

Planning Application 234602

1. Grant of Permission

CORK COUNTY COUNCIL
Planning & Development Acts 2000 – 2010 as amended

**Irish Distillers Limited
C/O Harry Walsh
HW Planning
5 Joyce House
Barrack Square
Ballincollig, Cork**

Planning Register No: 23/04602

Application by: Irish Distillers Limited

**Of: C/O Harry Walsh, HW Planning, 5 Joyce House, Barrack Square,
Ballincollig, Cork**

On: 31/03/2023, as amended on 08/012/2023

For: The extension and expansion of the existing Midleton Distillery and all associated site development works. The proposed development includes, (A) a 2 storey over basement ‘pot still’ building with ancillary pot still tank farm and mechanical vapour recompression (MVR) building. (B) a 2-9 storey ‘column still’ building with ancillary column still tank farm and cooling tower, (C) a 3-7 storey over partial basement ‘brewhouse’ building with ancillary fermenter structures, (D) a pipe rack structure connecting the proposed pot still, column still and brewhouse buildings with the existing distillery, (E) an internal link bridge crossing the Dungourney River which traverses the site, serving as a vehicular and pedestrian connection between the existing distillery and the proposed distillery extension, (F) demolition of an existing industrial building, removal of existing hardstand areas and culverting of a section of the existing mill race, to facilitate the construction of a biogas plant comprising a series of plant and tank structures, a single storey ammonia removal building and change of use and alterations of existing workshop/warehouse no. 1 and warehouse no. 3 to accommodate associated plant and equipment, (G) other ancillary structures including the construction of a single storey 38kV substation and associated electrical compound, security buildings, staff welfare buildings and car park shelters, (H) all other ancillary site development including the diversion of existing gas and ESB lines which traverse the lands, the upgrade of existing waste water treatment plant at the distillery, attenuation basins, fire water basin, noise attenuation fencing, parking areas, planted boundary berm and signage, (I) access to proposed development will be provided via a new entrance from the Old Youghal Road (R907) to the south. The proposed development will also be accessible from the existing distillery entrances from the Dungourney Road (R627) and Distillery Walk (L-9408) to the north and west of the lands. The proposed development is for modifications to an establishment to which the Major Accident Directives applies and is for the purpose of the activity requiring an integrated pollution control license [Industrial Emissions Directive (IED) licence]. An Environmental Impact Assessment

Report (EIAR) and Natura Impact Statement (NIS) have been prepared and will be submitted to the planning authority with the application

At: Park South, Castleredmond & Park North, Middleton, Co. Cork.

Further to Notice dated the 29/01/2024 Cork County Council hereby conveys a grant of **Permission** for the application described above subject to the conditions set out in the schedule attached to the said Notice dated 29/01/2024 of its intention to grant **Permission**.

Signed on behalf of Cork County Council



Cathal de Baróid

DATE: 28/02/2024

NOTE FOR GUIDANCE OF DEVELOPERS

A grant of Planning Permission or Permission Consequent on the grant of Outline Permission does NOT of itself empower a person to carry out a development unless that person is otherwise legally entitled to do so. Unless otherwise stated or unless it is revoked a Permission or Permission Consequent on the Grant of Outline Permission is valid for a period of five years.

Any development which takes place prior to the payment of a financial contribution required by any of the conditions attached to a Permission or Permission Consequent on the grant of Outline Permission will be unauthorised until compliance with the condition or conditions.

Please note that there is an onus on developers to ensure that there is no danger to the public as a result of the proposed development.

Irish Distillers Limited
C/O Harry Walsh
HW Planning
5 Joyce House
Barrack Square
Ballincollig, Cork

28/02/2024

Re: *The extension and expansion of the existing Middleton Distillery and all associated site development works.*

At: *Park South, Castleredmond & Park North, Middleton, Co. Cork.*

Reg. No. 23/04602

A Chara,

I enclose grant of **Permission** in connection with the above.

Your attention is drawn to Conditions No. 55, 56 & 57 of the **Permission**, which requires that before any work commences on the site, you pay financial contributions and/or a bond to the Council. Otherwise, the **Permission** granted is of no effect.

It should be noted that the amount of the contribution is calculated in accordance with the Council's Development Contributions Scheme.

Please note that payment of development contributions can be made by electronic funds transfer using the following details: -

Bank Name: A.I.B.
Bank Address: 66 South Mall, Cork, Ireland
IBAN: IE37 AIBK 9341 7880 9190 18
BIC: AIBKIE2D

Please quote the PLANNING REFERENCE, followed by PC as the narrative to your payment. You should also e-mail planning.contributions@corkcoco.ie to confirm your credit transfer. Payment by CASH or CREDIT CARD may only be made at the PAYMENTS OFFICE, COUNTY HALL. Payment by CHEQUE (*non-business customers only*)/BANK DRAFT etc. can be accepted at Planning Department, County Hall, Carrigrohane Road, Cork.

Is mise, le meas,



Cathal de Baróid
Administrative Officer

Important Notice for Developers – Conditions Precedent

The enclosed grant of permission may not automatically entitle you to commence the authorised development. This is because many permissions contain “Conditions Precedent” i.e. conditions which must be complied with before development commences. (Such conditions usually contain the phrase ‘before development commences’ and may require further details to be submitted to and agreed with the Planning Authority). If there are such conditions on your permission please read on.

1) Early submission of details

Where compliance proposals are required by condition you should make them as far in advance of your anticipated commencement date as possible. This is to enable adequate time for the Planning Authority to consider and, when satisfactory, agree the details. Such proposals may need to be revised before agreement can be reached or, in the absence of agreement, may need to be referred to An Bord Pleanála. These potential delays to starting a development can be mitigated by early submission of proposals in the first instance.

Please note that all points of detail to be agreed are to be submitted in writing. These are to be submitted in hard copy to the Compliance Section (Norton House or County Hall as appropriate). All correspondence must include the planning application reference number and condition number to which the document(s) relate.

2) Development commenced in advance of Compliance Proposals/Agreements

Any development commenced in advance of full compliance with such conditions (including conditions requiring financial contributions, bonds, securities) is unauthorised and leaves a developer liable to **enforcement proceeding** and **heavy penalties**. Simply submitting a proposal may not in itself be sufficient compliance if the condition also requires the Agreement/Approval of the Planning Authority. This will also apply where the Planning Authority becomes aware that a development is about to start (e.g. Commencement Notice) and conditions precedent have not been complied with.

3) Submission should be addressed as follows:

Compliance with Conditions
Planning Department, County Hall, Carrigrohane Road, Cork.

The above information is intended for your assistance and guidance in avoiding a situation of unauthorised development and the Planning Authority wishes you every success with the development.

Planning Application 234602

1. Planning Decision

CORK COUNTY COUNCIL
PLANNING & DEVELOPMENT ACTS 2000 – 2010 AS AMENDED
NOTIFICATION OF DECISION TO GRANT Permission

Reference No. in Planning Register **23/04602**

Irish Distillers Limited
C/O Harry Walsh
HW Planning
5 Joyce House
Barrack Square
Ballincollig, Cork

In pursuance of the powers conferred upon them by the above mentioned Act and for the reason set out in the First Schedule hereto, the Council of the County of Cork has by Order dated **26/01/2024** decided to GRANT **Permission** for the development of land namely:

The extension and expansion of the existing Midleton Distillery and all associated site development works. The proposed development includes, (A) a 2 storey over basement ‘pot still’ building with ancillary pot still tank farm and mechanical vapour recompression (MVR) building. (B) a 2-9 storey ‘column still’ building with ancillary column still tank farm and cooling tower, (C) a 3-7 storey over partial basement ‘brewhouse’ building with ancillary fermenter structures, (D) a pipe rack structure connecting the proposed pot still, column still and brewhouse buildings with the existing distillery, (E) an internal link bridge crossing the Dungourney River which traverses the site, serving as a vehicular and pedestrian connection between the existing distillery and the proposed distillery extension, (F) demolition of an existing industrial building, removal of existing hardstand areas and culverting of a section of the existing mill race, to facilitate the construction of a biogas plant comprising a series of plant and tank structures, a single storey ammonia removal building and change of use and alterations of existing workshop/warehouse no. 1 and warehouse no. 3 to accommodate associated plant and equipment, (G) other ancillary structures including the construction of a single storey 38kV substation and associated electrical compound, security buildings, staff welfare buildings and car park shelters, (H) all other ancillary site development including the diversion of existing gas and ESB lines which traverse the lands, the upgrade of existing waste water treatment plant at the distillery, attenuation basins, fire water basin, noise attenuation fencing, parking areas, planted boundary berm and signage, (I) access to proposed development will be provided via a new entrance from the Old Youghal Road (R907) to the south. The proposed development will also be accessible from the existing distillery entrances from the Dungourney Road (R627) and Distillery Walk (L-9408) to the north and west of the lands. The proposed development is for modifications to an establishment to which the Major Accident Directives applies and is for the purpose of the activity requiring an integrated pollution control license [Industrial Emissions Directive (IED) licence]. An Environmental Impact Assessment Report (EIAR) and Natura Impact Statement (NIS) have been prepared and will be submitted to the planning authority with the application

At: Park South, Castleredmond & Park North, Midleton, Co.Cork

In accordance with the plans and particulars submitted by the applicant

On: 31/03/2023, as amended on 08/012/2023

And subject to the conditions (64 no.) set out in Column 1 of the Second Schedule attached hereto. The reasons for the imposition of the said conditions are set out in Column 2 of the schedule.

An appeal against a decision of the Planning Authority may be made to An Bord Pleanála by any authorised person before the EXPIRATION of the period of FOUR WEEKS beginning on the day of the giving (i.e. Date of Order) of the decision of the Planning Authority. (SEE NOTES ATTACHED).

If there is no appeal against the said decision on expiration of the period, a grant of Permission in accordance with the decision shall be issued as soon as may be, but not earlier than 3 working days after the expiration of the period for the making of an appeal to An Bord Pleanála. It should be noted that until a grant of Permission has been issued the development in question is NOT AUTHORISED.

Signed on behalf of the said Council



Cathal de Baróid
Administrative Officer

Date: 29/01/2024

SEE NOTES ATTACHED

Please note that pursuant to S.34(3) of the Act, the Planning Authority has had regard to submissions or observations received in accordance with these Regulations.

In accordance with Article 20, site notice shall be removed on receipt of this notification.

FIRST SCHEDULE

Planning Ref. No. 23/04602

Having regard to the location of the site within industrially zoned lands, it is considered that subject to compliance with the conditions set out in the Second Schedule, the proposed development is not prejudicial to amenity and accords with the proper planning and sustainable development of the area.

SECOND SCHEDULE

No.	Condition	Reason
1	The proposed development shall be carried out in accordance with plans and particulars lodged with the Planning Authority on 31st March 2023, 15th September 2023 and 8th December 2023 save where amended by the terms and conditions herein.	In the interests of clarity.
2	The applicant shall engage with Uisce Éireann prior to increasing foul flows due to this development as an alternative connection point to the Uisce Éireann network may be required. Should an alternative connection point to the Uisce Éireann network be required this shall be subject to assessment of the associated details and may be subject to a separate planning permission should the works have potential for significant effects on any Natura 2000 site.	Due to current capacity of the Uisce Éireann network.
3	The proposed development shall comply with the current discharge limits of 5,000 m ³ /day with peak flows of up to 270 m ³ /hour to the industrial sewer until Uisce Eireann infrastructure has been installed on this network to facilitate any increase above this limit.	In the interests of public health.
4	The proposed mitigation measures as outlined under the various chapters of the submitted Environment Impact Assessment Report (EIAR) shall be applied in full (unless otherwise stipulated/ superceded by conditions herein or agreed in writing with the Planning Authority).	In the interests of clarity.
5	A Bridge Construction Plan detailing construction measures, materials, plant, anti erosion measures shall be submitted to the Planning Authority for agreement in writing.	To minimise water pollution from construcion of water crossings.
6	All tank and drum storage areas shall be rendered impervious to the materials stored therein. In addition, tank and drum storage areas shall, as a minimum be bunded, either locally or remotely, to a volume not less than the greater of the following; (i) 110% of the capacity of the largest tank or drum within the bunded area (ii) 25% of the total volume of substance which could be stored	For the protection of groundwater, surface water and soil.

	within the bunded area. Drainage from bunded areas shall be diverted for collection and safe disposal. The integrity and water tightness of all the bunding structures and their resistance to penetration by water or other materials stored therein shall be tested and demonstrated to the satisfaction of the Planning Authority. The loading and unloading of materials shall be carried out in designated areas protected against spillage and leachate run - off. While awaiting disposal, all materials shall be collected and stored in designated areas protected against spillage and leachate run - off.	
7	Prior to any construction work (including site clearance, grading, well boring, levelling etc.) at the proposed development site, appropriate surface water management controls shall be in place to prevent the discharge of sediment contaminated water to adjacent water courses. Unvegetated slopes shall be temporarily scarified during construction to minimise runoff velocities.	To prevent water pollution.
8	Storm water attenuation and treatment measures utilizing Nature Based Drainage Solutions and SUDS best management practices shall be incorporated into the proposed storm water system. The Developer shall submit a Drainage Impact Assessment (DIA) and SUDS statement to the Planning Authority for agreement before development commences. This DIA will inter alia demonstrate a net biodiversity gain by the implementation of Nature-Based Solutions (NBS) into the overall drainage solution. Details of the number, location and catchment drained by each element shall be marked on a site SUDS-NBS drawing. This DIA shall have regard to Best Practice Guidance on the Design of SuDS as contained in The Greater Dublin Strategic Drainage Study (GDSDS) (2005) and Nature-based Solutions to the Management of Rainwater and Surface Water Runoff in Urban Areas – Best Practice Interim Guidance Document (DHLG,2022) and A development completion stage	To prevent flooding, and improve the quality of the storm water discharge, and allow some ground water recharge.

	storm-water audit shall be carried out within 3 months of substantial occupation of the development to ensure the SUDS/NBS measures were installed and working as designed, no misconnections have taken place and that damage has not occurred to any of the stormwater or foul drainage infrastructure during construction. A CCTV survey shall be carried out of all stormwater pipes and foul pipes and the survey and report forwarded to the Planning Authority.	
9	There shall be no interfering with, bridging, piping, draining, or culverting of any watercourse, its banks or bankside vegetation to facilitate this development without the prior approval of the Planning Authority.	To safeguard the amenities, prevent pollution and/or erosion.
10	Construction Noise & Vibration Maximum permissible noise levels at the façade of dwellings during construction: Monday to Friday (07:00 to 19:00hrs): 70 L Aeq (1hr) dB or 80 L pA(max)slow dB Monday to Friday (07:00 to 19:00hrs): 60 L Aeq (1hr) dB or 65 L pA(max)slow dB Saturday (08:00 to 16:30 hrs): 65 L Aeq (1hr) dB or 75 L pA(max)slow dB Sundays/Bank Holidays (08:00 to 16:30hrs): 60 L Aeq (1hr) dB or 65 L pA(max)slow dB Allowable vibration velocity (Peak Particle Velocity) at the closest part of any sensitive property to the source of vibration, at a frequency of: <10 Hz: 8 mm/s 10 to 50Hz: 12.5 mm/s 50 to 100Hz (and above): 20 mm/s	To protect amenities & structures.
11	During construction, the developer shall use the best practicable means to limit, control, and if possible, to prevent an emission to air from the premises. No such atmospheric emission shall be in such a quantity, or in such a manner, as to be a nuisance, and/or a risk of air pollution.	To protect amenities, and mitigate risk of air pollution.
12	For the duration of the construction phase, the developer shall put in place a programme to ensure that	To safeguard the amenities of the area.

	members of the public can obtain information concerning all emissions. The programme shall be submitted to the planning authority for agreement before any works commence. The developer shall record all complaints received relating to site works. The record shall contain the name of the complainant, nature, time and date of the complaint and a summary of the company's investigation and response. Details of these complaints shall be submitted to the planning authority every three months. The developer shall ensure that a responsible and suitably qualified person is available on the site at all times during which emissions to the environment are occurring. A designated member of the company's staff shall interface with the planning authority or members of the public in the event of complaints or queries in relation to environmental emissions.	
13	A competent Environmental Clerk of Works (EnCoW) shall be appointed to oversee the implementation of the mitigation measures and efficacy of controls as per application documents. This EnCoW shall have the authority to halt any works where a failure or risk of failure of any control(s) or unforeseen event arising during development, presents a potential for adverse public health or environment impacts until additional controls can be implemented.	To protect amenities and the environment.
14	All mitigation measures outlined in the CEMP shall be fully implemented. A programme of monitoring of the efficacy of emission controls and for ambient monitoring, shall be agreed with the Planning Authority for the duration of the construction phase.	To safeguard amenities and the environment.
15	No development is permitted on the lands identified for the proposed Midleton Northern Relief Road (MNRR) identified in drawings lodged	In the interests of clarity and to protect the reserved area for the future relief road.

	on 31/03/2023.	
16	Before development commences, the developer shall submit for agreement with the Planning Authority proposals for both the timing and the details of works at the junction of the R907 and N25, including potential localised realignment of the R907. The works in question may be required during both construction and operational phases. These works shall be in place either, two months after the beginning of construction or before significant works related traffic movements commence, whichever is the earlier, unless otherwise approved by the planning authority.	In the interests of road safety.
17	The applicant shall ensure compliance with the requirements of their Road Safety Audit at all locations where the development impacts on the public road network. A Stage 3 Road Safety Audit shall be carried out, and its recommendations implemented, prior to the commencement of works impacting on the public road network.	In the interest of safety and orderly development.
18	Traffic movements shall be monitored continuously during construction of the proposed development and results shall be made available for inspection by the Planning Authority. Based on this data, the applicant may be required to carry out additional works, at their own expense, to ensure safe and efficient traffic movements during construction and operation. The scope of any such works shall be agreed in writing with the Planning Authority.	In the interest of road safety.
19	The applicant shall implement the proposals contained in the Construction Traffic Mitigation Note to minimise the impact of the development at all stages of construction.	In the interests of safe and orderly development.
20	Advance archaeological resolution (excavation) is required of the features identified in the Archaeological Testing report submitted by Lane Purcell August 2023. In this regard all features identified in Trenches 28, 38 and 39 will be preserved by record (archaeological excavation). The applicant is therefore required to engage the services of a suitably qualified archaeologist to carry out an archaeological excavation of all	In the interest of the preservation of the archaeological heritage.

