impact Statement and the Natura Impact Statement including the mitigation measures and also the terms of the conditions of this approval. The developer shall prepare a draft CEMP following consultation with the relevant bodies and it shall be submitted to Mayo County Council for written agreement. In particular, the Construction Environmental Management Plan (CEMP) shall include, as a minimum, the details of the following matters:

- a) The Management and Reporting Structure.
- b) A Schedule of Environmental Objectives and Targets.
- c) The order and duration of the various works, including details of how seasonally sensitive works are to be accommodated in the programme.
- d) Pre-construction surveys.
- e) Method statements for construction.
- f) A schedule of site operation hours (see Condition 8).

**P12/451 Allergan Pharmaceuticals, Gortaroe, Westport, Co. Mayo  
PLANNER'S REPORT**

- g) Temporary site access.
- h) Provision of temporary parking facilities.
- i) Provision of wheel washing facilities.
- j) Details for the minimisation of suspended solids to surface water systems, including sedimentation, filtration and attenuation of all surface waters from the construction site prior to discharge and also the maintenance routines for these facilities.
- k) Details of the temporary surface water drainage swales, channels and settlement ponds to serve the construction works, with capacity to cater for severe rain episodes based upon conservative parameters.
- l) Measures to monitor and control noise and vibration arising from the development.
- m) Details of disposal of all materials from the site and the location and details of the proposed receiving sites (see Condition 13).
- n) Traffic Management Plan and monitoring including:
  - Details of traffic volumes and type.
  - Proposals to manage and segregate traffic.
  - Details of traffic control measures at junctions with the N5 and all local roads that will serve the proposed development.
- o) Monitoring programme for surface water, dust, noise and vibration (See Condition 5)
- p) Corrective action procedures.
- q) Emergency Response Procedures for environmental or other incidents.
- r) Environmental Awareness and Training Programme.
- s) Environmental Complaints Register.
- t) Proposed Community Liaison Programme.
- u) Communications Programme.
- v) Waste Management Plan, including a minimisation plan for solid waste emanating from the construction works site.
- w) Any other requirements arising from other Conditions contained in this schedule.

On written request by Mayo County Council the developer shall submit a report on any specific environmental matter or an environmental audit. The Construction Environmental Management Plan shall be the subject of an annual review by Mayo County Council, following consultation with the Project Monitoring Committee (See Condition 4). The developer shall modify the Construction Environmental Management Plan in accordance with any reasonable requirement of Mayo County Council, at any stage.

**Reason:** In the interest of environmental protection and proper planning and sustainable development of the area.

4. Prior to commencement of development, a Project Monitoring Committee (PMC) shall be established by Mayo County Council to monitor progress of the construction, the CEMP, surface water run-off, drainage control, traffic management and road maintenance, implementation of the landscape plan

**P12/451 Allergan Pharmaceuticals, Gortaroe, Westport, Co. Mayo  
PLANNER'S REPORT**

and other environmental issues during the period of construction. The PMC shall comprise two representatives of the developer, two representatives of Mayo County Council, and an invitation shall be extended to the Inland Fisheries Ireland and the Environmental Protection Agency to provide one representative each for the committee. In addition, two representatives of the local community, selected in accordance with procedures to be agreed with Mayo County Council, shall be invited to serve on this committee. The PMC shall have the right to co-opt other members as required. The Mayo County Manager or his/her nominee shall chair the PMC.

**Reason:** To ensure effective monitoring during construction in the interest of the proper planning and sustainable development of the area.

5. Prior to the commencement of the development the developer shall obtain the written agreement of Mayo County Council for an Environmental Monitoring Plan in relation to surface water, dust, noise and vibration. Such monitoring shall be carried out by the developer throughout the earthworks and construction phase (to the date of commissioning of the development). The monitoring plan shall, as a minimum, include –

- (a) A list of all monitoring locations,
- (b) Description and specification of equipment to be used,
- (c) The identity and qualifications of persons responsible for monitoring,
- (d) Parameters to be used,
- (e) Monitoring intervals,
- (f) Averaging times,
- (g) Proposal for the presentation of data,
- (h) Codes of practice to be used, and
- (i) Details of right of access to Mayo County Council appointed staff to carry out environmental monitoring checks as required.

Costs incurred by Mayo County Council Environment Staff in carrying out any necessary monitoring, monitoring checks, inspections and environmental audits, shall be reimbursed by the developer.

**Reason:** In the interest of clarity, and the protection of the environment during the earthworks and construction phase.

6. Monitoring results required under the conditions of this permission shall be submitted to Mayo County Council electronically and in hard copy form, and shall be made available for public inspection during normal office hours at the offices of Mayo County Council.

**Reason:** In the interest of clarity and transparency, and to facilitate ease of interpretation of all monitoring data collected and recorded.

**P12/451 Allergan Pharmaceuticals, Gortaroe, Westport, Co. Mayo  
PLANNER'S REPORT**

7. The developer shall appoint a suitably qualified and experienced Environmental Officer for the period of the earthworks and construction phase. The Environmental Officer shall liaise with the Project Management Committee in relation to the implementation of the required Construction Environmental Management Plan (CEMP) and the Environmental Monitoring Plan, and shall be responsible for reporting to the PMC and to Mayo County Council in respect of:
- (a) any malfunction of any environmental protection system,
  - (b) any occurrence with the potential for environmental pollution,
  - (c) any emergency,

which could reasonably be expected to give rise to pollution.

The Environmental Officer shall maintain a record of any such occurrences and any action taken. The records shall be available for public inspection at the developer's site offices during normal office hours.