	areas identified above. The work shall be undertaken by an archaeologist under licence from the National Monuments Service of the Department of Housing, Local Government and Heritage. The Method Statement for the archaeological excavation shall be agreed in advance with the Local Authority Archaeologist prior to submitting the excavation licence application to the National Monuments Service. No ground works / construction works or enabling works are to take place on the site in the absence of the archaeologist. The applicant/developer shall facilitate the archaeologist in recording any material found. The Method Statement shall show that satisfactory arrangements have been agreed with the developer in relation to costs and time for excavation, post excavation, research, the recording, removal and storage of any archaeological remains which may be considered appropriate to remove and for the preparation of the final report. The Planning Authority and the National Monuments Section of the Department of Housing, Local Government and Heritage shall be furnished with a report describing the results of the excavation and shall be included in the overall final report (as per condition) The development can proceed once the National Monuments Service and the Planning Authority have received the preliminary Archaeological Excavation Results and written permission to commence works has been issued.	
21	The applicant is required to engage the services of a suitably qualified archaeologist to monitor under licence from the National Monuments Service of the Department of Housing, Local Government and Heritage topsoil removal or other groundworks as determined by the appointed archaeologist associated with the development (including monitoring of works in the vicinity of the Mill Race where applicable). No ground works, construction works, topsoil removal is to take place in the absence of the archaeologist. The ground works / removal of topsoil shall be carried out under the	In the interest of the protection of the archaeological heritage.

	direction of the appointed archaeologist. In the event that archaeological material is found during the course of monitoring, the archaeologist shall have work on the site immediately stopped and notify the Local Authority Archaeologist and National Monuments Service. No further construction works or topsoil removal shall take place pending a decision as to how best to deal with the archaeology. The developer shall be prepared to be advised by the Local Authority Archaeologist and the National Monuments Service in regard to any necessary mitigating action (e.g. preservation in-situ or preservation by record (excavation). The applicant / developer will allow the appointed archaeologist adequate time and resources to facilitate implementation of the agreed mitigation measures if applicable. The Planning Authority and the National Monuments Service shall be furnished with a report describing the results of the monitoring.	
22	Public Lighting in this development shall be designed and constructed in accordance with Cork County Council's Public Lighting Manual and Product Specification 2023; a copy of which is available on Cork County Council's website, www.corkcoco.ie.	In the interest of consistency of design and compatibility for future maintenance.
23	The following conditions as contained in Appendix H, Figure 4, of the Cork County Council Public Lighting Manual and Product Specification 2023 shall apply to this development: - A1, A3, A5, A6, A9, A12, A23, A27, A28.	In the interests of proper design and orderly development.
24	Public Lighting within this development shall be unmetered tariff and subject to a maximum load on individual midi-pillar connections of 2KW. Lighting shall be dimmed to profile U15, subject to a minimum of 1 Lux maintained. Lanterns shall be LED type, using brands commonly used in, and acceptable to, Cork County Council. If in doubt, the designer should contact the Council's Public Lighting Engineer, (022-30472). Lanterns shall be warm white 2,700k - 3,000k unless located at significant conflict locations such as at roundabouts, or zebra crossings, where neutral white is preferred. Any zebra crossings installed as part of this development shall incorporate auxiliary lighting	In the interests of proper design.

	designed to ILP technical report TR12.	
25	The applicant shall review the light spill from the columns along the R907. The back spill from the lanterns needs to be reviewed to ensure a more uniform illumination and to avoid any obtrusive lighting encroaching onto the residents property to the south of them.	In the interests of residential amenity.
26	The applicant/operator of the site shall ensure that all Construction and Demolition works for on this site shall be carried out in accordance with a site specific Construction & Environmental Management Plan and Site Layout Demolition Plan that was received from the applicant on the 15/09/2023.	To prevent air and groundwater pollution.
27	The applicant/operator of the site shall ensure that all Surface water runoff management for the Construction phase of the proposed development shall be carried out in accordance with a site specific Construction Site Stormwater Management Plan, that was received from the applicant on the 15/09/2023 which shall provide for the management and control of waste , surface/ground water and atmospheric emissions from the construction phase of the development. Silt fencing and other surface water mitigation measures shall be erected where required prior to the commencement of works.	To protect water quality and prevent groundwater pollution.
28	The developer shall ensure that all waste leaving the site shall be transported by a suitably permitted contractor and taken to a licensed/permitted facility. All waste leaving the site shall be recorded and copies of consignment delivery dockets, copies of waste collection and facility and a waste register shall be retained on site and made available to Environmental officers of the Local Authority for inspection at any time during the construction stages of the project. During the course of construction works, the developer shall provide onsite skips or other such receptacles for the deposit of rubbish, litter, packaging, rubble and other such materials arising from the works. Adequate on site arrangements shall be made to the	To protect the local environment.

	satisfaction of the Planning Authority for the storage of recyclable materials prior to collection. Materials exported from the site for recovery, recycling, or disposal shall be managed at an approved facility.	
29	Prior to construction works commencing, the Contractor shall designate a Site Engineer/Manager/Assistant Manager as the Construction Waste Manager and who will have overall responsibility for the implementation of the Project Waste Management Plan. The Waste Manager will have the authority to instruct all site personnel to comply with the specific provisions of the Plan.	To protect the local environment.
30	All fuel tanks and fuel filling locations, hazardous materials, if used on site in the site development and operational stages shall be bunded. The applicant shall provide and maintain a spill kit to deal with spillages of oils and fuels and other waste liquids both during the construction phase and post commissioning of the development.	To safeguard the amenities of the area and prevent water pollution.
31	Prior to construction works commencing, all storm drains and curb inlets etc., within the Site area, and in close proximity, shall be identified by the contractor and suitably protected from potential sediment/contaminant input. All storm drains and curb inlets etc., within the Site area, and in close proximity, shall be checked, cleaned and maintained for efficacy throughout the construction phase, with checks carried out daily for damage or sediment loading and cleaning carried out as required.	To protect water quality and prevent groundwater pollution.
32	Prior to construction works commencing, specific areas for storage, delivery and loading/unloading of materials shall be designated and shall have appropriate containment/spill protection measures put in place. The applicant/developer shall ensure that handling and storage areas shall be actively managed and fine, dry material shall be stored inside enclosed shields/coverings or within central storage areas (A layout map (scale 1:500) shall be submitting that shows waste storage locations within the proposed site).	To protect water quality and prevent groundwater pollution.
33	The developer shall ensure that	To prevent soil contamination and

	waste storage areas shall be selected so that they are set back from watercourses, ecological sensitive areas of extreme vulnerability, and away from potential floodplain areas and areas containing invasive species.	water pollution.
34	The developer/applicant shall ensure that a 5m wide buffer zone be maintained between construction activities /storage areas and adjacent to all boundaries/hedgerows/mature trees on the site at all times during the construction and operational phase of the development. No material is to be deposited within this area.	To prevent water pollution.
35	The operator of the site shall ensure that emissions during construction are controlled such that no odour or dust nuisance is caused to adjoining properties.	To safeguard the amenities of the area and prevent air pollution or nuisances.
36	Sight distance of 59 m to the east and 59 m to the west shall be provided from centre point of entrance 3 m back from public road edge. No vegetation or structure shall exceed 1m in height within the sight distance triangle.	To provide proper sight distance for emerging traffic in the interests of road safety.
37	Vegetation or any structure shall not exceed 1m in height within the sight distance triangle.	To provide proper sight distance for emerging traffic in the interests of road safety.
38	Any utility poles currently within the roadside boundary set back required by other conditions of this schedule shall be repositioned behind the new boundary, and any surface chambers or manholes within it shall be repositioned in a location or at a level to be agreed with in writing Planning Authority. The applicant shall be responsible for the costs of relocating these facilities, for notifying the relevant statutory undertakers, for obtaining any necessary licenses, and for notifying the Planning Authority of the revised locations of such utilities, prior to commencement of development, or, at the discretion of the Planning Authority, within such further period or periods of time as it may nominate in writing.	To protect existing utility infrastructure.
39	Surface water shall not be permitted to flow onto the public road from the site.	To prevent the flooding of the public road.
40	Existing road drainage shall not be obstructed and any the new entrance shall be designed and constructed to ensure the uninterrupted flow of road surface run-off.	To maintain proper roadside drainage and to prevent the flooding of the public road.

41	Existing inlets or drains taking surface water from the public road into the site shall be preserved and maintained.	To prevent flooding of the public road.
42	No dust, mud or debris from the site shall be carried onto or deposited on the public road/footpath. Public roads and footpaths in the vicinity of the site shall be maintained in a tidy condition by the developer during the construction phase.	To protect the amenities of the area and in the interests of road safety.
43	Due to the residual risk of flooding the following shall put in place, kept up to date and implemented: • Flood Awareness Plan; • Flood Emergency Response Plan. In the preparation of these documents, the developer shall take cognisance of the contents of Section 5.8.11 and 5.8.12 of CCC's Strategic Flood Risk Assessment, June 2022 which forms part of the Cork County Development Plan 2022. These should be live documents and be updated as required.	To mitigate flood risk.
44	Sufficient space shall be provided to allow for the future construction of a proposed flood defence within the development site, including working space for construction, back of defence drainage and access for long term maintenance. (The applicant shall liaise with CCC's Coastal and Flood projects department in this regard).	To allow for the future construction of the Middleton Flood Relief Scheme, in order to mitigate flood risk.
45	The developer must seek OPW consent for the development under the Arterial Drainage Act(s), and where appropriate Section 50 consent must be put in place, prior to construction commencing. The applicant must confirm to CCC that this process has commenced and any details of alterations, if required by the OPW, shall be confirmed to CCC.	To mitigate flood risk, and to achieve the objectives of County Development Plan WM 11-18.
46	In accordance with the recommendation of the FRA, the construction of the proposed development shall include construction measures that avoid high flow and/or high tide seasons for construction as well as implementing a flood resilient construction method to mitigate the risk of flooding during construction.	To mitigate flood risk.
47	Any cutting of trees, hedgerows and vegetation on site should only be undertaken outside of the bird breeding season. The Bird breeding	To minimise risks to breeding birds.

	season takes place between March 1st and August 31st.	
48	Environmental protection measures set out within the Natura Impact Statement received by the Planning Authority on 31/03/2023 and as updated by further information and clarification shall be implemented and adhered to in full.	To ensure there will be no impacts to the integrity of any Natura 2000 site.
49	All works on site shall be implemented in accordance with a Construction Environmental Management Plan, which shall be based on the Outline CEMP and shall include all measure proposed within the Biodiversity Chapter of the Environmental Impact Assessment Report and Natura Impact Statement and associated addendum and conditions of planning attached herein. The plan shall be prepared by a qualified and experienced person, and shall accord with recognised standard best practice - CIRIA Guidance No C532 - Control of Water Pollution From Construction Sites. All works on site shall be implemented in accordance with the final agreed plan. It shall be the responsibility of the project manager to ensure the implementation of these measures.	To ensure the protection of ecological receptors.
50	Landscaping of the site shall be in accordance with the Landscape Plan received by the Planning Authority on 15/09/2023 and measures and mitigation specified within the Landscape Chapter of the EIAR (as amended by way of Further Information, Clarification or conditions of planning). This plan shall be implemented in full under the supervision of an appropriately qualified and experienced landscape specialist within the first year following completion of the development. Any trees that die or are removed within three years of planting shall be replaced in the first planting season thereafter.	To ensure the protection of biodiversity generally.
51	A pre-construction survey for amphibians shall be completed by a suitably qualified and experienced ecologist to establish their presence and locations on site. The results of this survey/these surveys must be submitted to the Planning Authority before the commencement of works. Should amphibians be discovered on	To prevent impacts to amphibians.

	site the applicant is requested to prepare a mitigation plan to prevent impacts to amphibians which avoids direct impacts to these species and allows for their continued occurrence onsite. In the event protected species are identified as occurring on site and are considered to be vulnerable to disturbance caused by the development, the developers will be required to contact the National Parks and Wildlife Service to determine whether a (Section 23 (5)(d) Wildlife Act derogation license is required to allow the works to proceed.	
52	Prior to the commencement of development, the developer shall submit for agreement an Ecological Mitigation Plan which shall include details of all mitigation measures as included in the NIS, all ecological and water quality management measures included within the EIAR and as updated by further information and conditions of planning herein. The plan shall include details of ecological supervision/monitoring of the works phase as specified in the planning reports. All mitigation measures included in the Ecological Mitigation Plan shall be implemented in full. Within 6 months of completion of construction phase of the proposal, the applicant shall submit a compliance monitoring report in respect of biodiversity measures implemented at the site such as site landscaping, biodiversity enhancement measures, bat sensitive lighting etc.	To protect biodiversity and prevent adverse effects on Natura 2000 sites.
53	All works shall be supervised by an on-site Ecological Clerk of Works who will report on compliance with the relevant mitigation measures. The Ecological Clerk of Works shall be empowered to halt works where he/she considers that the continuation of the works is likely to result in a significant pollution or siltation incident. In the event of a water pollution incident, or of damage to the adjacent river, these reports will be made available to the relevant statutory authorities, and on-site works will cease until	To ensure compliance with mitigation measures and to protect biodiversity.

	authorized to continue by the planning authority. A compliance monitoring report shall be prepared by the Ecological Clerk of Works and shall be submitted to the planning authority at the end of the main construction period.	
54	As per details submitted on the 15th September 2023 the applicant shall: (a) permit Cork County Council to construct a shared path through the subject lands to facilitate future connection from Midleton Main Street to Midleton Youghal Greenway to support active travel links; (b) Permit Cork County Council access (via southern bore of Green Bridge) to lands East and West of the Green Bridge.	In the interest of sustainable transportation.
55	At least one month before commencing development or at the discretion of the Planning Authority within such further period or periods of time as it may nominate in writing, the developer shall pay a special contribution of €2000000.00 to Cork County Council, updated monthly in accordance with the Consumer Price Index from the date of grant of permission to the date of payment, in respect of specific exceptional costs not covered in the Council's General Contributions Scheme, in respect of works proposed to be carried out, for the provision of section of the Midleton Northern Relief Road The payment of the said contribution shall be subject to the following: : - (a) where the works in question— (i) are not commenced within 5 years of the date of payment of the contribution (or final instalment if paid by phased payment), (ii) have commenced but have not been completed within 7 years of the date of payment of the contribution (or final instalment if paid by phased payment), or (iii) where the Council has decided not to proceed with the proposed works or part thereof, the contribution shall, subject to paragraph (b) below, be refunded to the applicant together with any interest which may have accrued over the period while held by the Council. (b) Where under	It is considered appropriate that the developer should contribute towards these specific exceptional costs, for works which will benefit the proposed development.

	sub-paragraphs (ii) or (iii) of paragraph (a) above, any local authority has incurred expenditure within the required period in respect of a proportion of the works proposed to be carried out, any refund shall be in proportion to those proposed works which have not been carried out. (c) payment of interest at the prevailing interest rate payable by the Council's Treasurer on the Council's General Account on the contribution or any instalments thereof that have been paid, so long and in so far as it is or they are retained unexpended by the Council.	
56	At least one month before commencing development or at the discretion of the Planning Authority within such further period or periods of time as it may nominate in writing, the developer shall pay a contribution of €417105.75 to Cork County Council in respect of public infrastructure and facilities benefiting development in the area of the Planning Authority. The value of this contribution is calculated in accordance with the Council's Development Contributions Scheme on 24/01/2024, and shall be increased monthly at a rate of 8% per annum in the period between the date on which this value was calculated, and the date of payment.	It is considered appropriate that the developer should contribute towards the cost of public infrastructure and facilities benefiting development in the area of the Planning Authority, as provided for in the Council's Development Contributions Scheme, made in accordance with Section 48 of the 2000 Planning and Development Act, and that the level of contribution payable should increase at a rate which allows both for inflation and for phasing in of the target contribution rates, in the manner specified in that scheme.
57	At least one month before commencing development or at the discretion of the Planning Authority within such further period or periods of time as it may nominate in writing, the developer shall pay a supplementary contribution of €14871.20 to Cork County Council in respect of the Cobh/Midleton - Blarney Suburban Rail Project. The value of this contribution is calculated in accordance with the Council's Supplementary Development Contributions Scheme in respect of this project on 24/01/24, and shall be increased monthly at a rate of 8% per annum in the period between the date on which this value was calculated, and the date of payment. If no substantial works have been carried out, or have been commenced, by a date 10 years after the receipt of a contribution or final instalment thereof, the contribution shall be returned to the developer, but less an amount corresponding to 75%	It is considered appropriate that the developer should contribute towards the cost of this project which will benefit the development to which this permission relates when carried out, as provided for in the Council's Supplementary Development Contributions Scheme, made in accordance with Section 49 of the 2000 Planning and Development Act, and that the level of contribution payable should increase at a rate which allows both for inflation and for phasing in of the target contribution rates, in the manner specified in that Scheme.

	reduction in the roads element of the contribution charged under the Council's General Contributions Scheme, together with payment of interest at the prevailing interest rate payable by the Council's Treasurer on the Council's General Account on the contribution or any instalments thereof that have been paid, so long and in so far as it is or they are retained unexpended by the Council.	
58	The existing entrance shall be permanently closed off by the erection of a fence/wall matching the existing fence/wall in height, design, construction and finish to the satisfaction of the Planning Authority, immediately following completion of the new entrance.	In the interests of safety and in the interests of visual amenities.
59	Gates shall open inwards.	In the interests of road safety.
60	Before development commences, an updated Mobility Management Plan shall be submitted and agreed with Cork County Council in accordance with the National Transport Authority's Workplace Travel Plans A Guide for Implementers, including an Action Plan and method for monitoring. Ongoing updated Plans shall be submitted to Cork County Council at intervals to be agreed. The Mobility Plan shall inform the detail regarding the on-site facilities for staff including the showers, lockers, bicycle parking type and location.	In the interest of minimising car-based travel to the site.
61	A mobility management plan for the construction phase shall be submitted for agreement with the Planning Authority in advance of any works commencing.	In the interest of minimizing car based travel to the site.
62	Other than at the proposed bridge crossing point, a fence shall be erected to ensure a 5m buffer strip is maintained from all watercourses. The fence shall be erected prior to commencement of any works and no works shall be carried out within 5m of any watercourse.	To protect water quality.
63	Where the applicant proposes to connect to a public water/wastewater network operated by Uisce Éireann, the applicant must sign a connection agreement with Uisce Éireann prior to the commencement of the development and adhere to the standards and conditions set out in that agreement.	To ensure availability of adequate infrastructure for the development.

	(Note that Uisce Éireann Infrastructure capacity requirements and proposed connections to the Water and Waste Water Infrastructure will be subject to the constraints of the Uisce Éireann Capital Investment Programme).	
64	All wastewater infrastructure to be built to Uisce Éireann specification.	To ensure availability of adequate infrastructure for the development.

CORK COUNTY COUNCIL

ORDER NO: 24/4120

O.S. NO. 76/3.

SUBJECT: Application Reg. Ref. No. 23/04602

for: The extension and expansion of the existing Midleton Distillery and all associated site development works. The proposed development includes, (A) a 2 storey over basement 'pot still' building with ancillary pot still tank farm and mechanical vapour recompression (MVR) building, (B) a 2-9 storey 'column still' building with ancillary column still tank farm and cooling tower, (C) a 3-7 storey over partial basement 'brewhouse' building with ancillary fermenter structures, (D) a pipe rack structure connecting the proposed pot still, column still and brewhouse buildings with the existing distillery, (E) an internal link bridge crossing the Dungourney River which traverses the site, serving as a vehicular and pedestrian connection between the existing distillery and the proposed distillery extension, (F) demolition of an existing industrial building, removal of existing hardstand areas and culverting of a section of the existing mill race, to facilitate the construction of a biogas plant comprising a series of plant and tank structures, a single storey ammonia removal building and change of use and alterations of existing workshop/warehouse no. 1 and warehouse no. 3 to accommodate associated plant and equipment, (G) other ancillary structures including the construction of a single storey 38kV substation and associated electrical compound, security buildings, staff welfare buildings and car park shelters, (H) all other ancillary site development including the diversion of existing gas and ESB lines which traverse the lands, the upgrade of existing waste water treatment plant at the distillery, attenuation basins, fire water basin, noise attenuation fencing, parking areas, planted boundary berm and signage, (I) access to proposed development will be provided via a new entrance from the Old Youghal Road (R907) to the south. The proposed development will also be accessible from the existing distillery entrances from the Dungourney Road (R627) and Distillery Walk (L-9408) to the north and west of the lands. The proposed development is for modifications to an establishment to which the Major Accident Directives applies and is for the purpose of the activity requiring an integrated pollution control license [Industrial Emissions Directive (IED) licence]. An Environmental Impact Assessment Report (EIAR) and Natura Impact Statement (NIS) have been prepared and will be submitted to the planning authority with the application

at: Park South, Castleredmond & Park North
Midleton
Co. Cork

ORDER: **Conditional Permission** is hereby GRANTED subject to the provision of Subsection 11 of Section 34 of the Planning and Development Acts, 2000 - 2010 as amended for the reason set out in the First Schedule attached hereto.

to: Irish Distillers Limited

of: C/O Harry Walsh
HW Planning
5 Joyce House
Barrack Square
Ballincollig, Cork

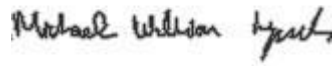
for: The extension and expansion of the existing Midleton Distillery and all associated site development works. The proposed development includes, (A) a 2 storey over basement 'pot still' building with ancillary pot still tank farm and mechanical vapour recompression (MVR) building. (B) a 2-9 storey 'column still' building with ancillary column still tank farm and cooling tower, (C) a 3-7 storey over partial basement 'brewhouse' building with ancillary fermenter structures, (D) a pipe rack structure connecting the proposed pot still, column still and brewhouse buildings with the existing distillery, (E) an internal link bridge crossing the Dungourney River which traverses the site, serving as a vehicular and pedestrian connection between the existing distillery and the proposed distillery extension, (F) demolition of an existing industrial building, removal of existing hardstand areas and culverting of a section of the existing mill race, to facilitate the construction of a biogas plant comprising a series of plant and tank structures, a single storey ammonia removal building and change of use and alterations of existing workshop/warehouse no. 1 and warehouse no. 3 to accommodate associated plant and equipment, (G) other ancillary structures including the construction of a single storey 38kV substation and associated electrical compound, security buildings, staff welfare buildings and car park shelters, (H) all other ancillary site development including the diversion of existing gas and ESB lines which traverse the lands, the upgrade of existing waste water treatment plant at the distillery, attenuation basins, fire water basin, noise attenuation fencing, parking areas, planted boundary berm and signage, (I) access to proposed development will be provided via a new entrance from the Old Youghal Road (R907) to the south. The proposed development will also be accessible from the existing distillery entrances from the Dungourney Road (R627) and

Distillery Walk (L-9408) to the north and west of the lands. The proposed development is for modifications to an establishment to which the Major Accident Directives applies and is for the purpose of the activity requiring an integrated pollution control license [Industrial Emissions Directive (IED) licence]. An Environmental Impact Assessment Report (EIAR) and Natura Impact Statement (NIS) have been prepared and will be submitted to the planning authority with the application

at: Park South, Castleredmond & Park North, Midleton, Co. Cork

in accordance with plans and particulars lodged by the applicant on 31/03/2023, as amended on 15/09/2023 and 08/12/2023 and subject to the conditions (64 no.) set out in the Second Schedule attached hereto.

The **Permission** is to be granted subject to the conditions provided no appeal is made to An Bord Pleanála within the statutory time for the making of such appeals.



SIGNED:

Michael Lynch
Acting Divisional Manager

Dated this 26/01/2024

FIRST SCHEDULE

Planning Ref. No. 23/04602

Having regard to the location of the site within industrially zoned lands, it is considered that subject to compliance with the conditions set out in the Second Schedule, the proposed development is not prejudicial to amenity and accords with the proper planning and sustainable development of the area.

SECOND SCHEDULE

No.	Condition	Reason
1	The proposed development shall be carried out in accordance with plans and particulars lodged with the Planning Authority on 31/03/2023, 15/09/2023 and 08/12/2023 save where amended by the terms and conditions herein.	In the interests of clarity.
2	The applicant shall engage with Uisce Éireann prior to increasing foul flows due to this development as an alternative connection point to the Uisce Éireann network may be required. Should an alternative connection point to the Uisce Éireann network be required this shall be subject to assessment of the associated details and may be subject to a separate planning permission should the works have potential for significant effects on any Natura 2000 site.	Due to current capacity of the Uisce Éireann network.
3	The proposed development shall comply with the current discharge limits of 5,000 m ³ /day with peak flows of up to 270 m ³ /hour to the industrial sewer until Uisce Éireann infrastructure has been installed on this network to facilitate any increase above this limit.	In the interests of public health.
4	The proposed mitigation measures as outlined under the various chapters of the submitted Environment Impact Assessment Report (EIAR) shall be applied in full (unless otherwise stipulated/ superceded by conditions herein or agreed in writing with the Planning Authority).	In the interests of clarity.
5	A Bridge Construction Plan detailing construction measures, materials, plant, anti erosion measures shall be submitted to the Planning Authority for agreement in writing.	To minimise water pollution from construcion of water crossings.
6	All tank and drum storage areas shall be rendered impervious to the materials stored therein. In addition, tank and drum storage areas shall, as a minimum be bunded, either locally or remotely, to a volume not less than the greater of the following; (i) 110% of the capacity of the largest tank or drum within the	For the Protection of Groundwater, Surface Water and soil.

	bunded area (ii) 25% of the total volume of substance which could be stored within the bunded area. Drainage from bunded areas shall be diverted for collection and safe disposal. The integrity and water tightness of all the bunding structures and their resistance to penetration by water or other materials stored therein shall be tested and demonstrated to the satisfaction of the Planning Authority. The loading and unloading of materials shall be carried out in designated areas protected against spillage and leachate run - off. While awaiting disposal, all materials shall be collected and stored in designated areas protected against spillage and leachate run - off.	
7	Prior to any construction work (including site clearance, grading, well boring, levelling etc.) at the proposed development site, appropriate surface water management controls shall be in place to prevent the discharge of sediment contaminated water to adjacent water courses. Unvegetated slopes shall be temporarily scarified during construction to minimise runoff velocities.	To prevent water pollution.
8	Storm water attenuation and treatment measures utilizing Nature Based Drainage Solutions and SUDS best management practices shall be incorporated into the proposed storm water system. The Developer shall submit a Drainage Impact Assessment (DIA) and SUDS statement to the Planning Authority for agreement before development commences. This DIA will inter alia demonstrate a net biodiversity gain by the implementation of Nature-Based Solutions (NBS) into the overall drainage solution. Details of the number, location and catchment drained by each element shall be marked on a site SUDS-NBS drawing. This DIA shall have regard to Best Practice Guidance on the Design of SuDS as contained in The Greater Dublin Strategic Drainage	To prevent flooding, and improve the quality of the storm water discharge, and allow some ground water recharge.

	Study (GDSDS) (2005) and Nature-based Solutions to the Management of Rainwater and Surface Water Runoff in Urban Areas – Best Practice Interim Guidance Document (DHLG,2022) and A development completion stage storm-water audit shall be carried out within 3 months of substantial occupation of the development to ensure the SUDS/NBS measures were installed and working as designed, no misconnections have taken place and that damage has not occurred to any of the stormwater or foul drainage infrastructure during construction. A CCTV survey shall be carried out of all stormwater pipes and foul pipes and the survey and report forwarded to the Planning Authority.	
9	There shall be no interfering with, bridging, piping, draining, or culverting of any watercourse, its banks or bankside vegetation to facilitate this development without the prior approval of the Planning Authority.	To safeguard the amenities, prevent pollution and/or erosion.
10	Construction Noise & Vibration Maximum permissible noise levels at the façade of dwellings during construction: Monday to Friday (07:00 to 19:00hrs): 70 L Aeq (1hr) dB or 80 L pA(max)slow dB Monday to Friday (07:00 to 19:00hrs): 60 L Aeq (1hr) dB or 65 L pA(max)slow dB Saturday (08:00 to 16:30 hrs): 65 L Aeq (1hr) dB or 75 L pA(max)slow dB Sundays/Bank Holidays (08:00 to 16:30hrs): 60 L Aeq (1hr) dB or 65 L pA(max)slow dB Allowable vibration velocity (Peak Particle Velocity) at the closest part of any sensitive property to the source of vibration, at a frequency of: <10 Hz: 8 mm/s 10 to 50Hz: 12.5 mm/s 50 to 100Hz (and above): 20 mm/s	To protect amenities & structures.
11	During construction, the developer	To protect amenities and mitigate

	shall use the best practicable means to limit, control, and if possible, to prevent an emission to air from the premises. No such atmospheric emission shall be in such a quantity, or in such a manner, as to be a nuisance, and/or a risk of air pollution.	risk of air pollution.
12	For the duration of the construction phase, the developer shall put in place a programme to ensure that members of the public can obtain information concerning all emissions. The programme shall be submitted to the planning authority for agreement before any works commence. The developer shall record all complaints received relating to site works. The record shall contain the name of the complainant, nature, time and date of the complaint and a summary of the company's investigation and response. Details of these complaints shall be submitted to the planning authority every three months. The developer shall ensure that a responsible and suitably qualified person is available on the site at all times during which emissions to the environment are occurring. A designated member of the company's staff shall interface with the planning authority or members of the public in the event of complaints or queries in relation to environmental emissions.	To safeguard the amenities of the area.
13	A competent Environmental Clerk of Works (EnCoW) shall be appointed to oversee the implementation of the mitigation measures and efficacy of controls as per application documents. This EnCoW shall have the authority to halt any works where a failure or risk of failure of any control(s) or unforeseen event arising during development, presents a potential for adverse public health or environment impacts until additional controls	To protect amenities and the environment.

	can be implemented.	
14	All mitigation measures outlined in the CEMP shall be fully implemented. A programme of monitoring of the efficacy of emission controls and for ambient monitoring, shall be agreed with the Planning Authority for the duration of the construction phase.	To safeguard amenities and the environment.
15	No development is permitted on the lands identified for the proposed Midleton Northern Relief Road (MNRR) identified in drawings lodged on the 31/03/2023.	In the interests of clarity and to protect the reserved area for the future relief road.
16	Before development commences, the developer shall submit for agreement with the Planning Authority proposals for both the timing and the details of works at the junction of the R907 and N25, including potential localised realignment of the R907. The works in question may be required during both construction and operational phases. These works shall be in place either, two months after the beginning of construction or before significant works related traffic movements commence, whichever is the earlier, unless otherwise approved by the planning authority.	In the interests of road safety.
17	The applicant shall ensure compliance with the requirements of their Road Safety Audit at all locations where the development impacts on the public road network. A Stage 3 Road Safety Audit shall be carried out, and its recommendations implemented, prior to the commencement of works impacting on the public road network.	In the interests of safety and orderly development.
18	Traffic movements shall be monitored continuously during construction of the proposed development and results shall be made available for inspection by the Planning Authority. Based on this data, the applicant may be required to carry out additional works, at their own expense, to ensure safe and efficient traffic movements during construction and operation. The scope of any such works shall be agreed in writing with the Planning Authority.	In the interest of road safety.

19	The applicant shall implement the proposals contained in the Construction Traffic Mitigation Note to minimise the impact of the development at all stages of construction.	In the interests of safety and orderly development.
20	Advance archaeological resolution (excavation) is required of the features identified in the Archaeological Testing report submitted by Lane Purcell August 2023. In this regard all features identified in Trenches 28, 38 and 39 will be preserved by record (archaeological excavation). The applicant is therefore required to engage the services of a suitably qualified archaeologist to carry out an archaeological excavation of all areas identified above. The work shall be undertaken by an archaeologist under licence from the National Monuments Service of the Department of Housing, Local Government and Heritage. The Method Statement for the archaeological excavation shall be agreed in advance with the Local Authority Archaeologist prior to submitting the excavation licence application to the National Monuments Service. No ground works / construction works or enabling works are to take place on the site in the absence of the archaeologist. The applicant/developer shall facilitate the archaeologist in recording any material found. The Method Statement shall show that satisfactory arrangements have been agreed with the developer in relation to costs and time for excavation, post excavation, research, the recording, removal and storage of any archaeological remains which may be considered appropriate to remove and for the preparation of the final report. The Planning Authority and the National Monuments Section of the Department of Housing, Local Government and Heritage shall be furnished with a report describing the results of the excavation and shall be included in the overall final report (as per condition) The development can proceed once the National Monuments Service and the Planning Authority have received the preliminary	In the interest of the preservation of the archaeological heritage.

	Archaeological Excavation Results and written permission to commence works has been issued.	
21	The applicant is required to engage the services of a suitably qualified archaeologist to monitor under licence from the National Monuments Service of the Department of Housing, Local Government and Heritage topsoil removal or other groundworks as determined by the appointed archaeologist associated with the development (including monitoring of works in the vicinity of the Mill Race where applicable). No ground works, construction works, topsoil removal is to take place in the absence of the archaeologist. The ground works / removal of topsoil shall be carried out under the direction of the appointed archaeologist. In the event that archaeological material is found during the course of monitoring, the archaeologist shall have work on the site immediately stopped and notify the Local Authority Archaeologist and National Monuments Service. No further construction works, or topsoil removal shall take place pending a decision as to how best to deal with the archaeology. The developer shall be prepared to be advised by the Local Authority Archaeologist and the National Monuments Service in regard to any necessary mitigating action (e.g. preservation in-situ or preservation by record (excavation)). The applicant / developer will allow the appointed archaeologist adequate time and resources to facilitate implementation of the agreed mitigation measures if applicable. The Planning Authority and the National Monuments Service shall be furnished with a report describing the results of the monitoring.	In the interest of the protection of the archaeological heritage.
22	Public Lighting in this development shall be designed and constructed in accordance with Cork County Council's Public Lighting Manual and Product Specification 2023; a copy of which is available on Cork County Council's website,	In the interest of consistency of design and compatibility for future maintenance.

	www.corkcoco.ie .	
23	The following conditions as contained in Appendix H, Figure 4, of the Cork County Council Public Lighting Manual and Product Specification 2023 shall apply to this development: - A1, A3, A5, A6, A9, A12, A23, A27, A28.	In the interests of proper design and orderly development.
24	Public Lighting within this development shall be unmetered tariff and subject to a maximum load on individual midi-pillar connections of 2KW. Lighting shall be dimmed to profile U15, subject to a minimum of 1 Lux maintained. Lanterns shall be LED type, using brands commonly used in, and acceptable to, Cork County Council. If in doubt, the designer should contact the Council's Public Lighting Engineer, (022-30472). Lanterns shall be warm white 2,700k - 3,000k unless located at significant conflict locations such as at roundabouts, or zebra crossings, where neutral white is preferred. Any zebra crossings installed as part of this development shall incorporate auxiliary lighting designed to ILP technical report TR12.	In the interests of proper design.
25	The applicant shall review the light spill from the columns along the R907. The back spill from the lanterns needs to be reviewed to ensure a more uniform illumination and to avoid any obtrusive lighting encroaching onto the residents property to the south of them.	In the interests of residential amenity.
26	The applicant/operator of the site shall ensure that all Construction and Demolition works for on this site shall be carried out in accordance with a site specific Construction & Environmental Management Plan and Site Layout Demolition Plan that was received from the applicant on the 15/09/2023.	To prevent air and groundwater pollution.
27	The applicant/operator of the site shall ensure that all Surface water runoff management for the Construction phase of the proposed development shall be carried out in accordance with a site specific Construction Site Stormwater Management Plan, that was received from the applicant on the 15/09/2023	To prevent water quality and groundwater pollution.