**Reason:** In the interest of proper environmental control during the earthworks and construction phase.

8. Construction work required to implement the development shall be carried out only between the hours of 07.00hrs and 19.00hrs Mondays to Fridays and between 08.00hrs and 13:00hrs on Saturdays. No construction work shall be carried out on Sundays or Bank Holidays, unless otherwise specifically agreed in writing by Mayo County Council.

**Reason:** In order to safeguard the amenities of adjoining residential occupiers.

9. Noise emission levels during the construction period at the nearest noise sensitive receptor (dwellings) shall not exceed –

Day (07.00 to 20.00hrs) Emission Limit Value: 65dB(A)  $L_{Aeq}$  (1 hour)  
Night-time (20.00 to 07.00hrs) Emission Limit Value: 50dB(A)  $L_{Ar}$  (1 hour)

There shall be no clearly audible tonal component or impulsive component in the noise emission from the activity at any noise-sensitive location at night-time.

During construction and haulage, noise levels shall be kept to a minimum. Any activity that will result in a significant increase in the ambient noise levels, for example, piling or rock breaking, shall be notified to Mayo County Council and the Project Management Committee in advance.

**Reason:** In the interest of public health and residential amenity.

**P12/451 Allergan Pharmaceuticals, Gortaroe, Westport, Co. Mayo  
PLANNER'S REPORT**

10. Dust levels shall not exceed 350 mg/m<sup>2</sup> per day (TA Luft Air Quality Standard) when levels averaged over thirty days and as measured at agreed locations at the site boundaries. Any activity, which could reasonably be expected to exceed that dust level shall be notified to Mayo County Council and the Project Monitoring Committee in advance and shall be notified to the public that may be affected.

**Reason:** In the interest of public health and residential amenity.

11. All tank and drum storage areas on the site shall, as a minimum, be bunded to a volume not less than the greater of the following -
- (a) 110% of the capacity of the largest tank or drum within the bunded area, or
  - (b) 25% of the total volume of substance which could be stored within the bunded area.

Covering of the bunded areas shall be considered to minimise the requirement to dispose of contaminated rainwater collecting in the bunded area.

All fuel storage areas and cleaning areas, particularly for concrete trucks, shall be rendered impervious to the stored or cleaned materials and shall be constructed to ensure no discharges from the areas.

**Reason:** To prevent surface and ground water pollution.

12. The developer shall maintain on the site for the duration of the construction period a satisfactory quantity of oil abatement kits comprising of booms and absorbent materials. The precise nature and extent of the kits shall be agreed in writing with Mayo County Council prior to commencement of development.

**Reason:** To prevent water pollution.

13. No waste material generated on the site during the construction phase, other than material being transferred to a licensed waste facility, shall be removed off site without the prior agreement of Mayo County Council.

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

14. Prior to commencement of development applicant shall submit for agreement in writing:
- a) The haul route and schedule of haulage for the construction phase of the development.
  - b) A Road and Bridge Survey before and after the construction period. The extent and precise content of the survey, shall generally relate to

**P12/451 Allergan Pharmaceuticals, Gortaroe, Westport, Co. Mayo  
PLANNER'S REPORT**

the road network directly and indirectly affected by the proposed development. The survey may be carried out by Mayo County Council at the applicant's request and applicant shall pay for the cost of this survey.

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

15. The developer shall take due cognisance of the existing services running through the site and shall liaise with the appropriate service authorities to agree proposals in advance of the commencement of works.

**Reason:** To protect and maintain existing services.

16. Any temporary compounds/structures required for construction purposes located on lands adjoining the site shall only be erected following written consent from Mayo County Council.

**Reason:** In the interest of proper planning and sustainable development and to avoid potential conflicts with other plans/projects.

#### **Waste Management**

17. Prior to commencement of development, the developer shall submit, and obtain the agreement of Mayo County Council to a waste management plan containing details for the management of waste (and, in particular, recyclable materials) within the development, including the provision of facilities for the storage, separation and collection of waste and, in particular, recyclable materials, and for the ongoing operation of these facilities.

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

#### **Water Services**

18. All connections and metering arrangements to Mayo County Council services shall be carried out by Mayo County Council-Westport Engineering Area, or under the supervision of the Westport Area Engineer, the cost of which shall be borne by the developer as set out under Managers Order No. R/T 28/2005-Road Opening Charges.

**Reason:** To protect and maintain existing services.

19. All works in relation to underground services shall be carried out in accordance with "Recommendations for Site Development Works for Housing Areas", published by Department of the Environment and Local Government.

**P12/451 Allergan Pharmaceuticals, Gortaroe, Westport, Co. Mayo  
PLANNER'S REPORT**

**Reason:** To protect and maintain existing services.

20. The developer shall provide minimum of 24-hours storage for process and domestic water requirements within the development.

**Reason:** To ensure adequacy of water supply to the development.

21. A ring watermain shall be installed around the proposed building to service the whole development, adequately designed and sized to facilitate fire-fighting. Consultations shall take place with the Chief Fire Officer, Mayo County Council, regarding sizing of mains, hydrant locations and pipe specification.

**Reason:** To ensure adequacy of water supply and in the interest of health and safety.

22. The developer shall install proprietary SuDS system, in accordance with the Greater Dublin Strategic Drainage Study and the Greater Dublin Regional Code of Practice. Details shall be as per documentation submitted on 23/08/2012 including Drawing No. 22011/CD/104 Rev A and design calculations in Civil/Structural Planning Report Rev A dated 8<sup>th</sup> August 2012. Storage volumes and discharge rates to be in accordance with details submitted on 23/08/2012 (i.e., a total storage volume of 3,100m<sup>3</sup>, split between two zones, with a total allowable discharge of 27.5 l/sec).