	which shall provide for the management and control of waste, surface/ground water and atmospheric emissions from the construction phase of the development. Silt fencing and other surface water mitigation measures shall be erected where required prior to the commencement of works.	
28	The developer shall ensure that all waste leaving the site shall be transported by a suitably permitted contractor and taken to a licensed/permitted facility. All waste leaving the site shall be recorded and copies of consignment delivery dockets, copies of waste collection and facility and a waste register shall be retained on site and made available to Environmental officers of the Local Authority for inspection at any time during the construction stages of the project. During the course of construction works, the developer shall provide onsite skips or other such receptacles for the deposit of rubbish, litter, packaging, rubble and other such materials arising from the works. Adequate on site arrangements shall be made to the satisfaction of the Planning Authority for the storage of recyclable materials prior to collection. Materials exported from the site for recovery, recycling, or disposal shall be managed at an approved facility.	To protect the local environment.
29	Prior to construction works commencing ,the Contractor shall designate a Site Engineer/Manager/Assistant Manager as the Construction Waste Manager and who will have overall responsibility for the implementation of the Project Waste Management Plan. The Waste Manager will have the authority to instruct all site personnel to comply with the specific provisions of the Plan.	To protect the local environment.
30	All fuel tanks and fuel filling locations, hazardous materials, if used on site in the site development and operational	To safeguard the amenities of the area and prevent water pollution.

	stages shall be banded. The applicant shall provide and maintain a spill kit to deal with spillages of oils and fuels and other waste liquids both during the construction phase and post commissioning of the development.	
31	Prior to construction works commencing, all storm drains and curb inlets etc., within the Site area, and in close proximity, shall be identified by the contractor and suitably protected from potential sediment/contaminant input. All storm drains and curb inlets etc., within the Site area, and in close proximity, shall be checked, cleaned and maintained for efficacy throughout the Construction Phase, with checks carried out daily for damage or sediment loading and cleaning carried out as required.	To protect water quality and prevent groundwater pollution.
32	Prior to construction works commencing, specific areas for storage, delivery and loading/unloading of materials shall be designated and shall have appropriate containment/spill protection measures put in place. The applicant/developer shall ensure that handling and storage areas shall be actively managed and fine, dry material shall be stored inside enclosed shields/coverings or within central storage areas(A layout map (scale 1:500)shall be submitting that shows waste storage locations within the proposed site).	To protect water quality and prevent groundwater pollution.
33	The developer shall ensure that waste storage areas shall be selected so that they are set back from watercourses, ecological sensitive areas of extreme vulnerability, and away from potential floodplain areas and areas containing invasive species.	To prevent soil contamination and water pollution.
34	The developer/applicant shall ensure that a 5m wide buffer zone be maintained between construction activities /storage areas and adjacent to all boundaries/hedgerows/mature trees on the site at all times during the construction and operational phase of the development. No material is to be deposited within this area.	To prevent water pollution.

35	The operator of the site shall ensure that emissions during construction are controlled such that no odour or dust nuisance is caused to adjoining properties.	To safeguard the amenities of the area and prevent air pollution or nuisances.
36	Sight distance of 59 m to the east and 59 m to the west shall be provided from centre point of entrance 3 m back from public road edge. No vegetation or structure shall exceed 1m in height within the sight distance triangle.	To provide proper sight distance for emerging traffic in the interests of road safety.
37	Vegetation or any structure shall not exceed 1m in height within the sight distance triangle.	To provide proper sight distance for emerging traffic in the interests of road safety.
38	Any utility poles currently within the roadside boundary set back required by other conditions of this schedule shall be repositioned behind the new boundary, and any surface chambers or manholes within it shall be repositioned in a location or at a level to be agreed with in writing Planning Authority. The applicant shall be responsible for the costs of relocating these facilities, for notifying the relevant statutory undertakers, for obtaining any necessary licenses, and for notifying the Planning Authority of the revised locations of such utilities, prior to commencement of development, or, at the discretion of the Planning Authority, within such further period or periods of time as it may nominate in writing.	To protect existing utility infrastructure.
39	Surface water shall not be permitted to flow onto the public road from the site.	To prevent the flooding of the public road.
40	Existing road drainage shall not be obstructed and any the new entrance shall be designed and constructed to ensure the uninterrupted flow of road surface run-off.	To maintain proper roadside drainage and to prevent the flooding of the public road.
41	Existing inlets or drains taking surface water from the public road into the site shall be preserved and maintained.	To prevent flooding of the public road.
42	No dust, mud or debris from the site shall be carried onto or deposited on the public road/footpath. Public roads and footpaths in the vicinity of the site shall be maintained in a tidy condition by the developer during the construction phase.	To protect the amenities of the area and in the interests of road safety.

43	Due to the residual risk of flooding the following shall put in place, kept up to date and implemented: • Flood Awareness Plan; • Flood Emergency Response Plan. In the preparation of these documents, the developer shall take cognisance of the contents of Section 5.8.11 and 5.8.12 of CCC's Strategic Flood Risk Assessment, June 2022 which forms part of the Cork County Development Plan 2022. These should be live documents and be updated as required.	To mitigate flood risk.
44	Sufficient space shall be provided to allow for the future construction of a proposed flood defence within the development site, including working space for construction, back of defence drainage and access for long term maintenance. (The applicant shall liaise with CCC's Coastal and Flood projects department in this regard).	To allow for the future construction of the Midleton Flood Relief Scheme, in order to mitigate flood risk.
45	The developer must seek OPW consent for the development under the Arterial Drainage Act(s), and where appropriate Section 50 consent must be put in place, prior to construction commencing. The applicant must confirm to CCC that this process has commenced and any details of alterations, if required by the OPW, shall be confirmed to CCC.	To mitigate flood risk, and to achieve the objectives of County Development Plan WM 11-18.
46	In accordance with the recommendation of the FRA, the construction of the proposed development shall include construction measures that avoid high flow and/or high tide seasons for construction as well as implementing a flood resilient construction method to mitigate the risk of flooding during construction.	To mitigate flood risk.
47	Any cutting of trees, hedgerows and vegetation on site should only be undertaken outside of the bird breeding season. The Bird breeding season takes place between March 1st and August 31st.	To minimise risks to breeding birds.
48	Environmental protection measures set out within the Natura Impact Statement received by the Planning Authority on	To ensure there will be no impacts to the integrity of any Natura 2000 site.

	31/03/2023 and as updated by further information and clarification shall be implemented and adhered to in full.	
49	All works on site shall be implemented in accordance with a Construction Environmental Management Plan, which shall be based on the Outline CEMP and shall include all measure proposed within the Biodiversity Chapter of the Environmental Impact Assessment Report and Natura Impact Statement and associated addendum and conditions of planning attached herein. The plan shall be prepared by a qualified and experienced person and shall accord with recognised standard best practice - CIRIA Guidance No C532 - Control of Water Pollution From Construction Sites. All works on site shall be implemented in accordance with the final agreed plan. It shall be the responsibility of the project manager to ensure the implementation of these measures.	To ensure the protection of ecological receptors.
50	Landscaping of the site shall be in accordance with the Landscape Plan received by the Planning Authority on 15/09/2023 and measures and mitigation specified within the Landscape Chapter of the EIA (as amended by way of Further Information, Clarification or conditions of planning). This plan shall be implemented in full under the supervision of an appropriately qualified and experienced landscape specialist within the first year following completion of the development. Any trees that die or are removed within three years of planting shall be replaced in the first planting season thereafter.	To ensure the protection of biodiversity generally.
51	A pre-construction survey for amphibians shall be completed by a suitably qualified and experienced ecologist to establish their presence and locations on site. The results of this survey/these surveys must be submitted to the Planning Authority before the commencement of works. Should amphibians be discovered on site	To prevent impacts to amphibians.

	the applicant is requested to prepare a mitigation plan to prevent impacts to amphibians which avoids direct impacts to these species and allows for their continued occurrence onsite. In the event protected species are identified as occurring on site and are considered to be vulnerable to disturbance caused by the development, the developers will be required to contact the National Parks and Wildlife Service to determine whether a (Section 23 (5)(d) Wildlife Act derogation license is required to allow the works to proceed.	
52	Prior to the commencement of development, the developer shall submit for agreement an Ecological Mitigation Plan which shall include details of all mitigation measures as included in the NIS, all ecological and water quality management measures included within the EIAR and as updated by further information and conditions of planning herein. The plan shall include details of ecological supervision/monitoring of the works phase as specified in the planning reports. All mitigation measures included in the Ecological Mitigation Plan shall be implemented in full. Within 6 months of completion of construction phase of the proposal, the applicant shall submit a compliance monitoring report in respect of biodiversity measures implemented at the site such as site landscaping, biodiversity enhancement measures, bat sensitive lighting etc.	To protect biodiversity and prevent adverse effects on Natura 2000 sites.
53	All works shall be supervised by an on-site Ecological Clerk of Works who will report on compliance with the relevant mitigation measures. The Ecological Clerk of Works shall be empowered to halt works where he/she considers that the continuation of the works is likely to result in a significant pollution or siltation incident. In the event of a water pollution incident, or of	To ensure compliance with mitigation measures and to protect biodiversity.

	damage to the adjacent river, these reports will be made available to the relevant statutory authorities, and on-site works will cease until authorized to continue by the planning authority. A compliance monitoring report shall be prepared by the Ecological Clerk of Works and shall be submitted to the planning authority at the end of the main construction period.	
54	As per details submitted on the 15th September 2023 the applicant shall: (a) permit Cork County Council to construct a shared path through the subject lands to facilitate future connection from Midleton Main Street to Midleton Youghal Greenway to support active travel links; (b) Permit Cork County Council access (via southern bore of Green Bridge) to lands East and West of the Green Bridge.	In the interest of sustainable transportation.
55	At least one month before commencing development or at the discretion of the Planning Authority within such further period or periods of time as it may nominate in writing, the developer shall pay a special contribution of €2,000,000.00 to Cork County Council, updated monthly in accordance with the Consumer Price Index from the date of grant of permission to the date of payment, in respect of specific exceptional costs not covered in the Council's General Contributions Scheme, in respect of works proposed to be carried out, for the provision of section of the Midleton Northern Relief Road. The payment of the said contribution shall be subject to the following: : - (a) where the works in question— (i) are not commenced within 5 years of the date of payment of the contribution (or final instalment if paid by phased payment), (ii) have commenced but have not been completed within 7 years of the date of payment of the	It is considered appropriate that the developer should contribute towards these specific exceptional costs, for works which will benefit the proposed development.

	contribution (or final instalment if paid by phased payment), or (iii) where the Council has decided not to proceed with the proposed works or part thereof, the contribution shall, subject to paragraph (b) below, be refunded to the applicant together with any interest which may have accrued over the period while held by the Council. (b) Where under subparagraphs (ii) or (iii) of paragraph (a) above, any local authority has incurred expenditure within the required period in respect of a proportion of the works proposed to be carried out, any refund shall be in proportion to those proposed works which have not been carried out. (c) payment of interest at the prevailing interest rate payable by the Council's Treasurer on the Council's General Account on the contribution or any instalments thereof that have been paid, so long and in so far as it is, or they are retained unexpended by the Council.	
56	At least one month before commencing development or at the discretion of the Planning Authority within such further period or periods of time as it may nominate in writing, the developer shall pay a contribution of €417,105.75 to Cork County Council in respect of public infrastructure and facilities benefiting development in the area of the Planning Authority. The value of this contribution is calculated in accordance with the Council's Development Contributions Scheme on 24/01/2024 and shall be increased monthly at a rate of 8% per annum in the period between the date on which this value was calculated, and the date of payment.	It is considered appropriate that the developer should contribute towards the cost of public infrastructure and facilities benefiting development in the area of the Planning Authority, as provided for in the Council's Development Contributions Scheme, made in accordance with Section 48 of the 2000 Planning and Development Act, and that the level of contribution payable should increase at a rate which allows both for inflation and for phasing in of the target contribution rates, in the manner specified in that scheme.
57	At least one month before commencing development or at the discretion of the Planning Authority within such further period or periods of time as it may nominate in writing, the developer shall pay a supplementary contribution of €14,871.20 to Cork County Council in respect of the Cobh/Midleton - Blarney	It is considered appropriate that the developer should contribute towards the cost of this project which will benefit the development to which this permission relates when carried out, as provided for in the Council's Supplementary Development Contributions Scheme, made in accordance with

	Suburban Rail Project. The value of this contribution is calculated in accordance with the Council's Supplementary Development Contributions Scheme in respect of this project on 24/01/24 and shall be increased monthly at a rate of 8% per annum in the period between the date on which this value was calculated, and the date of payment. If no substantial works have been carried out, or have been commenced, by a date 10 years after the receipt of a contribution or final instalment thereof, the contribution shall be returned to the developer, but less an amount corresponding to 75% reduction in the roads element of the contribution charged under the Council's General Contributions Scheme, together with payment of interest at the prevailing interest rate payable by the Council's Treasurer on the Council's General Account on the contribution or any instalments thereof that have been paid, so long and in so far as it is or they are retained unexpended by the Council.	Section 49 of the 2000 Planning and Development Act, and that the level of contribution payable should increase at a rate which allows both for inflation and for phasing in of the target contribution rates, in the manner specified in that Scheme.
58	The existing entrance shall be permanently closed off by the erection of a fence/wall matching the existing fence/wall in height, design, construction and finish to the satisfaction of the Planning Authority, immediately following completion of the new entrance.	In the interests of safety and in the interests of visual amenities.
59	Gates shall open inwards.	In the interests of road safety.
60	Before development commences, an updated Mobility Management Plan shall be submitted and agreed with Cork County Council in accordance with the National Transport Authority's Workplace Travel Plans A Guide for Implementers, including an Action Plan and method for monitoring. Ongoing updated Plans shall be submitted to Cork County Council at intervals to be agreed. The Mobility Plan shall inform the detail regarding the on-site facilities for staff including the showers, lockers, bicycle parking type and location.	In the interest of minimising car-based travel to the site.
61	A mobility management plan for the construction phase shall be	In the interest of minimizing car based travel to the site.

	submitted for agreement with the Planning Authority in advance of any works commencing.	
62	Other than at the proposed bridge crossing point, a fence shall be erected to ensure a 5m buffer strip is maintained from all watercourses. The fence shall be erected prior to commencement of any works and no works shall be carried out within 5m of any watercourse.	To protect water quality.
63	Where the applicant proposes to connect to a public water/wastewater network operated by Uisce Éireann, the applicant must sign a connection agreement with Uisce Éireann prior to the commencement of the development and adhere to the standards and conditions set out in that agreement. (Note that Uisce Éireann Infrastructure capacity requirements and proposed connections to the Water and Waste Water Infrastructure will be subject to the constraints of the Uisce Éireann Capital Investment Programme).	To ensure availability of adequate infrastructure for the development.
64	All wastewater infrastructure to be built to Uisce Éireann specification.	To ensure availability of adequate infrastructure for the development.

Planning Application 234602

1. Planner's Report

PLANNER'S REPORT

PRIMARY

APPLICATION NO.	23/04602
APPLICANT	Irish Distillers Limited
DESCRIPTION	The extension and expansion of the existing Midleton Distillery and all associated site development works. The proposed development includes, (A) a 2 storey over basement 'pot still' building with ancillary pot still tank farm and mechanical vapour recompression (MVR) building. (B) a 2-9 storey 'column still' building with ancillary column still tank farm and cooling tower, (C) a 3-7 storey over partial basement 'brewhouse' building with ancillary fermenter structures, (D) a pipe rack structure connecting the proposed pot still, column still and brewhouse buildings with the existing distillery, (E) an internal link bridge crossing the Dungourney River which traverses the site, serving as a vehicular and pedestrian connection between the existing distillery and the proposed distillery extension, (F) demolition of an existing industrial building, removal of existing hardstand areas and culverting of a section of the existing mill race, to facilitate the construction of a biogas plant comprising a series of plant and tank structures, a single storey ammonia removal building and change of use and alterations of existing workshop/warehouse no. 1 and warehouse no. 3 to accommodate associated plant and equipment, (G) other ancillary structures including the construction of a single storey 38kV substation and associated electrical compound, security buildings, staff welfare buildings and car park shelters, (H) all other ancillary site development including the diversion of existing gas and ESB lines which traverse the lands, the upgrade of existing waste water treatment plant at the distillery, attenuation basins, fire water basin, noise attenuation fencing, parking areas, planted boundary berm and signage, (I) access to proposed development will be provided via a new entrance from the Old Youghal Road (R907) to the south. The proposed development will also be accessible from the existing distillery entrances from the Dungourney Road (R627) and Distillery Walk (L-9408) to the north and west of the lands. The proposed development is for modifications to an establishment to which the Major Accident Directives applies and is for the purpose of the activity requiring an integrated pollution control license [Industrial Emissions Directive (IED) licence]. An Environmental Impact Assessment Report (EIAR) and Natura Impact Statement (NIS) have been prepared and will be submitted to the planning authority with the application
LOCATION	Park South, Castleredmond & Park North Midleton Co.Cork

DECISION DUE DATE	25/05/2023
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1. Site Notice and Date of Inspection

I inspected the site on the 21st May 2023- on inspection the site notice was in place and legible

2. Site Description

The development site is located to the South of the existing Midleton Distillery which is a long established Distillery on a located on the eastern side of Midleton town. Midleton Distillery occupies a 43.6 ha site and produces 70 million litres of alcohol per year. The site is an establishment to which the Major Accident Directive applies and is for the purpose of an activity requiring an Integrated Pollution Prevention and Control Licence (now Industrial Emissions Directive Licence). The main site contains the historic distillery structures. The expanded area to the East contains supporting warehousing and other such uses. The main distillery land is divided from the subject site by the Dungourney river

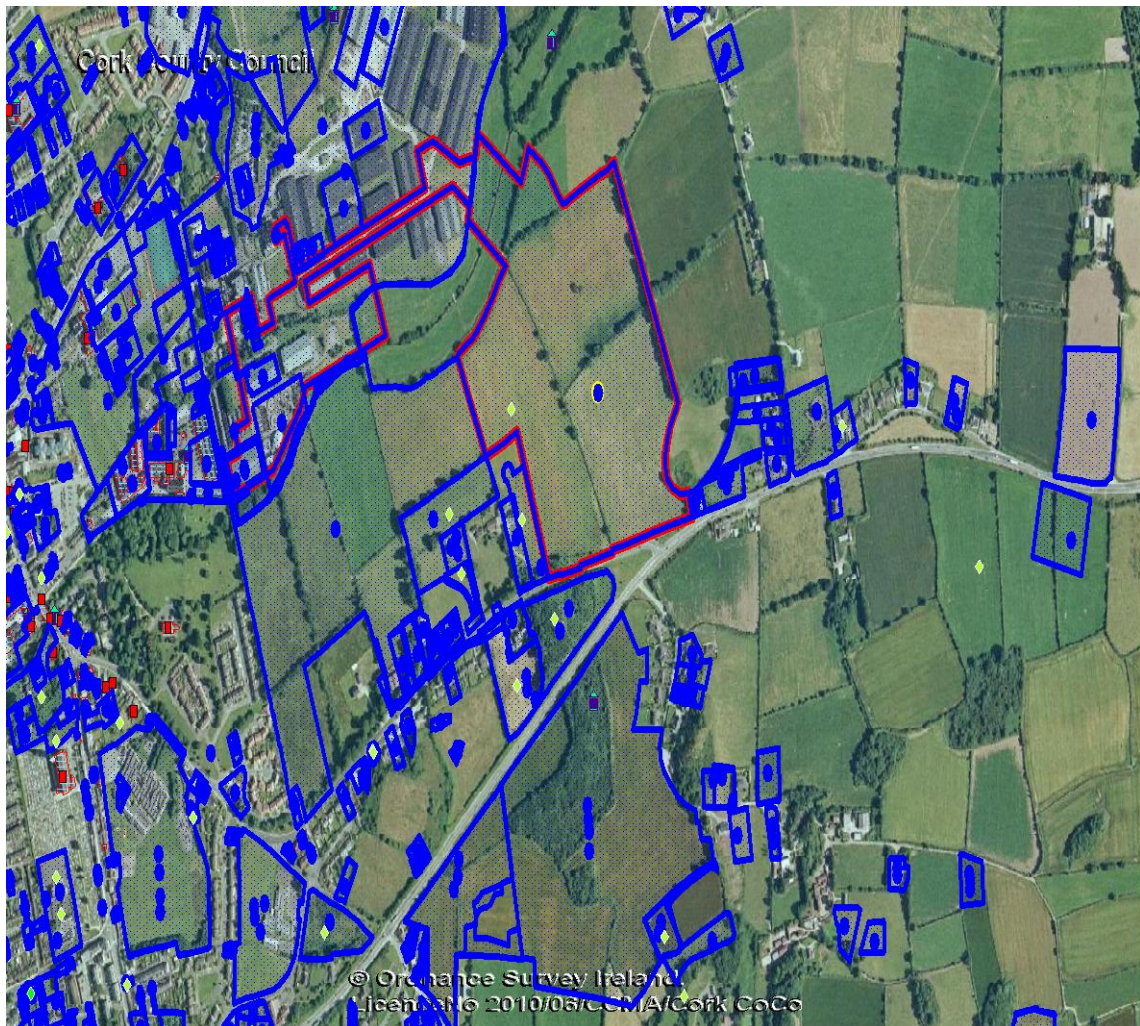
The subject site itself measures 24ha and is located approx. 1km to the East of Midleton town adjacent the old Youghal road. The lands are currently in agricultural use. Lands to the North and East of the site are also in agricultural use. To the West of the site, there exists a ribbon of residential development extending out from the main town centre. The Dungourney river runs to the North of the subject site area dividing the subject site from the main Distillery lands

The subject site is not part of the original heritage section of the Distillery site

PLANNER'S REPORT
PRIMARY



3. History



There is no previous planning history on the subject site area

On the wider distillery lands

23/4101- Permission granted to Irish Distillers A two-storey extension to the rear of an existing office building and all ancillary site development works. The proposed extension will accommodate a canteen, staff welfare facilities, meeting/office space, service and plant areas. The proposed development is a change of plan from that previously permitted by Cork County Council planning reference 21/6788. The proposed development is for modifications to an establishment to which the Major Accident Directive applies and is for the purposes of activity requiring an integrated pollution control licence [Industrial Emission Directive (IED) licence]

21/6788- Permission granted to Irish Distillers for A single storey extension to the rear of an existing office building to accommodate a canteen, staff welfare facilities, meeting/office space, service areas and all ancillary site works including the installation of rooftop photovoltaic panels. The proposed development involves the demolition of the existing single storey canteen building to the rear of the office building. The proposed development is for modifications to an establishment to which the Major Accident Directive applies and is for the purposes of activity requiring an Integrated Pollution Control Licence [Industrial Emissions Directive (IED) Licence]

18/4216- Permission granted to Irish Distillers Ltd for Construction of a 2 storey office building with roof top solar panels. The proposed development makes provision for the alteration and extension of the existing car park, the erection of a bicycle shelter and all ancillary fencing, landscaping and site development works. The proposed development is for modifications to an establishment to which the Major Accident Directive applies and is for the purpose of activity requiring an integrated pollution control licence [Industrial Emissions Directive (IED) Licence].

PL Ref No. 15/7001- A 10 year Permission granted to Irish Distillers for the demolition of an existing office building, security hut and smoking shelter and the construction of a new office and lab building within existing facility. The proposed development includes the construction of a two storey office/lab building with roof top solar panels, security building, smoking shelter, bicycle shelter, bin store and all ancillary signage, car parking, fencing landscaping and site development works. The proposed development is for the modifications to an establishment to which the Major Accident Directive applies and is for the purpose of an activity requiring an integrated Pollution Prevention and Control Licence (now Industrial Emissions Directive Licence)

20/6009- Permission granted to Irish Distillers Ltd for Retention of 4 no. pot still vents and 4 no. associated lightening masts to the roof of an existing still house. The proposed development is for modifications to an establishment to which the Major Accident Directive applies and is for the purposes of activity requiring an integrated pollution control license [Industrial Emissions Directive (IED) License].

20/4811 (Heritage section of the site)- Permission granted to Irish Distillers Ltd for the refurbishment, modification and change of use of existing warehouse buildings (Buildings 19, 20, 21) to form part of the Jameson Experience at The Jameson Experience Heritage Centre. The proposed works will include alterations to the existing facades and internal layout to facilitate

the temporary relocation of the existing visitor centre which will consist of reception area, auditorium, whiskey tasting rooms and retail shop including off-trade whiskey sales. The temporary heritage centre will be a licensed premises, including bar, cafe/restaurant with covered outdoor seating area and a temporary structure to accommodate public toilets adjacent to the existing warehouses. The building will continue to form part of the Jameson Experience and be used for tourism uses once the temporary use ceases. The proposed development consists of the carrying out of works to a protected structure.

19/4381- Permission granted to Irish Distillers Ltd for construction of a single storey forklift charging building and all ancillary site development works. The proposed development is for modifications to an establishment to which the Major Accident Directive applies and is for the purposes of activity requiring an integrated pollution control licence [Industrial Emissions Directive (IED) Licence].

Pl Ref no. 17/7446 -permission granted to Irish Distillers for The construction of a new Mechanical Vapour Recompression (MVR) Evaporator Unit with ancillary fan house, 2 no. electrical switch rooms, 2 no. stillage tanks and a caustic tank. The proposed development makes provision for the relocation of existing chemical tanks, removal of existing access stairs, the provision of new access stairs and platforms and all ancillary site works

Pl Ref No. 16/5553- Retention of the installation of roof level ventilation and planning permission for modifications to the micro distillery permitted by ref. no. 14/5429. The proposed modifications to the buildings include elevational changes to facilitate an increase in the roof height consisting of the installation of louvered ventilation to the external walls and the replacement of the roof; the provision of a plant room at first floor level; internal modifications; and all ancillary site development works. The proposed development consists of the carrying out of works to a protected structure.

16/6280- Permission granted to Irish Distillers for a A 316.68kW solar photovoltaic (PV) array to be mounted on the roof of two existing warehouse buildings. The solar array will generate on site green electricity which will be used to help reduce the company's energy costs.

The main Distillery Complex and associated warehouse development were permitted under governing permission 72-1237.

Adjacent Site

23/4775- Permission sought by Linda O'Shea for for site development works for 4 no. serviced sites for detached dwelling houses, alterations to existing entrance, access road, waste water treatment unit pumped to the public foul mains and all ancillary site works- decision pending

4. Proposed Development (including supporting material)

The extension and expansion of the existing Midleton Distillery and all associated site development works. The proposed development includes, (A) a 2 storey over basement 'pot still' building with ancillary pot still tank farm and mechanical vapour recompression (MVR) building, (B) a 2-9 storey 'column still' building with ancillary column still tank farm and cooling tower, (C) a 3-7 storey over partial basement 'brewhouse' building with ancillary fermenter structures, (D) a pipe rack structure connecting the proposed pot still, column still and brewhouse buildings with the existing distillery, (E) an internal link bridge crossing the Dungourney River which traverses the site, serving as a vehicular and pedestrian connection between the existing distillery and the proposed distillery extension, (F) demolition of an existing industrial building, removal of existing hardstand areas and culverting of a section of the existing mill race, to facilitate the construction of a biogas plant comprising a series of plant and tank structures, a single storey ammonia removal building and change of use and alterations of existing workshop/warehouse no. 1 and warehouse no. 3 to accommodate associated plant and equipment, (G) other ancillary structures including the construction of a single storey 38kV substation and associated electrical compound, security buildings, staff welfare buildings and car park shelters, (H) all other ancillary site development including the diversion of existing gas and ESB lines which traverse the lands, the upgrade of existing waste water treatment plant at the distillery, attenuation basins, fire water basin, noise attenuation fencing, parking areas, planted boundary berm and signage, (I) access to proposed development will be provided via a new entrance from the Old Youghal Road (R907) to the south. The proposed development will also be accessible from the existing distillery entrances from the Dungourney Road (R627) and Distillery Walk (L-9408) to the north and west of the lands. The proposed development is for modifications to an establishment to which the Major Accident Directives applies and is for the purpose of the activity requiring an integrated pollution control license [Industrial Emissions Directive (IED) licence]. An Environmental Impact Assessment Report (EIAR) and Natura Impact Statement (NIS) have been prepared and will be submitted to the planning authority with the application

5. Pre-Planning

25th October 2022- The current proposal was presented to various CCC officials drawn from Planning, Ecology, Environment and Traffic/ Roads sections

6. AA Checklist Option

A Natura Impacts Statement has been submitted. Accordingly the file has been referred to the Ecology section for review

7. EIS

- (a) Project 7(d), installations for commercial brewing and distilling, installations for malting where the production capacity would exceed 100,000 tonnes per annum.

Extension and changes to an existing facility are dealt with under S.13

13. *Changes,
extensions,
development and
testing*

- (a) Any change or extension of development which would:-
 - (i) result in the development being of a class listed in Part 1 or paragraphs 1 to 12 of Part 2 of this Schedule, and
 - (ii) result in an increase in size greater than-
 - 25 per cent, or
 - an amount equal to 50 per cent of the appropriate threshold,whichever is the greater.

The proposal breaches the threshold as set out above. Accordingly an EIAR has been submitted with this proposal

8. Policy Context

National Planning Framework

The National Planning Framework (NPF) outlines the policies and objectives for development in Ireland up to 2040 given the expected population growth of 1 million people. The purpose of the NPF is outlined as being to enable all parts of the country to successfully accommodate growth and change, by facilitating a shift towards Ireland's regions and cities other than Dublin, while also recognizing Dublin's ongoing key role. The NPF is underpinned by a number of national strategic outcomes (NSO's) including:

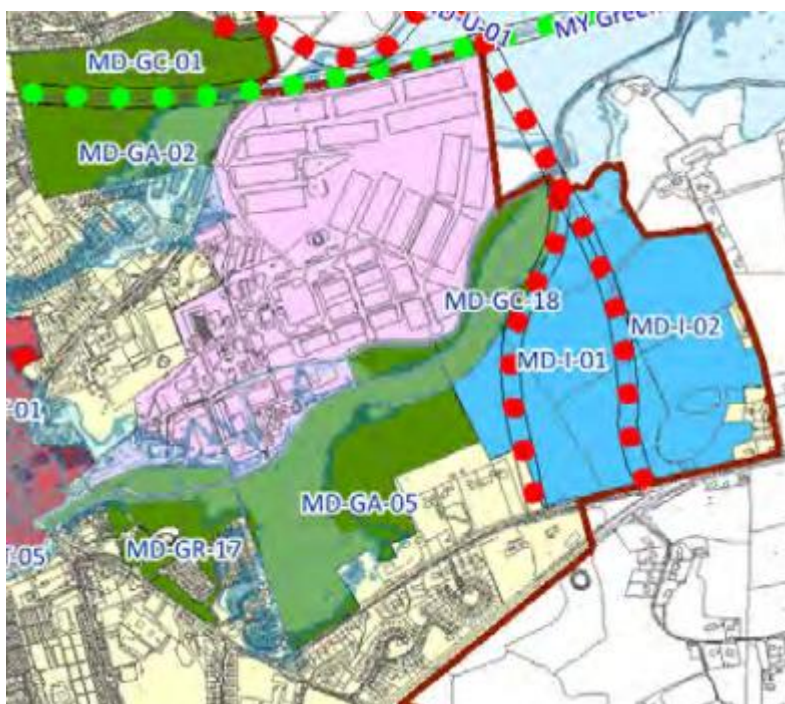
- NSO 3 - Strengthened Rural Economies and Communities.
- NSO 5 - A Strong Economy supported by Enterprise, Innovation and Skills.
- NSO 8 - Transition to a Low Carbon and Climate Resilient Society.-

Regional Spatial & Economic Strategy for the Southern Region 2020

'Midleton is the largest town in East Cork, building on the success of the town's rail connections to Cork City, building on its industrial base and specialist roles in food and beverage sector and building on its tourism assets'.

Cork County Development Plan 2022

Please note 3 overall zoning objectives relate to the site though the substantive element is within area zoned for "Industry" (see indicative map below)



Lands are primarily zoned "**Industrial -I-01 and I-02**"

The proposed bridge linking back to the main distillery site crosses an area identified as "**green infrastructure "MD GC-18"**"

A part of the site on lands zoned existing **mixed/ general business/ industrial uses (MGB)**

The proposed Northern relief road (**MD U-01**) also runs through the site

A small element of the site is within an area designed as “**Existing Residential/Mixed Residential and Other Uses**”

MD-I-01	Industrial development taking into account the line of the proposed Northern Relief Road, the proximity of the Seveso site (Irish Distillers) to the north, the flood risk guidelines and adjacent residential, archaeological and sports uses. Proposals shall include: • a traffic and transport assessment and mobility management plan, and; • detailed landscaping plans for the site having regard to its proximity to the N25. • protection of the River Corridor, any development shall take into consideration Inland Fisheries Ireland guidelines 'Planning for Watercourses in the Urban Environment'. * ^
MD-I-02	Industrial development taking into account the line of the proposed Northern Relief Road, the proximity of the Seveso site (Irish Distillers) to the north and the need to provide a buffer to protect the amenity of the adjacent houses to the east. Proposals shall include: a traffic and transport assessment and mobility management plan, and; detailed landscaping plans for the site having regard to its proximity to the N25. protection of the River Corridor, any development shall take into consideration Inland Fisheries Ireland guidelines, 'Planning for Watercourses in the Urban Environment'. * ^ The site includes a small area of woodland which should be retained and protected.
MD-GC-18	Green Infrastructure River Corridor. Consideration should be given to the Inland Fisheries Ireland Guidelines – 'Planning for Watercourses in the Urban Environment'. *

**County Development Plan Objective
ZU 18-13: Green Infrastructure**

Three subcategories of Green Infrastructure zonings have been identified to

- a) Retain and provide for open space and recreational amenities within Green Recreational (Open Spaces/ Park) areas;
- b) Retain and generally protect appropriate areas for their landscape, amenity or nature conservation value or their current or future flood management role, within Green Conservation (Landscape amenity/ nature conservation) area; and
- c) Retain and provide for active recreational facilities within Green Active (Active Open Space) areas.

No development other than development which supports Green Infrastructure will be considered in these areas. Any proposals in Green Infrastructure areas will need to ensure the protection and enhancement of the integrity of biodiversity and to recognise the importance of wildlife corridors and sites of nature conservation and be in accordance with Article 10 of the Habitats Directive.

County Development Plan Objective ZU 18-16: Industrial Areas

Appropriate Uses in Industrial Areas

Medium to large scale warehousing and distribution, bioenergy plants, open storage, recovery and transport operating centres, strategic large scale waste treatment facilities including waste to energy recovery facilities*(as per objective above), port facilities and port related activities, logistics, heavy industry, offices ancillary to permitted use, laboratories, food related industry, marine related development, general industry, civic amenity site, plant storage, sustainable energy installation, heavy vehicle park, fuel depot/fuel storage, telecommunication structures, biomedical, pharmaceutical, data centres, childcare facilities, commercial film studio facilities

County Development Plan Objective ZU 18-10: Existing Mixed/General Business/Industrial Uses Facilitate development that supports in general the employment uses of the Existing Mixed/General Business/ Industrial Areas. Development that does not support, or threatens the vitality or integrity of the employment uses of these areas shall not be permitted.

Appropriate Uses in Existing Mixed/ General Business/Industrial Uses

General warehousing, trade warehousing and distribution, manufacturing and repairs, storage, builders provider/ yard, food processing facility, logistics, fitting and business to business activity, wholesaling, vehicle sales outlets, high technology manufacturing plant and tool hire, public services, service station, vehicle servicing/maintenance garage, incubator units, childcare facilities, commercial film studio facilities.