**Reason:** To avoid increased flooding in the catchment.

23. The developer shall ensure that the proposed works to the stream on site will not result in additional flooding to the site or to adjacent lands.

**Reason:** To avoid increased flooding in the catchment.

24. All process foul sewer flows shall be discharged to the existing foul manhole at the main entrance to the Allergan facility. Details shall be agreed in advance of works with Mayo County Council.

**Reason:** To manage available capacity in the public sewer network, in the interest of public health.

25. The discharge of process water to the public foul sewer shall be limited to average flows only. Discharge of process flows to the sewer shall be limited to an overall total maximum of 11 litres/sec for current and proposed process flows from the Allergan facility. The developer shall make arrangements for

**P12/451 Allergan Pharmaceuticals, Gortaroe, Westport, Co. Mayo  
PLANNER'S REPORT**

flow balancing/additional storage and treatment capacity within the existing Allergan pre-treatment facility.

**Reason:** To manage available capacity in the public sewer network, in the interest of public health.

26. The developer shall provide a 10m wide permanent wayleave to Mayo County Council for the sewer, to facilitate access and maintenance. No permanent structures shall be permitted within the wayleave. Gated arrangement shall be provided where the wayleave crosses the external boundaries of the Allergan facility. Wayleave and access arrangements shall be agreed in writing between Mayo County Council and the developer prior to commencement of construction works on site.

**Reason:** To maintain the public sewer network.

27. The developer shall bear the cost of constructing, jetting out, CCTV survey (including upstream and downstream runs), carrying out remedial works and testing of the diverted public sewer prior to making the sewer operational.

**Reason:** To maintain the public sewer network.

28. Existing public sewer shall remain operational and be adequately protected during construction works until the sewer diversion is made operational. The developer shall submit a schedule of works to Mayo County Council for written agreement.

**Reason:** To maintain the public sewer network.

29. On completion of the development a map, accompanied with sections and written details, indicating the location of all services (over ground and under ground) as constructed shall be submitted to the planning authority.

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

### **Flood Management**

30. The proposed culvert and road embankments shall be designed to ensure that they do not restrict the flow of flood waters along the stream.

**Reason:** To minimise the risk of increasing flooding to upstream lands and properties.



**P12/451 Allergan Pharmaceuticals, Gortaroe, Westport, Co. Mayo  
PLANNER'S REPORT**

31. Any proposed infilling of areas along the stream, currently available for flood storage shall be reconsidered, or alternative lands of similar volume be provided for flood storage. Prior to commencement of development on site, details of the same shall be submitted to Mayo County Council for written approval.

**Reason:** To minimise the risk of increasing flooding to adjacent land and properties

**Other Services**

32. All E.S.B., phone lines and television cables shall be underground throughout the development.

**Reason:** To preserve amenity.

**Building Finishes & Landscaping**

33. All building finishes, boundary walls and landscaping details shall be in accordance with the particulars submitted to Mayo County Council on the 27<sup>th</sup> August 2012. The roof finish shall be of river rounded pebbles, to match that on the southern building within the existing Allergan complex (Planning Permission from Westport Town Council Reference No. P02/26 refers).

**Reason:** In the interests of visual amenity

**Archaeology**

34. A programme of archaeological monitoring of all groundworks associated with the proposed development must be undertaken. The monitoring should be carried out by a suitably qualified and licensed archaeologist. Prior to the commencement of development on the site, the extent and details of the monitoring programme should be agreed between the Licensed Archaeologist and the National Monuments Section of the Department of Arts, Heritage and the Gaeltacht and the Local Authority Planning Archaeologist.

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

**Ecology**

35. All mitigation measures proposed for the protection of terrestrial and aquatic ecology from impacts associated with construction and operational phases of the proposed development shall be adhered to.

**Reason:** To protect terrestrial and aquatic ecology on site.

**P12/451 Allergan Pharmaceuticals, Gortaroe, Westport, Co. Mayo  
PLANNER'S REPORT**

36. Prior to the commencement of development on site a repeat biological sampling of the stream at Site 1 shall be carried. If the Q rating is the same or has deteriorated since July 2012 (as indicated in the documentation submitted) the source of pollution shall be identified and measures shall be taken to prevent pollution to the stream. A full written report complying with this condition shall be submitted to Mayo County Council.

**Reasons:** To prevent further water deterioration, to comply with Water Framework Directive and to protect Clew Bay Complex Special Area of Conservation.

**Development Contributions**

37. A contribution of €4,478,813 shall be paid to Mayo County Council prior to commencement of the development. The development contribution is broken down as follows:

<b>Service</b>	<b>Amount</b>
Water	€520,467
Sewerage	€780,919
Amenities	€156,009
Roads	€663,803
Footpaths/Lighting	€104,006
Community Open Space & Recreational Facilities	€156,009
Westport Main Drainage	€2,097,600

The development contributions shall increase in accordance with the Wholesale Price Index for Building and Construction in January of each year from the date of grant of permission up to the date that payment is made to Mayo County Council.

**Reason:** To comply with Mayo County Council's Development Contribution Scheme and Mayo County Council's Supplementary Development Contribution Scheme.

**Financial Securities**

38. Prior to commencement of development the developer shall enter into an agreement for payment to Mayo County Council of all costs incurred in relation to the repair, maintenance and rehabilitation of the road network arising from the construction of the development, as determined by the Road

**P12/451 Allergan Pharmaceuticals, Gortaroe, Westport, Co. Mayo  
PLANNER'S REPORT**

and Bridge Survey (Condition 14) to be carried out prior to and post construction.