County Development Plan Objective ZU 18-9: Existing Residential/Mixed Residential and Other Uses *

Appropriate Uses in Existing Residential/Mixed Residential and Other Uses Areas, Residential development, residential care, sheltered housing, specialised housing, small scale retail, local centres/ neighbourhood centres, small scale commercial, community facilities, childcare facilities, education facilities, places of worship, civic uses, small scale offices, local medical /healthcare services, marine facilities, sports facilities, recreation and amenity facilities, bed and breakfast/guesthouses/hotels.

Section 10.7 of the CDP outlines Midleton Distillery as being one of the key tourist attractions in Cork

County Development Plan Objective TO 10-3: Tourism Opportunities

Facilitate the development of the tourism sector and provide for the delivery of a unique combination of tourism opportunities drawing on the network of attractions in Cork County and potential future attractions.

Climate Action Plan 2023 (Government of Ireland)

CAP 2023 implements the carbon budgets and sectoral emissions ceilings and sets out a roadmap for taking decisive action to halve our emissions by 2030 and reach net zero no later than 2050, as committed to in the Programme for Government

9. Internal Consultants

Public lighting engineer- no objection

Flood risk engineer- has requested F.I (or specific condition in the event of a grant)

Area engineer- has recommended F.I in relation to traffic safety issues and surface water management

Environment officer- has indicated no overall objection to the proposal

Water services engineer

Ecology section- has recommended F.I
Traffic and Transport- has recommended F.I
Co. archaeologist-
Environment section (soils) – has recommended F.I

10. External Consultants

Health and Safety Authority has reported- has noted that it is “does not advise against the granting of permission”

Transport Infrastructure Ireland- has indicated that the proposal is “at variance” with National policy in respect of development onto National roads and is also within the route corridor for potential N25 upgrade

Gas Networks Ireland- no overall objection. Applicant should consult with the body where relevant

Health Service Executive- has commented on various aspects of the EIAR with suggested conditions where deemed appropriate. No overall objection to the proposal has been noted

11. Public Submissions

2no. public submission have been received

1- Linda O Shea

Has requested that the Planning Authority consider impact on her property (immediately adjacent to West)

2- John O'Callaghan

- No specific objection raised other than stating standard assessment criteria (this appears to be a submission to maintain a right of appeal interest in the development)

12. Public Representative Submissions

None received

13. Assessment and Conclusion

Proposal Particulars/ Design Layout

This proposal represents a 250million investment by IDL to effectively double the existing production capacity from 70 million litres alcohol (MLA) annually to 133 MLA by 2025. In 2013, the facility received permission on foot of a similar level of investment to double the then capacity to 70MLA. The 2013 expansion was catered for primarily within the existing brownfield footprint of the IDL site. The current proposal requires an expansion into neighbouring greenfield lands which have been zoned to accommodate such a development. This will accommodate the new production zone separated from the historic distillery by the Dungourney river. Details submitted with the application outline that whiskey making has two distinct elements- production and maturation. The current development relates solely to the production aspect.

Overall the proposed development includes:

- A 2 storey over basement 'Pot Still' building with ancillary pot still tank farm and Mechanical Vapour Recompression (MVR) building.
- A 2-9 storey 'Column Still' building with ancillary column still tank farm and cooling tower.
- A 3-7 storey over partial basement 'Brewhouse' building and ancillary fermenter structures.
- A Piperack structure connecting the proposed Pot Still, Column Still and Brewhouse buildings with the existing distillery.
- An internal link bridge crossing of the Dungourney River which traverses the site, serving as a vehicular and pedestrian connection between the existing distillery and the proposed distillery extension.
- Demolition of an existing industrial building, removal of existing hardstand areas and culverting of a section of the existing mill race, to facilitate the construction of a biogas plant comprising a series of plant and tank structures, a single storey ammonia removal building and change of use and alterations of existing workshop/warehouse no.1 and warehouse no. 3 to accommodate associated plant and equipment.
- Other ancillary structures including the construction of a single storey 38 kV substation and associated electrical compound, security buildings, staff welfare buildings and car park shelters.
 - All other ancillary site development works including the diversion of existing gas and ESB lines which traverse the lands, the upgrade of existing wastewater treatment plant at the distillery, attenuation basins, fire water basin, noise attenuation fencing, parking areas, planted boundary berm and signage.

- Access to the proposed development will be provided via a new entrance from the Old Youghal Road (R907) to the south. The proposed development will also be accessible from the existing distillery entrances from the Dungourney Road (R627) and Distillery Walk (L-9408) to the north and west of the site



In respect of design/layout 3 new main buildings are proposed for the site. The new pot still building (4, 770sqm) has been positioned to the front of the site (South) close to the public road. This will be an architecturally striking structure that will clearly announce the purpose of the site forming a visual association with the Middleton distilling legacy in the town. The building will have an overall height of 21m and will be a transparent glazed structure on stone plinth and metal seamed roof. A piperack will link the building to the pot still tank farm (52 structures- footprint 2789sqm) which will be located to

the rear along with some car parking. This piperack is elevated and will link all the building with the main distillery site

To the NE of the Pot Still building the proposed column still building will be located. This is the tallest of the new structures proposed and will have an overall height of 44m and a floor area of 6,744sqm. The main grain processing will take place within this structure. The submitted design statement outlines that this is a purely process/ function driven building thus the architectural treatment has been to try to break up the overall massing. The materiality has been designed to link with the remainder of the site with a stone plinth, smaller glazed openings and champagne coloured metal panelling

A smaller tank farm (10 structures-footprint 844sqm) will also be located to the rear.



Proposed Pot Still building



Proposed column still building

The 3rd main structure is proposed for the rear of the site. This is the proposed brewhouse building. This building also seals with grain processing but also contains the main staff quarters/ control rooms on the site. This has an overall height of 28m and a floor area of 12, 974sqm. While this is a largest structure in terms of floorspace, it will be partially hidden by the column still building therefore less prominent on the site (although this could change if the relief road is built). Again, the materiality is common with a stone plinth, glazed curtain walls and champagne coloured metal panelling. Associated fermenter structures (84no- footprint 3, 769sqm) will be located to the rear.



Proposed brew house building



Fermenters (20m in height)

Spatially, these key structures have been massed such that they are centrally concentrated along the main N/W spine running through the site. This allows a green band to be located around the overall perimeter of the site helping to insulate same from adjoining landholdings and same helps inform the wider landscaping/biodiversity plan. It is also noted that an undeveloped corridor has been retained along the Eastern side of the site to

potentially accommodate the proposed Northern relief road as specified on the main zoning objective. It is expected that this will in time become the main access to the site. For now, a new access has been proposed on the Western side of the site. Truck parking has been located on the North Western side of the site. Some smaller support structures are also located close to the site perimeter (i.e two security buildings (41sqmx 2) and a firewater retention tank. A new 38Kv substation is also required for the site and the existing line across the site diverted accordingly

The method of linking the site back to the main IDL development is via a new 60m bridge over the Dungrourey river. This bridge will also carry the proposed piperack albeit at a lower height to minimise impact. It consists of 3 arch elements which will be craned onto the site and fully affixed. No instream works are proposed, and the bridge will be assembled from prefabricated parts. This bridge structure has been carefully designed to limit its impact on the green infrastructure lands/ river. It reads as a green hill within the landscape with the roads/piperack etc sunken into same to limit visual impact. The bridge also carries a 2.5m footpath to aid pedestrians/ cyclists. The bridge will require a separate consent process (S.50 application to the Office of Public Works)



Finally, a new biogas facility is proposed. This will be located within the main distillery site on the Northern side of the river. It is stated that this component is key to the applicants wider carbon reduction aspirations. Waste products from the distilling process will be converted to energy at this plant and will fully sourced on site. It will be located adjacent the existing wastewater treatment plant and will comprise a collection of plant structures with a max height of 20m. Some modifications to an existing warehousing building/ workshop will be required to accommodate this element

Table 1: Approximate Building Gross Floor Area

Building	Width (m)	Length (m)	Overall Height (m)	Gross Floor Area (m2)
Brewhouse & Feeds Recovery	55.2	98.4	26.5	12,974
Grain Column	43.2	48.5	43.7	6,744
Pot Still	34.5	85.8	20	4,700
Security Buildings	6.6	15.6	5.3	41 (each)
Drivers Welfare	8.3	12.9	4.9	68

**Overall site view**

The key impacts associated with the developments outlined above will be assessed as part of the EIAR assessment process below

Principle of the Proposal

The site is contained within the existing and long established Midleton Distillery Complex.

In planning use terms, the substantive elements of the proposal are on land zoned for either Industrial purposes or existing mixed business/ industrial. The proposed development therefore is fully compatible with the

aims/objectives of these zoning objectives. The CDP supports/ recognises the contribution of the distillery to the area.

The Industrial zoning references the accommodation of the new Northern relief road (MD U-01). The proposal has factored this requirement into the design and has assisted in terms of firming up the exact route corridor for same (**further on same is outlined under chapter 7**)

The proposed bridge linking the new expansion site with the main distillery traverses land that is zoned "green infrastructure". Under the CDP, there are three categories of green infrastructure (related to passive / active uses or the overall landscape conservation). The subject site area is within a Green Conservation area. (GC) . The purposes of same is to generally retain such areas for their landscape, amenity or nature conservation value. The proposed bridge is intended to cross this land and has been designed to be a sympathetic physical intervention that will not impede the functioning of this green corridor. On this basis it is considered that the works proposed do not materially contravene the zoning objective and this position has been confirmed in correspondence with the Planning Policy Unit

Environmental Impact Assessment Report

An EIAR has been submitted with the proposal comprising 22 chapter as set out below. For the purposes of clarity, analysis under each of the chapter headings will assess the likely **significant direct and indirect effects** of the project on the identified category. The assessment has been informed by commentary from reporting internal officers and prescribed bodies/3rd parties

The main report comprises 22 chapters under the following headings

- 1- Introduction
- 2- Need for scheme
- 3- Consideration of alternatives
- 4- Proposed development
- 5- Construction strategy
- 6- Planning Policy
- 7- Traffic & Transport
- 8- Landscape and Visual
- 9- Biodiversity
- 10- Noise and Vibration
- 11- Air Quality

- 12- Climate
- 13- Archaeology, architectural and cultural heritage
- 14- Population and Human Health
- 15- Resource and waste management
- 16- Water
- 17- Land, soils, Geology and hydrogeology
- 18- Material Assets
- 19- Risk of major accidents/hazards
- 20- Cumulative and Interactive impacts
- 21- Summary of mitigation and monitoring
- 22- Summary of residual impacts

Competent Experts

Section 172 (1B) of the Planning and Development Act as amended requires that the EIAR is “prepared by experts with the competence to ensure its completeness and quality”. This EIAR was prepared by Arup Consultants. The bona fides of the qualifications of those involved in its preparation have been set out and are deemed acceptable. The credentials of the various persons involved in specific Chapters is also provided.

Chapters 1-3 of the EIA provide a project introduction, need for the proposal, and consideration of alternatives. The “need” for the proposal is somewhat implicit in terms of the huge growth in demand for the products. Currently the site produces 75 MLA (million litres alcohol) annually. To meet expected demand, the proposal will allow capacity expansion to 133 MLA post 2025. The issue of “alternative” sites has also been discussed. 32 alternative sites were considered as well as alternative methods of production. Overall given the favourable nature of the subject site, the synchronicities with both the existing distillery and the maturation warehouses, the subject site and process was deemed most effective and the rationale behind same would appear wholly reasonable.

Chapter 4- Proposed Development

The proposed development and main layout aspects has been set out in the main body of this report.

Chapter 5- Construction Strategy

It is proposing to construct the overall development in one continuous phase (21 months) after completion of the site enabling phase (2 months)

800 persons are expected to be employed during construction phase (with a peak of 200 persons on site at any one time)

Construction traffic will enter the site from the old Youghal road with the internal roads on site helping to minimise any queuing on this public road. It is expected that a construction traffic management plan will be agreed with CCC. The main impacts relating to construction traffic are assessed under **Chapter 7.**

Construction operations on site are proposed to be between the hours of 07:00 and 19:00, Monday to Friday, and 07:00 to 16:00 on Saturdays. Similarly, deliveries of materials to site will generally be between the hours of 07:00 and 19:00, Monday to Friday, and 08:00 to 16:00 on Saturdays.

Chapter 6- Planning Policy

The main planning policy issues have been outlined assessed earlier in this report

Chapter 7-Traffic and Transport

Construction

It has been robustly estimated that during the excavation stage of construction, an average trip rate of 10 trucks in and 10 trucks out per hour will occur, across a 7-hour day during a period of 35 weeks. Applying a factor of 20% to account for fluctuation resulting in a peak hour volume, it can be assumed that up to 12 vehicles could arrive and depart during the peak hour, resulting in up to 24 HGV movements per hour. This is a significant level of traffic

All construction traffic will enter the proposed development from the R907 Old Youghal Road. The temporary internal road network that will be implemented during construction stage will be designed so that queues on the R907 Old Youghal Road will be avoided. During construction, there will be up to 200 staff arriving to the site outside of the peak hours.

The proposed traffic volumes during construction phase are significantly higher than operating phase. The construction phase is expected to last 21

months. The applicant intends to agree construction traffic management with the local authority however it should be noted that any Haul routes through Middleton town would not be acceptable. As such, the only viable haul route is via the N25 and its junction with the R907, 200m to the east of the proposed development entrance. There are significant road safety concerns regarding said junction in its current alignment form. Turning left off the N25 from the west is unsuitable for HGVs currently. It is not apparent from this application of any proposed alterations to address the existing road safety concerns regarding the existing unimproved section of N25 National Primary Road junction (whereby the speed limit is 80kph at this junction) with the R907. The proposed development would be considered to pose a traffic hazard and cause obstruction with impacts to the operation and safety of all road users on the National Road due to the extra traffic movements generated by the intensification of use of the site as outlined in DOECLG's Spatial Planning and National Roads Guidelines for Planning Authorities. This matter will need to be reconsidered by the applicant

The next phase of Middleton North Relief Road will pass to the east of the proposed development and join the N25 in the vicinity of the existing junction. Preliminary designs are in place for the said junction in the form of a roundabout. This upgraded junction would resolve issues regarding road safety concerns at said junction. TII also have a study of the N25 Middleton to Youghal commencing and consultants appointed. Both TII and the NRDO has commented on the application and indicated that the proposal is premature following proper resolution of these issues

It is considered the current application should be deferred to allow the applicant to propose a satisfactory solution to the road safety issues at the R907/N25 junction and to consider the route corridor concerns in respect of the N25 upgrade.

Northern relief Road

The zoning for the site makes provision for a Northern relief road through the site. The applicant has factored a corridor on the Eastern side to potentially cater for this road. As noted, this will require a new roundabout onto the R907/N25 junction. **(note for case planner-The SE/E roads is reviewing this element to the proposal however I do not have this assessment to hand at time of completion of this report)**

Operation

No significant impacts are expected during operational phase and there is likely to be a net reduction in HGV traffic through the town once the new

expansion site is operational. The application outlines the circular type routing approach that will be in place once the facility is operational

Greenway

An issue that arose during pre-planning related to the possibility of providing a link across the subject lands ultimately connecting to the new Midleton – Youghal Greenway currently under construction. This is a wider aspiration of the Midleton MD and was raised as it would open up a town centre link to the greenway via distillery walk and using the green infrastructure corridor. The potential route of same has been shown in the area engineers report but would necessitate a wayleave across the IDL lands. The route would run under the Northern arch of the proposed bridge. T&T section has indicated that there is ample space under this arch to accommodate such a connection. Applicant should be requested to consider consenting to this wayleave. Such a connection would be of major benefit to the town/area as well as the IDL visitor site

Chapter 8- Landscape and Visual

The baseline position has been well presented and illustrated in the chapter.

15 viewpoints were ultimately chosen to inform the Landscape Visual Impact Assessment (LVIA). This are included in appendix 8.1 of the submitted EIAR. Please note the locations of certain vantage points were chosen following pre-planning feedback from the Planning Authority and these extend to distances of up to 5km from the subject site. The chosen locations provide a reasonable selection of vantage points to appraise the site. The terminology used to describe the assess the is in accordance with EPA guidance on such matters

Of the 15 viewpoints, only 2 are deemed to generate a “negative” impact based on the methodology provided. These viewpoints are from the Cahermone estate (250m from the site) and the Broomfield estate (1500m to the North). This impact relates to the fact that the proposal will introduce Industrial buildings onto the viewpoints of residences which heretofore would have a view over agricultural land.

Applicant references that the potential Northern relief road identified for the site potentially lends the site an “Eastern gateway” or eastern node characteristic on approach to Midleton. This road and this site will ultimately form the demarcation between the Midleton urban area and surrounding rural hinterland. The applicant contends that the proposed “pot still” building

will create a positive impression on this landscape creating a visual link to Middleton distilling legacy prompting a curiosity from the viewer. This is the rationale behind “positive” impact applied to 7 of the submitted viewpoints. The remaining 5 are deemed to generate a neutral overall impact. It is also noted that the site is not visible from the centre of Middleton (ACA), most of the key buildings and only in limited circumstances from designated scenic routes. Mitigation is in the form of hedgerow/ planting retention and new landscaping

While the proposed development will undoubtedly alter the landscape from agriculture to “urban”, this site has been zoned Industrial under successive development plans thus there has been a long standing expectation of Industrial development on this site. In this context, the visual impacts have been expected and deemed to be broadly acceptable from an overall land use planning perspective. Accordingly I would be satisfied (subject to implementation of the requisite landscaping and other measures) that the visual impacts associated with the proposal are acceptable

Chapter 9- Biodiversity

(as per the ecology officers report)

Invasive Species: No third schedule or high impact invasive species were recorded within the proposed development site. The non-native invasive species Buddleia and Himalayan Honeysuckle was recorded within scrub habitat along the millrace classed as medium impact species.

Comment: Generally satisfied. Invasive species management measures specified within CEMP.

Otter: An existing, continuous mammal track runs east and west along the northern bank of the Dungourney River potentially used by Otter. No active usage of this area by Otter was recorded by the trail cameras. One Otter spraint was recorded approximately 50m upstream of the proposed development site. However, the limited Otter records within the proposed development site indicate that the terrestrial habitats within this area are of relatively low value given lack of trees present along the Dungourney river and recreational uses and floodlighting to the west of the site. Local importance high value.

Comment: Pre-construction survey proposed and general construction management measures, lighting, air, noise, dust and water protection measures proposed.

Badger: mixture of walkover and trail camera surveys carried out. a mammal track along the Dungourney river and entry/exit and active Badger Setts 250m and 720m from the proposed development site boundary. It is estimated that the proposed development will result in the loss of approximately 13.7% of available foraging habitat. This is less than the 25% loss of foraging habitat which is considered significant.

Comment: It is noted that ongoing surveying is being carried out including bait marking April to June which will feed into monitoring of species to determine territories further. The applicant shall be requested to submit details of same and to confirm if the works will result in loss of additional foraging habitat. Applicant also requested to submit specification and locations of badger and other mammal passes proposed within development during construction and operational phases.

Bats: In total five species were recorded at the proposed development site namely Leisler's Bat, Brown Long-eared Bat, Soprano Pipistrelle, Common Pipistrelle and Daubenton's. No evidence of roosting on site, however foraging activity widely observed particularly along the Dungourney River. As there will be some loss of internal hedgerows and scrub along the Mill Race and a section of treeline along the Dungourney will be removed to facilitate bridge construction. The results of the bat survey indicate that low to moderate numbers of bats currently forage within these habitats. In the absence of mitigation, the construction phase of the proposed development would result in the long-term loss of moderate value bat foraging and commuting habitat,

Comment: Mitigation in place including landscape design and lighting design no significant impacts likely. Details submitted generally satisfactory – detailed enhancement measures proposed, however lack of detailed drawings provided and FI shall be requested.

Birds:

Red Listed: A small number of Oystercatcher (7) were recorded on the Middleton GAA pitches

and amenity grassland to the west of the site during wet weather. Redwing (peak 19) were recorded within the proposed development site on a number of occasions foraging and roosting within grassland and scrub. Snipe were recorded in wet/waterlogged patches of grassland within the greenfield area of the proposed development.

Kingfisher was recorded along the Dungourney River during site surveys and therefore is assumed that this area falls within the foraging territory of

Kingfisher. However, the riverbanks along the Dungourney River within the proposed development site are too low and/or overgrown to provide suitable nesting habitat for Kingfisher. Although Grey Wagtail and Dipper could potentially breed along this section of the river. The sluggish water within the millrace is not suitable for breeding aquatic birds.

SCI species: Black-headed Gull were recorded foraging at the site during ground investigation works. Grey Heron was recorded foraging along the Dungourney River downstream of the proposed development site. Herring Gull and Oystercatcher were recorded outside the site boundary on the grasslands of the Midleton GAA grounds to the west of the greenfield area of the proposed development.

According to the EIAR, in the short to medium term, the loss of common habitats associated with site clearance works and disturbance will have a slight, negative impact on wintering passerines which use the proposed development site. Mitigation proposed in the form of timing of clearance works and habitat enhancement.

Comment: Details submitted generally satisfactory – detailed enhancement measures proposed, however lack of detailed drawings provided and FI shall be requested.

Amphibians/Reptiles: Works of the drainage ditch within the greenfield area of the proposed development site could potentially lead to a temporary loss of low value habitat for Common Frog.

Comment: Pre-construction amphibian survey required by condition. Alternative specific habitat proposed in form of ponds which will be designed to accommodate common frog.

Aquatic: The Dungourney River supports Sea trout, Atlantic salmon *alar* and Brown Trout. The river also supports European Eel and Brook lamprey with Stone loach and Stickleback. potential salmonid spawning habitat is likely to be present in the upper reaches of the river. drainage ditch within the greenfield area of the proposed development due to low levels of water during dry weather and does not provide suitable habitat for fish.

Comment: No instream works proposed and detailed water management measures proposed to prevent water quality impacts within the Dungourney. Surface water management details have been provided within CEMP and a drawing is also submitted as part of this document however not to scale. Applicant shall be requested to submit surface water management drawing to scale. Noise barrier also proposed.

Biodiversity Assessment: The ecology officer has reviewed the biodiversity chapter and landscaping proposals as submitted and is generally satisfied with the principle of the development as proposed including the overall green infrastructure design rationale. The report of the Environmental Officer has also been noted and in particular that they are satisfied with proposals in respect of noise, air and dust emissions.

Chapter 10- Noise and Vibration

There are dwelling houses located to the West of the site

A Noise and Vibration assessment of the noise and vibration effects arising from the proposed development on the existing environment supports the application. The survey was conducted with regard to ISO 1996: Acoustics – Description, Measurement and Assessment of Environmental Noise (Part 1 and Part 2) (ISO, 2003 & 2007) and compared against Guideline for the Treatment of Noise during the planning of National Road Schemes (Transport Infrastructure Ireland, 2014).

Baseline noise surveys was carried out at five locations with the proposed development site on 28th September 2022 and 18th January 2023. Monitoring locations NM1, NM2, NM3, NM4, NM5 and NM6 (see Fig 1 below).



Figure 1 NSLs (From EIA)

During the construction phase, noise and vibration impacts are considered at the nearest sensitive receptors due to construction activities and construction traffic to and from the site.

Recommendations regarding the relevant limits are outlined and mitigation measures are proposed. The highest noise levels will be generated during the site preparation, excavation, and foundation construction stages. No significant vibration impacts are predicted during the construction phase. A continuous noise barrier (comprising a combination of earth berm and fence) along the southern part of the western boundary has been included in the design of the proposed development, as embedded mitigation. In addition it is noted that items such as quiet plant, controlled operating hours, enclosures and screens will assist in managing/ mitigating the overall level of noise impact

Table 10-6 Daytime Noise Levels (07:00 to 19:00)

Location and time	L _{Aeq} (dB)	L _{Amax} (dB)	L _{A10} (dB)	L _{A90} (dB)
NM1 17:46 – 18:16	56	65	58	52
NM2 17:06 – 17:36	51	73	52	45
NM3 18:20 – 18:50	46	62	48	44
NM6 17:01 – 17:31	49	57	51	47

Table 10-7 Evening Noise Levels (19:00 to 23:00)

Location and Time	L _{Aeq} (dB)	L _{Amax} (dB)	L _{A10} (dB)	L _{A90} (dB)
NM1 19:25 – 19:40	56	68	59	51
NM2 19:03 – 19:18	46	55	47	44
NM3 19:07 – 19:22	46	53	47	44
NM4 19:49 – 20:04	41	56	42	39
NM6 19:08 – 19:23	49	56	51	46

Table 10-8 Night—time Noise Levels (23:00 to 07:00)

Location and Time	L _{Aeq} (dB)	L _{Amax} (dB)	L _{A10} (dB)	L _{A90} (dB)
NM2 23:03 – 23:24	43	51	44	42
NM4 23:03 – 23:18	40	50	42	37
NM5 23:23 – 23:38	45	56	47	41
NM6 23:30 – 23:45	46	57	49	41

Table 10.12 predicts likely resulting noise climate during construction phase at Noise Sensitive Locations. No likely significant noise impacts are predicted during the construction phase and compliance with the outlined TII limits.

The site operations will be subject to a licence from the Environmental Protection Agency (EPA) which sets conditions in relation to noise, comprising control measures and noise limits during the operational phase.

All noise levels at residential receptors are predicted to be in compliance with the standard EPA licence limits for noise attributable to licensed industrial sources. The assessment of noise impact during the operational phase shows that the proposed development is not predicted to exceed the standard EPA licence limits, and therefore, no additional mitigation measures are suggested or necessary.

Chapter 11- Air Quality

Construction

The operation of the existing distillery is subject to the conditions of the site's Industrial Emissions licence, which includes best practice measures in order to minimise dust and air/odour pollutants.

During the construction and operational phase, emissions to air from the construction, landscaping and operation of the process shall be controlled in accordance with these specific conditions, and specific dust monitoring measures will be carried out during the construction phase (Monitoring Programme to be agreed). IDL will continue to be required to regularly monitor emissions in accordance with licenced conditions to ensure compliance with the prescribed air quality limit values.

There is limited potential impact on air quality during the construction phase of the proposed development from construction dust emissions and the potential for nuisance dust. Construction dust tends to be deposited within 200m of a construction site, the majority of the deposition occurs within the first 50 m. Dust minimisation measures detailed in the mitigation section of this chapter are implemented, fugitive emissions of dust from the site will be negligible and temporary at nearby receptors.

An assessment of the likely significant effects of the proposed development on air quality has been carried out in line with relevant guidelines. The air quality assessment and air and odour modelling study, establishes that no international or Irish air quality standards or guidelines are forecast to be

exceeded for Carbon monoxide, NO_x, Sulphur dioxide, Total particulates (as PM₁₀ and PM_{2.5}), TOC as C (as Benzene) from the identified processes. The assessment concludes that operation of the proposed development will have no significant effects on air quality.

A Dust management plan detailing mitigation measures (11.6.1.4/Table 11-14) supports the application, monitoring measures to agreed.

Operational

Dispersion modelling in accordance with EPA Guidance AG4, 2020 was utilised in conjunction with specified emission limit value for the existing and proposed stacks. This was utilised to assess the potential air quality impacts including odour associated with process operation at the facility. The desktop baseline air quality analysis carried out as part of the assessment identified that all levels of air pollutants and odours were less than the allowable guideline and statutory limit values (EIA Table 11.12, with GLC contours Fig. 11-4 to 11-14). This baseline assessment would have considered the existing environment while the air quality and odour impact assessment has considered the existing and proposed facility. Given that all baseline and process contribution air quality and odour pollutants were below statutory and guideline limit values for such pollutants, cumulative impact can be considered compliant with the regulatory limit value.

Biogas

Emissions to atmosphere on the existing site are associated with the production of process steam from natural gas fired boilers on the site. Applicant has investigated renewable energy technologies suitable for a large industrial heat user, and is proposing heat recovery and on-site anaerobic digestion of distillery by-products to produce biogas, to be located adjacent to the existing wastewater treatment plant.

Chapter 12- Climate

The proposed development will be a major step in delivering on IDL's commitment to becoming the first and largest energy carbon-neutral distillery in Ireland by the end of 2026. This will be facilitated by the implementation of MVR technology to reuse waste heat from the pot stills and column distillation, and the use of renewable energy in the form of biogas produced on site from the new biogas plant that will fuel the expanded distillery.

The site's vulnerability to future flood risk, temperature and extreme events, and land use change were assessed. Appropriate design such as high-quality drainage and raised floor areas mitigate the proposed development

vulnerability to future flooding, no other risks are predicted to have any impact on the proposed development. No significant residual impacts on climate are predicted

Chapter 13-Archaeology, architectural and cultural heritage

There are no recorded archaeological sites listed in the Record of Monuments and Places (RMP) on the site of the proposed development. There will be no significant direct effect on any known recorded archaeological site. There are no Protected Structures listed within the proposed development site. There will be no significant direct effect on any registered architectural site.

The Mill Race, a historic channel that is no longer integral to the distillery's operation, will be directly impacted by the proposed biogas plant and wastewater treatment plant upgrade, but will be culverted and left in place. A proposed bridge will also impact a section of the millrace banks and a nearby archaeological site indicating the presence of three probable fulachtaí (Bronze Age burnt mounds). The Dungourney River, which runs through the area and has archaeological potential, will be indirectly impacted by the bridge construction and significant ground reduction involved in the development, which may uncover additional archaeological features.

The historic mill race will be impacted by the proposal. The archaeological appraisal of same indicated that this structure has been modified/ culverted on multiple occasions thus its original integrity has been compromised. In this context, the further modifications needed to accommodate the subject development are not considered to be significant

It is noted that a Geophysical survey of the subject site was carried out (results contained in appendix 13.4. The survey revealed 3 possible fulachtaí which can't be discounted. **(note for case planner- This element is being reviewed by the co. archaeologist and I understand further detail on same will be required)**

Chapter 14- Population and Human Health

The construction phase of the Proposed Development may give rise to short term impacts to the locality such as, construction traffic and surface contaminants, dust, exhaust emissions, noise, and littering.

There will be direct impacts on the wider population primarily arising from the construction impacts. These however will be temporary and will be managed (F.I points). The CEMP submits measures to manage this overall impact

In the main, the proposal is expected to have a positive effect on the population of County Cork, particularly those in immediate Midleton area, through employment generation. Construction will be 800 temporary direct and indirect jobs are expected during the 29-month construction phase of the proposed development. During the operational phase The proposed development is expected to create a need for approximately 100 highly skilled additional staff once the expanded distillery is operational in 2025. In addition, the Pot Still Building of the proposed development will act as a gateway and a landmark facing those entering the town and encourage tourism in the area, particularly for the Jameson Midleton Distillery.

Chapter 15- Resource and waste management

There will be approximately 264,000 tonnes of waste material generated during the demolition and excavation works. This is a small proportion of such waste generated in Ireland every year, and there is enough capacity to manage this waste

Construction is to be carried out in accordance with an approved C&DWMP. Material excavated on site will be reused in as much as is practicable as per circular economy principles

The distillery also operates under a IE license which includes waste management conditions within its terms

Provided these plans are adhered to, no significant impacts are expected

Chapter 16- Water

This chapter outlines impacts on surface water, water quality and flood risk.

Surface Water – Construction Phase.

The proposed surface water drainage measures within the scope of this planning application are categorised into two areas:

- (i) Minor modifications to the existing surface water network within the existing IDL brownfield site to the north of the Dungourney River, including the proposed discharge of previously combined storm water from high risk areas to surface waters. Online controls are proposed at SWE2 monitoring point.
- (ii) The proposed new surface water system to be constructed as part of the development of the greenfield lands to the south of the Dungourney River.

Construction activities could affect surface water by causing erosion and runoff from site earthworks and temporary stockpiles, or chemicals from construction activity may also affect water if not properly controlled. Silt-laden stormwater runoff could continue through the construction phase.

Site specific mitigation measures (pg. 16-22 to 16-24) informed by Control of Water Pollution from Construction Sites, Guidance for Consultants and Contractors (CIRA) and others are proposed, including the establishment of river-side buffer zones, avoiding any intrusive works within the Dungourney River and the use of silt control measures will be implemented to avoid negative impact. The employment of good construction management practices will minimise the risk of pollution of surface water via stormwater runoff.

In relation to storm water, the construction of the proposed development is likely to give rise to temporary moderate negative effect on the receiving watercourse and the surface water regime of the area. There are potential sources of pollution from excavation and drainage from the site resulting from runoff and erosion from site earthworks and temporary stockpiles. A series of mitigation measures have been recommended to deal with these issues. These are documented in the Construction Environmental Management Plan (CEMP, included as Appendix 5.1 to the EIAR). Provided same are implemented, significant impacts can be avoided.

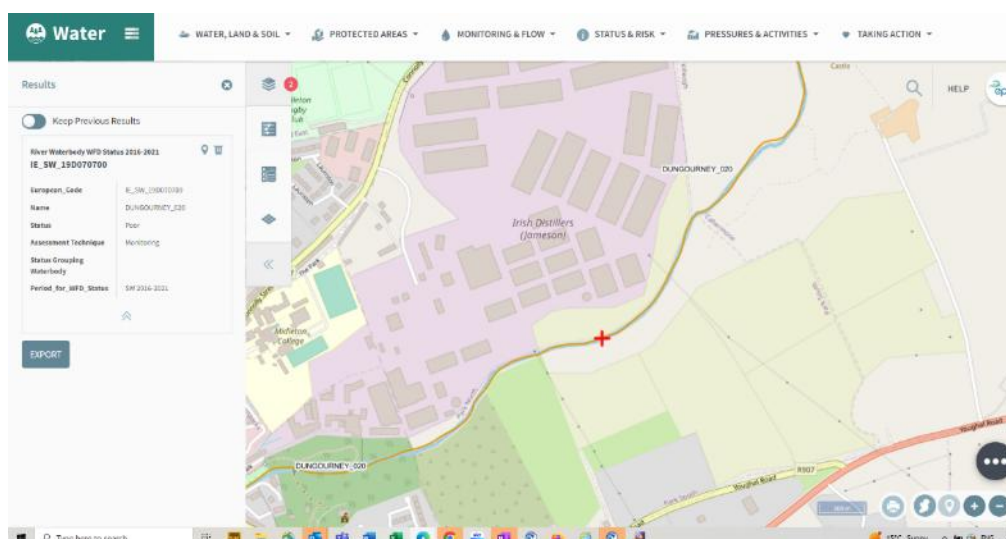
Surface Water- Operational Phase

There are several separate stormwater networks in place in the existing distillery site, and also a cooling water return network, with different discharge locations. Cooling water from the existing distillery site is monitored for TOC at IE licenced location SWE1 (cooling water) and temperature is monitored at SW-Temp 1 prior to discharge.

A Management Train of SUDS features has been proposed for the operational phase to ensure that the series of features treat and attenuate the stormwater run-off to acceptable quality at greenfield rates of flow. SUDS measures proposed include swales; dry detention basins, filter strips and attenuation. Appropriate online TOC monitoring is proposed on the higher risk activities. Section 9.3.4 of the Services Report mentions maintenance and regrading works are required to “an existing ditch the traverses the northern end” to facilitate the discharge outlet of storm water from the South system. Few details have been provided as to what is exactly proposed. Fig. 9.3 shows this appears as a low value aquatic habitat. It is noted that the Middleton Flood Scheme report has also referred to this issue and requested FI on same. IN addition it is also unclear how the drainage ditch to the east, flowing westward maybe effected by the River Bridge embankments.

The development proposed a crossing of the Dungourney stream (DUNGOURNEY_020)(IE_SW_19D070700) via a 3 arch 60m clear span bridge. No instream works are proposed, and the bridge will be assembled from prefabricated parts. Mitigation measures are proposed which are satisfactory. The bridge will require consent from the OPW under Section 50 of the Arterial Drainage Act of 1945.