**Reason:** Proper planning and development.

39. Prior to the commencement of development the developer shall lodge a deposit of €150,000 or other acceptable security with Mayo County Council as a security for the provision and satisfactory completion of roads, water-mains, sewers and other services, together with an agreement empowering the council to apply such security or part thereof to comply with this condition.

**Reason:** In order to ensure satisfactory completion of the development.

**End**

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T. Stanaway  
Tanya Stanaway EP 12/10/12

John McMeel A/SB  
15/10/12

P12/451 Allergan Pharmaceuticals, Gortaroe, Westport, Co. Mayo  
PLANNER'S REPORT

Appendix I - Photos of the Site



Site notice at existing entrance to site



Southern end of site



Southern end of site looking east



Southern end of site looking west



Middle of site looking south  
(Existing Allergan complex in background)



Portwest - south east of proposed site

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**P12/451 Allergan Pharmaceuticals, Gortaroe, Westport, Co. Mayo  
PLANNER'S REPORT**



Existing attenuation pond on site



Carrowbeg Road & boundary wall of existing Allergan complex



Looking north on site with existing former enterprise incubation centre in the background which will be incorporated into the proposed development



Western site boundary

**P12/451 Allergan Pharmaceuticals, Gortaroe, Westport, Co. Mayo  
PLANNER'S REPORT**

**APPENDIX II**

**Abstract from the Westport Town & Environs Development Plan 2010-2016**

Other relevant objectives in the Westport Town & Environs Development Plan 2010-2016 (as varied) relating to the site include:

- RP-01 It is the policy of the Council to support Westport as a 'Key Town' (natural extension of Linked Hub Castlebar-Ballina) and to encourage the development of the town's employment, commercial, shopping, tourism, entertainment and communications functions to the extent justified by the town's role within the West Regional Planning Guidelines and to work with all relevant agencies in order to achieve this.
- TFO-02 It is an objective of the Council to encourage the sustainable development of industrial and services activity which is compatible with the urban form of Westport.
- TFO-03 It is an objective of the Council to ensure that, in order to maximise the utility of existing and future infrastructure and to promote sustainability, a 'sequential approach' shall be taken when considering development proposals.
- EP-01 It is the policy of the Council to seek, through active co-operation with the relevant agencies such as Forfas, IDA Ireland, Enterprise Ireland, Science Foundation Ireland and the County Enterprise Board and major local employers, to support suitable industrial and other job creation within Westport.
- IO-13 It is an objective of the Council that developments will provide adequate on-site car parking to the standards laid out in this Development Plan. Where the developer is unable to provide such car parking spaces, the developer shall pay a contribution to the Council towards the provision of car parking for the area.
- IO-15 It is an objective of the Council to require Traffic and Transportation Assessments and Road Safety Audits as set out in Section 7 Roadside Development.
- IO-26 It is an objective of the Council to require Flood Risk Assessments for areas identified as at risk of flooding.
- IO-27 It is an objective of the Council to have regard to the Best Practice Guidelines on the Preparation of Waste Management Plans for Construction and Demolition Projects (July 2006)
- OO-14 It is an objective of the Council to protect the amenity value of the Railway Line Walk.
- TO-12 It is an objective of the Council to encourage a high standard of architectural design and layout in all developments.
- LUO-02 It is an objective of the Council to ensure that all proposed development is absorbed into the surrounding landscape so that it does impinge in any significant way upon the character, integrity or uniformity of the landscape, in order to protect the landscape, regardless of its zoning.
- LO-02 It is an objective of the Council to require that significant development proposals shall be accompanied by a visual impact assessment demonstrating that landscape impacts have been anticipated and avoided to a level consistent with the sensitivity of the landscape.

**P12/451 Allergan Pharmaceuticals, Gortaroe, Westport, Co. Mayo  
PLANNER'S REPORT**

- ENO-01 It is an objective of the Council to ensure that any projects or plans arising from this plan that, alone or in conjunction with other plans and projects, are likely to have significant effects on a Natura 2000 site (Clew Bay Complex) are screened for the need to undertake Appropriate Assessment under Article 6 of the Habitats Directive.
- ENO-02 It is an objective of the Council to ensure that all Natura 2000 sites are protected from significant adverse direct, indirect or secondary impacts arising from the scale, land take, proximity, resource requirements, emissions (disposal to land, water or air), transportation requirements, duration of construction, operation, decommissioning or any other effect of any development.
- LO-03 It is an objective of the Council to protect the features of the natural environment including existing ecological corridors (rivers, streams, hedgerows, trees, wooded areas and scrub), Special Areas of Conservation, Natural Heritage Areas. All proposals for development shall be required to identify all ecological corridors, assess the impact of the proposal on these and set out detailed mitigation measures to offset any negative impact.
- WP-01 It is the policy of the Councils to implement the provisions of Water Pollution legislation, to prevent the discharge of pollutants to public sewers, watercourses and the Carrowbeg River.
- WO-04 It is an objective of the Council to manage surface water systems in a sustainable manner and to require that new developments to integrate adequate and appropriate Sustainable Urban Drainage Systems (SUDS), designed in accordance with 'Dublin Corporation Stormwater Management Policy for Developers' and/or [www.irishsuds.ie](http://www.irishsuds.ie)
- WO-07 It is an objective of the Council to require that ground and surface waters are protected during construction and operation of developments by requiring developers/operators to adhere to best practice in design, installation and management of systems for the interception, collection and appropriate disposal or treatment of all surface waters and effluent.
- AP-01 It is the policy of the Council to implement the provisions of the Air Pollution legislation, to prevent and abate injury to amenity or health hazard resulting from the emission of pollutants into the atmosphere from whatever source.
- ECO-01 It is an objective of the Council to promote energy conservation measure and the use of renewable energy systems in new developments.
- DCO-01 It is an objective of the Council to apply the Development Contributions Scheme too all new developments or developments requiring retention.

### **Note to developer**

The Building Control Act, 1990 which became operative on the 1st June, 1992 requires that every building to which building regulations apply shall be designed and constructed in accordance with the provisions of such regulations.

A Fire Safety Certificate is required in respect of this building and/or works in accordance with the requirements of Part III of the Building Control Regulations, 1997. Application for a Fire Safety Certificate shall be made to the Building Control Authority.

A Commencement Notice is required in respect of this building and/or works. The Commencement Notice shall be submitted to the Building Control Authority in accordance with the requirements of Part II of the Building Control Regulations, 1997, S.I. No. 496 of 1997.

The appropriate Building Control Authority for the purpose of these regulations is Mayo County Council.

In particular the development shall be designed and constructed in accordance with the requirements of Part B (Fire) of the Second Schedule to the Building Regulations, 2006, S.I. No. 115 of 2006 and should also meet the following requirements:

1. Oil fired equipment, boiler house enclosure and oil storage shall comply with the requirements of BS 5410-1:1997 (incorporating amendments 11022 and 13155) for installations up to 45 kW or BS 5410-2:1978 (incorporating amendments 3638 and 13229) for installations of 45 kW and above output capacity.
2. L.P.G. Storage and installation (if any) shall comply with I.S. 820:2000 Code of Practice for Non-Domestic Gas Installations. Certification showing compliance with same shall be submitted to the Fire Authority.
3. Suitable, adequate and reliable water supply shall be provided at this development for fire fighting purposes in accordance with the requirements of the Chief Fire Officer.
4. Fire hydrants shall be provided at a distance of not more than 46m from the building and in such a manner that no part on the perimeter of the building is more than 60m from a hydrant. Hydrants shall be provided on a scale of not less than one hydrant for every 1000m<sup>2</sup> of ground floor area.



5. Suitable and adequate fire fighting equipment (including) special risk equipment shall be installed.
  - a) Hydraulic hose reels shall comply with BS EN 671-1:2001, and shall be capable of a nozzle discharge of 30 litres per minute and shall be sited in a building in accordance with BS 5306-1: 1976 (incorporating amendments 4649 and 5756).  
Note BS 5306- 1: 1976 is partially replaced BS EN 671-1:1995; BS EN 671-2:1995; BS EN 671-3:2000.
  - b) Fire extinguishers shall comply with I.S./EN3 Parts 1-6 and shall be sited in a building in accordance with I.S. 291: 1986.
  - c) Light-duty fire blankets complying with BS EN 1869:1997 shall be provided.
  - d) Heavy-duty fire blankets complying with BS EN 1869:1997 and BS 7944:1999 shall be provided.
6. Vehicular access for Fire Brigade shall be provided in accordance with Table 5.2 of Technical Guidance Document B of the Building Regulations, 1997.

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Comhairle Chontae Mhaigh Eo

MAYO COUNTY COUNCIL  
LOCAL GOVERNMENT (PLANNING AND DEVELOPMENT) ACTS 1963-1999  
PLANNING AND DEVELOPMENT ACTS 2000-2004  
GRANT OF PERMISSION

ALLERGAN PHARMACEUTICALS IRELAND Ref. No. in Planning Register:

C/O TAYLOR ARCHITECTS  
BREAFFY ROAD  
CASTLEBAR  
CO MAYO

P12/451

Application Received

On: 23/08/2012

Validation Date: 23/08/2012

Additional Information

Received On:

Notice is hereby given that Mayo County Council has granted PERMISSION to the above named, for development of land, in accordance with documents lodged, namely:- CONSTRUCTION OF A NEW PRODUCTION FACILITY WITH AN OVERALL FLOOR AREA OF 15,677SQM, CONSISTING OF A THREE STOREY OFFICE BLOCK WITH A FLOOR AREA OF 3,456SQM AND HEIGHT OF 16M, A PRODUCTION HALL AND PLANT ROOMS WITH A FLOOR AREA OF 8,705SQM AND HEIGHT OF 12.7M, A WAREHOUSE AND ANCILLARY ACCOMMODATION OF 3,261SQM AND HEIGHT OF 15.8M INCORPORATING SIX LOADING BAYS WITH HGV ACCESS AND AN EXTERNAL STORAGE BUILDING OF 115SQM AND HEIGHT OF 6.3M. SITE WORKS WILL INCLUDE THE RELOCATION OF AN EXISTING LOCAL ACCESS ROAD AND THE CONSTRUCTION OF A NEW CIRCULATION ROUTE TO THE EXISTING ALLERGAN FACILITY, TOGETHER WITH THE PROVISION OF 223 NO. CAR PARKING SPACES IN TWO PHASES AND A SERVICE AND UTILITY YARD OF 985SQM, NEW PEDESTRIAN AND CYCLE LINKS TO THE EXISTING FACILITY, NEW PEDESTRIAN LINK BRIDGE OF 140SQM AND A HEIGHT OF 8.8M TO THE EXISTING MULTI AGENCY ENTERPRISE BUILDING AND ALL ASSOCIATED SITE WORKS AND BOUNDARY TREATMENTS. at GORTAROE WESTPORT CO. MAYO in accordance with the 39 conditions set out in the Schedule attached hereto entitled "Schedule of Conditions".

The Permission hereby granted shall cease to have effect at the expiration of 5 years from the date hereof.

on behalf of Mayo County Council

Signed on

19 DEC 2012

  
for COUNTY SECRETARY

Aras An Chontae,  
Castlebar.

Telephone: Castlebar 094 24444

## FIRST SCHEDULE

Having regard to the Westport Town & Environs Development Plan 2010-2016 (as varied), the planning history on site, the documentation submitted with the application including the Environmental Impact Statement (and Addendums), Natura Impact Statement and Flood Risk Assessment, it is considered that the proposed development would be in keeping with the proper planning and sustainable development of the area subject to conditions set out in the Second Schedule.

## SECOND SCHEDULE – SCHEDULE OF CONDITIONS – P12/451

### General

1. The development proposed shall be in accordance with the documents, plans and particulars submitted to Mayo County Council on the 27/08/2012, the 11/09/2012, the 14/09/2011 (FRA), the 03/10/2012 and the 10/10/2012 except as amended by conditions hereunder.

**Reason:** To ensure satisfactory completion of the development.

2. All mitigation measures proposed in the Environmental Impact Statement, Natura Impact Statement and Flood Risk Assessment shall be implemented unless amended by any of the Conditions contained in this Schedule.

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

### Construction Management

3. Prior to the commencement of the development the developer shall submit a detailed Construction Management Plan (CMP) and the development shall be governed by the CMP. The details of the Construction Management Plan shall be based upon the provisions of the Environmental Impact Statement and the Natura Impact Statement including the mitigation measures and also the terms of the conditions of this approval. The developer shall prepare a draft CMP following consultation with the relevant bodies and it shall be submitted to Mayo County Council for written agreement. In particular, the Construction Management Plan (CMP) shall include, as a minimum, the details of the following matters:
  - a) The Management and Reporting Structure.
  - b) A Schedule of Environmental Objectives and Targets.
  - c) The order and duration of the various works, including details of how seasonally sensitive works are to be accommodated in the programme.
  - d) Pre-construction surveys.
  - e) Method statements for construction.
  - f) A schedule of site operation hours (see Condition 7).
  - g) Temporary site access.
  - h) Provision of temporary parking facilities.
  - i) Provision of wheel washing facilities.

- j) Details for the minimisation of suspended solids to surface water systems, including sedimentation, filtration and attenuation of all surface waters from the construction site prior to discharge and also the maintenance routines for these facilities.
- k) Details of the temporary surface water drainage swales, channels and settlement ponds to serve the construction works, with capacity to cater for severe rain episodes based upon conservative parameters.
- l) Measures to monitor and control noise and vibration arising from the development.
- m) Details of disposal of all materials from the site and the location and details of the proposed receiving sites (see Condition 12).
- n) Traffic Management Plan and monitoring including:
  - Details of traffic volumes and type.
  - Proposals to manage and segregate traffic.
  - Details of traffic control measures at junctions with the N5 and all local roads that will serve the proposed development.
- o) Monitoring programme for surface water, dust, noise and vibration (See Condition 4)
- p) Corrective action procedures.
- q) Emergency Response Procedures for environmental or other incidents.
- r) Environmental Awareness and Training Programme.
- s) Environmental Complaints Register.
- t) Proposed Community Liaison Programme.
- u) Communications Programme.
- v) Waste Management Plan, including a minimisation plan for solid waste emanating from the construction works site.
- w) Any other requirements arising from other Conditions contained in this schedule.

On written request by Mayo County Council the developer shall submit a report on any specific environmental matter or an environmental audit. The Construction Management Plan shall be the subject of an annual review by Mayo County Council. The developer shall modify the Construction Management Plan in accordance with any reasonable requirement of Mayo County Council, at any stage.

**Reason:** In the interest of environmental protection and proper planning and sustainable development of the area.

4. Prior to the commencement of the development the developer shall obtain the written agreement of Mayo County Council for an Environmental Monitoring Plan in relation to surface water, dust, noise and vibration. Such monitoring shall be carried out by the developer throughout the earthworks and construction phase (to the date of commissioning of the development). The monitoring plan shall, as a minimum, include –
  - (a) A list of all monitoring locations,
  - (b) Description and specification of equipment to be used,
  - (c) The identity and qualifications of persons responsible for monitoring,
  - (d) Parameters to be used,
  - (e) Monitoring intervals,
  - (f) Averaging times,
  - (g) Proposal for the presentation of data,

- (h) Codes of practice to be used, and
- (i) Details of right of access to Mayo County Council appointed staff to carry out environmental monitoring checks as required.
- (j) Details and schedule for meetings of an Environmental Monitoring Plan Committee between the developer and Mayo County Council.

Costs incurred by Mayo County Council in carrying out any necessary monitoring, monitoring checks, inspections and environmental audits, shall be reimbursed by the developer.

**Reason:** In the interest of clarity, and the protection of the environment during the earthworks and construction phase.

- 5. Monitoring results required under the conditions of this permission shall be submitted to Mayo County Council electronically and in hard copy form, and shall be made available for public inspection during normal office hours at the offices of Mayo County Council.

**Reason:** In the interest of clarity and transparency, and to facilitate ease of interpretation of all monitoring data collected and recorded.

- 6. The developer shall appoint a suitably qualified and experienced Environmental Officer for the period of the earthworks and construction phase. The Environmental Officer shall liaise with Mayo County Council in relation to the implementation of the required Construction Management Plan (CMP) and the Environmental Monitoring Plan, and shall be responsible for reporting to Mayo County Council in respect of:

- (a) any malfunction of any environmental protection system,
- (b) any occurrence with the potential for environmental pollution,
- (c) any emergency,

which could reasonably be expected to give rise to pollution.

The Environmental Officer shall maintain a record of any such occurrences and any action taken. The records shall be available for public inspection at the developer's site offices during normal office hours.

**Reason:** In the interest of proper environmental control during the earthworks and construction phase.

- 7. Construction work required to implement the development shall be carried out only between the hours of 07.00hrs and 20.00hrs Mondays to Fridays and between 08.00hrs and 16:30hrs on Saturdays. No construction work shall be carried out on Sundays or Bank Holidays, unless otherwise specifically agreed in writing by Mayo County Council.

**Reason:** In order to safeguard the amenities of adjoining residential occupiers.

8. Noise emission levels during the construction period at the nearest noise sensitive receptor (dwellings) shall not exceed –

Day (07.00 to 20.00hrs) Emission Limit Value: 65dB(A)  $L_{Aeq}$  (1 hour)

Night-time (20.00 to 07.00hrs) Emission Limit Value: 50dB(A)  $L_{Ar}$  (1 hour)

There shall be no clearly audible tonal component or impulsive component in the noise emission from the activity at any noise-sensitive location at night-time.

During construction and haulage, noise levels shall be kept to a minimum. Any activity that will result in a significant increase in the ambient noise levels, for example, piling or rock breaking, shall be notified to Mayo County Council in advance.

**Reason:** In the interest of public health and residential amenity.

9. Dust levels shall not exceed 350 mg/m<sup>2</sup> per day (TA Luft Air Quality Standard) when levels averaged over thirty days and as measured at agreed locations at the site boundaries. Any activity, which could reasonably be expected to exceed that dust level shall be notified to Mayo County Council in advance and shall be notified to the public that may be affected.

**Reason:** In the interest of public health and residential amenity.

10. All tank and drum storage areas on the site shall, as a minimum, be bunded to a volume not less than the greater of the following
- (a) 110% of the capacity of the largest tank or drum within the bunded area, or
  - (b) 25% of the total volume of substance which could be stored within the bunded area.

Covering of the bunded areas shall be considered to minimise the requirement to dispose of contaminated rainwater collecting in the bunded area.

All fuel storage areas and cleaning areas, particularly for concrete trucks, shall be rendered impervious to the stored or cleaned materials and shall be constructed to ensure no discharges from the areas.

**Reason:** To prevent surface and ground water pollution.

11. The developer shall maintain on the site for the duration of the construction period a satisfactory quantity of oil abatement kits comprising of booms and absorbent materials. The precise nature and extent of the kits shall be agreed in writing with Mayo County Council prior to commencement of development.

**Reason:** To prevent water pollution.

12. No waste material generated on the site during the construction phase, other than material being transferred to a licensed waste facility, shall be removed off site without the prior agreement of Mayo County Council.

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

13. Prior to commencement of development applicant shall submit for agreement in writing:
- a) The haul route and schedule of haulage for the construction phase of the development.
  - b) A Road and Bridge Survey before and after the construction period. The extent and precise content of the survey, shall generally relate to the road network directly and indirectly affected by the proposed development. The survey may be carried out by Mayo County Council at the applicant's request and applicant shall pay for the cost of this survey.

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

14. The developer shall take due cognisance of the existing services running through the site and shall liaise with the appropriate service authorities to agree proposals in advance of the commencement of works.

**Reason:** To protect and maintain existing services.

15. Any temporary compounds/structures required for construction purposes located on lands adjoining the site shall only be erected following written consent from Mayo County Council.

**Reason:** In the interest of proper planning and sustainable development and to avoid potential conflicts with other plans/projects.

### **Waste Management**

16. Prior to commencement of development, the developer shall submit, and obtain the agreement of Mayo County Council to a waste management plan containing details for the management of waste (and, in particular, recyclable materials) within the development, including the provision of facilities for the storage, separation and collection of waste and, in particular, recyclable materials, and for the ongoing operation of these facilities.

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

### **Water Services**

17. All connections and metering arrangements to Mayo County Council services shall be carried out by Mayo County Council Westport District Engineer, or under the supervision of the Westport District Engineer, the cost of which shall be borne by the developer as set out under Managers Order No. R/T 28/2005-Road Opening Charges.

**Reason:** To protect and maintain existing services.

18. All works in relation to underground services shall be carried out in accordance with "Recommendations for Site Development Works for Housing Areas", published by Department of the Environment and Local Government.

**Reason:** To protect and maintain existing services.

19. The developer shall provide minimum of 24-hours storage for process and domestic water requirements within the development.

**Reason:** To ensure adequacy of water supply to the development.

20. A ring watermain shall be installed around the proposed building to service the whole development, adequately designed and sized to facilitate fire-fighting. Consultations shall take place with the Chief Fire Officer, Mayo County Council, regarding sizing of mains, hydrant locations and pipe specification.

**Reason:** To ensure adequacy of water supply and in the interest of health and safety.

21. The developer shall install proprietary SuDS system, in accordance with the Greater Dublin Strategic Drainage Study and the Greater Dublin Regional Code of Practice. Details shall be as per documentation submitted on 23/08/2012 including Drawing No. 22011/CD/104 Rev A and design calculations in Civil/Structural Planning Report Rev A dated 8<sup>th</sup> August 2012. Storage volumes and discharge rates to be in accordance with details submitted on 23/08/2012 (i.e., a total storage volume of 3,100m<sup>3</sup>, split between two zones, with a total allowable discharge of 27.5 l/sec).

**Reason:** To avoid increased flooding in the catchment.

22. The developer shall ensure that the proposed works to the stream on site will not result in additional flooding to the site or to adjacent lands.

**Reason:** To avoid increased flooding in the catchment.

23. All process foul sewer flows shall be discharged to the existing foul manhole at the main entrance to the Allergan facility. Details shall be agreed in advance of works with Mayo County Council.

**Reason:** To manage available capacity in the public sewer network, in the interest of public health.

24. The discharge of process water to the public foul sewer shall be limited to average flows only. Discharge of process flows to the sewer shall be limited to an overall total maximum of 11 litres/sec for current and proposed process flows from the Allergan facility. The



developer shall make arrangements for flow balancing/additional storage and treatment capacity within the existing Allergan pre-treatment facility.

**Reason:** To manage available capacity in the public sewer network, in the interest of public health.

25. The developer shall provide a 10m wide permanent wayleave to Mayo County Council for the sewer, to facilitate access and maintenance. No permanent structures shall be permitted within the wayleave. Gated arrangement shall be provided where the wayleave crosses the external boundaries of the Allergan facility. Wayleave and access arrangements shall be agreed in writing between Mayo County Council and the developer prior to commencement of construction works on site.

**Reason:** To maintain the public sewer network.

26. The developer shall bear the cost of constructing, jetting out, CCTV survey (including upstream and downstream runs), carrying out remedial works and testing of the diverted public sewer prior to making the sewer operational.

**Reason:** To maintain the public sewer network.

27. Existing public sewer shall remain operational and be adequately protected during construction works until the sewer diversion is made operational. The developer shall submit a schedule of works to Mayo County Council for written agreement.

**Reason:** To maintain the public sewer network.

28. On completion of the development a map, accompanied with sections and written details, indicating the location of all services (over ground and under ground) as constructed shall be submitted to Mayo County Council.

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

## **Flood Management**

29. The proposed culvert and road embankments shall be designed to ensure that they do not restrict the flow of flood waters along the stream.

**Reason:** To minimise the risk of increasing flooding to upstream lands and properties.

30. Any proposed infilling of areas along the stream, currently available for flood storage shall be reconsidered, or alternative lands of similar volume be provided for flood storage. Prior to commencement of development on site, details of the same shall be submitted to Mayo County Council for written approval.

**Reason:** To minimise the risk of increasing flooding to adjacent land and properties

#### **Other Services**

31. All E.S.B., phone lines and television cables shall be underground throughout the development.

**Reason:** To preserve amenity.

#### **Building Finishes & Landscaping**

32. All building finishes, boundary walls and landscaping details shall be in accordance with the particulars submitted to Mayo County Council on the 27<sup>th</sup> August 2012. The roof finish shall be of river rounded pebbles, to match that on the southern building within the existing Allergan complex (Planning Permission from Westport Town Council Reference No. P02/26 refers).

**Reason:** In the interests of visual amenity

#### **Archaeology**

33. A programme of archaeological monitoring of all groundworks associated with the proposed development must be undertaken. The monitoring should be carried out by a suitably qualified and licensed archaeologist. Prior to the commencement of development on the site, the extent and details of the monitoring programme should be agreed between the Licensed Archaeologist and the National Monuments Section of the Department of Arts, Heritage and the Gaeltacht and Mayo County Council.

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

#### **Ecology**

34. All mitigation measures proposed for the protection of terrestrial and aquatic ecology from impacts associated with construction and operational phases of the proposed development shall be adhered to.

**Reason:** To protect terrestrial and aquatic ecology on site.

#### **Development Contributions**

35. The following contributions shall be paid to Mayo County Council prior to commencement of the development. The development contributions shall increase in accordance with the Wholesale Price Index for Building and Construction in January of each year from the date of grant of permission up to the date that payment is made to Mayo County Council.

Service	Amount
Water	€ 98,853
Sewerage	€148,321
Amenities	€ 29,631
Footpaths & Public Lighting	€ 19,754
Community Open Space & Recreational Facilities	€ 29,631
Roads	€126,077
Westport Main Drainage	€398,400

**Reason:** To comply with Mayo County Council's Development Contribution Scheme and Mayo County Council's Supplementary Development Contribution Scheme.

### Financial Securities

36. The developer shall pay 12.5% of the total cost of the upgrading of the Westport water supply (being that portion of the total cost of the upgrade attributable to the proposed development), subject to a maximum of €1,200,000 (one million two hundred thousand euro) (updated at the time of payment in accordance with the Wholesale Price Index – Building and Construction (Capital Goods), published by the Central Statistics Office), to Mayo County Council as a special contribution under Section 48(2)(c) of the Planning and Development Act 2000. This contribution shall be paid prior to the commencement of the development or in such phased payments as may be agreed between Mayo County Council and the developer. Payment is subject to the provisions of section 48(12) of the Planning and Development Act 2000.

**Reason:** It is considered reasonable that the developer should contribute towards the specific exceptional costs which will be incurred by Mayo County Council which are not covered in the Development Contribution Scheme and which will benefit the proposed development.

37. Prior to commencement of development the developer shall enter into an agreement for payment to Mayo County Council of all costs incurred in relation to the repair, maintenance and rehabilitation of the road network arising from the construction of the development, as determined by the Road and Bridge Survey (Condition 13) to be carried out prior to and post construction.

**Reason:** Proper planning and development.

38. The developer shall provide an artistic feature, the effect, which would, in the opinion of Mayo County Council, stimulate public interest in the Arts or promote the knowledge, appreciation and practice of the Arts. The developer shall provide the feature before the development is completed and full details shall be submitted to and agreed in writing by Mayo County Council prior to the installation of the feature. The feature shall not exceed €40,000.

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

39. Prior to the commencement of development the developer shall lodge a deposit of €150,000 or other acceptable security with Mayo County Council as a security for the provision and satisfactory completion of roads, water-mains, sewers and other services, together with an agreement empowering the council to apply such security or part thereof to comply with this condition.

**Reason:** In order to ensure satisfactory completion of the development.

**END OF SCHEDULE**

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