Current WFD status of the Dungourney River is “Poor” and “At Risk” of failing to achieve WFD objectives. According to the WFD Cycle 2 Catchment Report, agriculture is a significant pressure in the upper reaches while a licenced facility is a significant pressure in the lower reaches. Diffuse urban sources from Middleton is the likely significant pressure within Owennacurra_040. The proposed development subject to operating in accordance with its IE licence does not pose a risk of aggravating status.



Foul

Foul effluent from the site is discharged to the IW municipal network. The proposed works will see the volume increase from 40 cubic metres per day to 45 cubic metres per day. Ultimately this effluent is treated (along with the town effect) at the municipal WWTP before discharging to Cork harbour at Rathcoursey. Process effluent is treated at the onsite WWTP and discharged under IE licence (separate regulatory instrument). No change to licensed limits is proposed.

The proposed development will have an occupancy rate of 100 additional employees per day. These additional people will be added to the network on a phased basis between the end of 2025 and 2035.

There is currently difficulty in obtaining new connections to the existing Midleton wastewater treatment plant which is currently at capacity (PE 15,000) and is scheduled for upgrade (expected 2026). In the interim a new load diversion project (consented and under construction- expected delivery Q4 2023) will free up existing capacity. While, Irish Water has indicated no objection in terms of general connection, full details in relation to the feasibility of connection have not been submitted. This detail would be required. It is understood with the existing process wastewater limits have already been agreed under the existing IE licence. No changes to same expected.

Ongoing water monitoring should take place (EHS report)

Flood Risk

As documented in Appendix 16.1, portions of the proposed site are at risk (Flood Zones A and B) from fluvial flooding from the Mill Race and Dungourney River. Flood Zone A is where the probability of flooding is greatest, and the risk of flooding is lower in Flood Zone B. This primarily affects the area around the Dungourney river which has been zoned as "green infrastructure" under the CDP. The proposed bridge is the only element of development that interacts with this zoning category. Notwithstanding a flood risk assessment and justification test has been submitted. The flood risk assessment has been included under **appendix 16.1**. Please note that there is also a wider flood defence system planned for the Midleton area known as the Midleton Flood relief Scheme (FRS). Both the potential site specific flood risk (SSFRA) and the impact of the proposal on the flood relief scheme have been considered in detail by the coastal and flood risk engineer (please refer to internal report). In the main, the proposal has no impact on the proposed FRS. The proposal is deemed "justifiable" in the context of the SSFRA. Some

additional detail has been requested by the Coastal and Flood engineer to enhance the submitted SSFRA. In particular the impact of tidal flooding needs further consideration

Chapter 17- Land, soils, Geology and hydrogeology

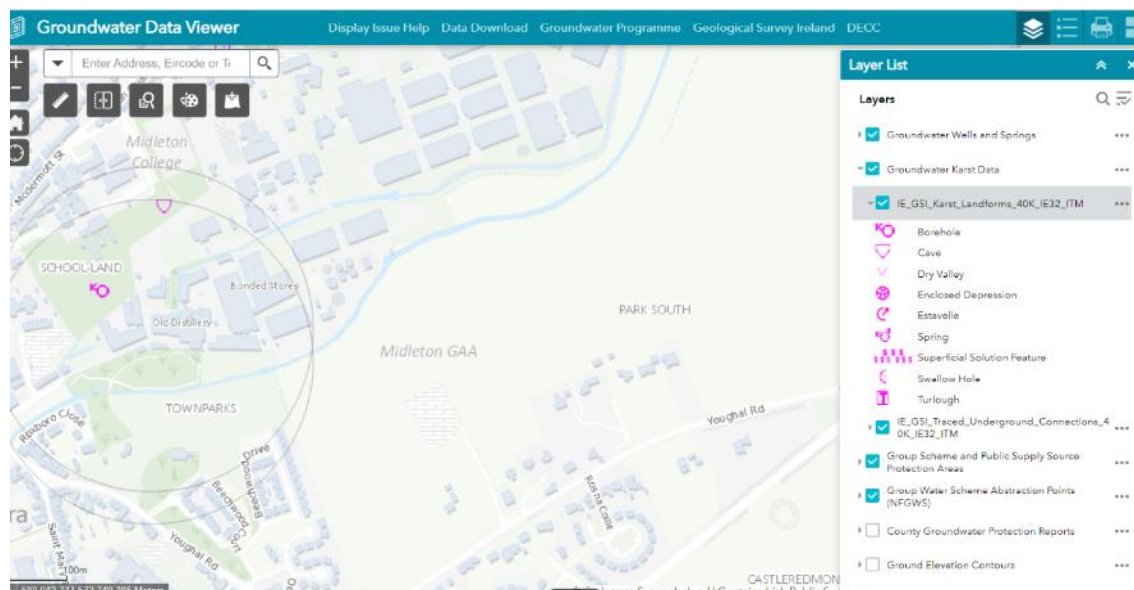
The construction strategy involves utilising best practise, monitoring of potential pollutions and including measures to re-use top soil. Potentially contaminated material will be disposed off appropriately. Adhering to this approach should ensure no significant impacts on receiving land /soils will occur during construction

A hydrogeological impact assessment in line with Guidelines for the Preparation of Soil, Geology and Hydrogeology (Institute of Geologists of Ireland, 2013) supports the application.

The proposed site is underlain by the Midleton Groundwater body (IE_SW_G_058). Current status is "Good" and "not at Risk" of achieving WFD objectives.

The proposed development site is reportedly underlain by glacial deposits of till derived chiefly from Devonian sandstones. Subsoil depths in the study areas are variable within short distances due to the underlying highly karstified Waulsortian limestone, likely to have swallow holes, cavities, and caves present. Aquifer is "Highly vulnerable" per GSI. Hydraulic conductivity values were between 1.10×10^{-4} m/s and 9.96×10^{-5} m/s, with an average of 1.84×10^{-4} , suggesting a low to medium degree of permeability.

There are no mapped Karst features, or abstractions within the development zone.



Two public Source Protection Zones SPZ's are identified, Whitegate Dower Springs (6.5km away) and Cloyne-Aghada (4.2km). Water supply for the existing distillery comes from a variety of permitted sources. These are groundwater abstractions from an existing cavern source on the site (abstraction rate= 3640m³/day), eight groundwater production wells on site (4300m³/day, abstraction from the Dungourney River (2275m³/day), and a mains water connection. No increase in abstraction rates are proposed.

Site groundwater production will continue on the existing distillery site, within the current licenced limits for abstraction, and in accordance with the current licensed monitoring regime. The operation of the proposed development will require increased quantities of water for the distillation operations which will be obtained from existing site infrastructure, and all existing licensed water abstractions on the site will remain within the existing licensed limits. The magnitude of increase of water consumption will be minimised by implementing water conservation and recycling measures as part of the proposed development.

Operationally, it is stated that the site is fundamentally operated in accordance with the IE license. Groundwater abstraction will use existing option (with specified limits). Emergency measures are in place to deal with any on site accidents. No significant operational impacts are expected

Mitigation measures to achieve same are provided under S 17.8

Although no protected groundwater dependant habitats (SPA, SAC, NHA or pNHA) located in the vicinity or within the proposed development site (17.4.13.18), a habitat survey and assessment of a wetland/pond area to the southwest of the proposed development site was conducted by the applicant

following pre-planning meeting/correspondence between the applicant and Cork Co.Co. (AA Screening Report/EIA Chapter 9). This survey concluded that this area supports two wetland areas, a circular pond near the southern boundary and a sprawling area of willow carr woodland near the northern boundary. It is noted that the habitats recorded during the survey are not qualifying habitat for Natura 2000 sites and are not Annex I habitats under the Habitats Directive. Evidence from the site walkover surveys indicates that the wetland near the southern boundary is a permanent wetland feature that shows slight seasonal expansion and contraction while part of the northern boundary of the site supports an established and spreading wet willow woodland. The site walkover survey did not identify groundwater features such as swallow holes, depressions or groundwater conduits influencing the on-site wetland habitats. In addition, the botanical composition of these habitats did not display influences from groundwater ingress or flushing. Groundwater dependent habitats or ecosystems were not identified within the study area.



A conceptual site model summarises the hydrogeology. Section 17.8 identifies primary risks to groundwater from the project, with mitigation measures proposed.

For the wastewater treatment plant site, the applicant indicated in the “Construction and Demolition Resource and Waste Management Plan” that one of the made ground samples, was unsuitable for disposal to a non-hazardous licenced landfill due to elevated levels of TOC and another sample was classified as hazardous due to the presence of asbestos. The sampling also highlighted the presence of hydrocarbons.

Chapter 18-Material Assets

The impacts on several of the main “material assets” (i.e soils, water, resources) are dealt with under separate chapter headings elsewhere across the EIAR

An existing gas mains runs through the site as well as a 38kV electricity line. it is proposed to divert this these elements.

Overall no significant impacts on material assets expected

Chapter 19-Risk of major accidents/hazards

Please note the assessment of major accidents/ hazards falls into the domain of the Health and Safety Authority (HSA). In this regard it is noted that the body has indicated that it does not advise against the granting of permission

The proposed development will form part of an upper-tier Control of Major Accident Hazards (COMAH) site. As such there is a detailed emergency response plan which ensures that IDL is prepared for on-site emergencies that may arise

It was requested at pre-planning that the applicant include an appraisal of any risks to activation of neighbouring land uses that could occur should the proposed development proceed as the planning authority would be concerned as regards the wider “sterilisation” potential of the proposed development. The GAA is developing land to the West and there is scope for further housing development to the West. To this end a separate land use planning report accompanies this aspect of the proposal. This report models potential worst case accident hazards across the proposed site and concluded that the risks to people beyond the establishment boundary are sufficiently low to members of the public. On this basis it is expected that the HSA would not advise against the granting of planning permission on neighbouring lands. Furthermore, based on the low risk associated with the proposed development, it is not expected that potential future development of playing pitches by Middleton GAA club in the lands adjacent to the distillery site would be adversely impacted. Both housing and uses by general public (i.e sensitivity level 2) are permissible in the zone 2 boundary. The report states that the zones 1& 2 boundaries do not extend beyond the site designation area. (see section 5.2.1 of the land use report). On this basis therefore, it would seem as if housing and other such compatible uses would be permissible in the environs of the subject site

One concern however is that the risk modelling is favourably drawn (i.e tanker failure has been presumed to be located in the centre of the car park-see image below). Were this vehicle located to the South, the model boundaries would presumably move outside of the site boundaries. This is important as there is new application for 4 housing sites lodged on the adjacent site which could be potentially impacted by same (see Pl Ref No. 23/4775). The HSA will be required to comment on this neighbouring application. This is useful insofar as there will be a definite position on the assumptions put forth under this chapter prior to a final decision on this development issuing.

Figure 5-23 Contour plot for a pool fire after instantaneous failure of a tanker at the parking area



The fatality contours do not extend across the site boundary. Therefore, there are no offsite effects.

Interactions

The effects of the interactions between biodiversity, water soils, air quality, noise and vibration, and between landscape and the natural environment and cultural heritage have been considered under each of the various chapters. Cumulative impacts with existing/ planned projects have also been considered in the submitted documentation

Adequacy of the Environmental Impact Assessment

Article 94 and Schedule 6 of the Planning and Development Regulations 2001, as amended, sets out the information to be contained in an EIAR and, in my opinion, the document accompanying the application technically accords with the said details with the subjects to be addressed set out therein. The application has been well prepared by competent personnel and presented in a clear unambiguous manner.

Appropriate Assessment

The issue of AA has been reviewed by the ecology section (please refer to relevant report on this matter).

There are four Natura 2000 sites within 15km of the proposed development site. Both the Great Island Channel SAC and Cork Harbour SPA are located c. 800m to the south west of the site and a direct hydrological connection to this site via the Dungourney and Owenacurra River. The Ballycotton Bay SPA (Site Code: 4022) is located 11.5 to the south east of the site and although is not directly hydrologically connected to the site is considered to potential for impact to ex situ SCI species.

The Blackwater River SAC (Site Code: 2170) and the Ballymacoda (Clonpriest and Pillmore) SAC (Site Code: 0777) located c13.5km and 15km respectively from the application site and are not hydrologically or ecologically connected to this site and therefore are not considered further as part of this assessment.

Per the NIS as submitted the scheme is screened in for potential significant affects to the Great Island Channel SAC, Cork Harbour SPA and Ballycotton Bay SPA associated with potential for water quality impacts and potential loss of, or disturbance to designated habitats and species. The ecology officer generally concurs that these are the potential impacts associated with the development. Further information is required in relation to a number of elements associated with the proposed development. Once details have been received, the habitats directive assessment will be completed.

Conclusion

The expansion of the IDL site is supported by the CDP and as such this proposal is fully compatible with planning policy. Some concerns prevail, primarily around the site access/ construction traffic and the possible impact on the route corridor for the N25 upgrade. These issues will need to be resolved prior to final determination

I recommend to case planner that further information be sought

Traffic/ Transport

1. The proposed traffic volumes during construction phase are significantly higher than operating phase. Please note that any haul routes through Midleton town would not be acceptable. As such, the only viable haul route is via the N25 and its junction with the R907, 200m to the east of the proposed development entrance. There are significant road safety concerns regarding said junction in its current alignment form. The proposed development would be considered to pose a traffic hazard and cause obstruction with impacts to the operation and safety of all road users on the National Road due to the extra traffic movements generated by the intensification of use of the site as outlined in DOECLG's Spatial Planning and National Roads Guidelines for Planning Authorities.

The next phase of Midleton North Relief Road will pass to the east of the proposed development and join the N25 in the vicinity of the existing junction. Preliminary designs are in place for the said junction in the form of a roundabout. This upgraded junction would likely resolve issues regarding road safety concerns at said junction. This matter will need to be reconsidered by the applicant and a revised approach to addressing the traffic concerns outlined above will be required

2. Transport Infrastructure Ireland (TII) have a study of the N25 Midleton to Youghal commencing and consultants appointed. Both TII and the National Road Design Office have expressed concerns that the proposal is premature following proper resolution of these issues. You are requested to discuss the proposal with said bodies to attempt to address this concern

Flood Risk

- 1) With regard to the submitted Flood Risk Assessment (287965-ARUP-ZZ-XX-RP-CF-0001), additional information should be provided with regard to the following:
 - a) Please confirm that the proposed scenario flood extents shown on Figures 4.15, 4.17, 4.20 and 4.23 show the modelled flood extents post-development, i.e. taking into account both the bridge and culvert works rather than as separate unconnected developments (albeit it is acknowledged that these two structures are proposed on separate water courses).
 - b) The hydraulics report for the Midleton FRS notes that "Areas of the main town centre at the downstream end of Main Street are at risk from tidal flooding. The tidally influenced reach extends as far upstream as the IDL site

on the Dungourney River". The tidal flood extent maps show tidal flooding for the 10% AEP within the proposed development site (https://www.floodinfo.ie/frs/media/filer_public/fa/b7/fab7a686-fc59-45fb-a6c9-8d01959cf357/252803-00_hydraulics_report_issue_1_appendicesa2.pdf) The applicant is requested to update the FRA to take account of this predicted tidal flood extent, including consideration of a fluvial flood event in conjunction with a tidal flood event.

- c) Section 4 of the FRA states "Additionally, when the existing flood extents is underlain on the proposed extents, a significant reduction in flooding is seen downstream of the Mill Race Outfall, along the Dungourney River. Full model flood extents are provided in Appendices A". The applicant is requested to provide an overlay drawing of the existing and proposed full model extents (colour coded appropriately so that the two scenarios can be distinguished), to support this statement.
 - d) It is noted that the FRA states that the "development proposal includes a proposed drainage system (including a non-return valve at the outfall)". No details have been provided in relation to this existing non-return valve, and it is unclear as to whether this is an existing or proposed NRV. Please provide further details in relation to the non-return valve.
- 2) Section 9.3.4 of the Site Infrastructure Report (287965-ARUP-ZZ-XX-RP-C-0001) states that "It is proposed as part of the development works to undertake some regrading works to the ditch in addition to some general maintenance of ditch slopes and embankments to reduce overgrowth and ensure flow through the ditch is not unnecessarily restricted". The extent of ditch clearance and regrading proposed is unclear. In addition it is also unclear how the drainage ditch to the east, flowing westward maybe effected by the River Bridge embankments. Please clarify.
- 3) Please provide typical construction details of the proposed SuDS bio-retention measures (i.e. tree pits and rain gardens), or otherwise please clarify where in the existing documentation pack these details are provided.

Servicing

At present the Midleton Wastewater Treatment Plant is overloaded and has no remaining capacity and discharges are non-compliant with the ELV's set in the wastewater discharge license (per 2021 AER) for this plant. Therefore, you are requested to submit a Feasibility of Connection from Irish Water to confirm whether there is capacity within the Midleton Waste Water Treatment Plant to accommodate waste water loading associated with this development.

Greenway

The Midleton Youghal greenway is currently being constructed along the route of the former Midleton to Youghal rail line with sections due to open in Q4 2023. The greenway route is to the north of the proposed site. Cork County Council has aspirations to provide a greenway link adjacent to the Dungourney River connecting the Midleton Youghal Greenway to the southern end of Midleton Main Street via Distillery walk. The proposed bridge could impact the feasibility of any greenway link. No route options have been shown on drawings/ documents submitted once the bridge is installed.

Applicant is also requested to allow wayleave via northern arch of green bridge and through adjacent lands in applicants control for this possible future greenway link.

Ecology/ AA

You are requested to submit detailed drawings and proposals associated with maintenance of the ditch located to the south of the Dungourney river. The Ecology Office have a preference to leave this ditch in situ and any proposed regrading works shall be justified and details submitted.

Per Chapter 9, it is noted that the Badger survey is ongoing, with the territory including bait marking survey being carried out between February to June. The applicant shall be requested to submit full details of the survey results and shall also if the works will result in loss of additional foraging habitat.

Applicant is requested to submit specification and drawing identifying locations of badger and other mammal passes proposed within development site during construction and operational phases. This drawing and specification shall be included within the CEMP.

The applicant shall be made aware that the Habitats mapping included within Chapter 9 of the EIAR has not uploaded and is missing from hard copies of the EIAR as submitted. The document appears to be corrupted. Therefore, the applicant is requested to submit revised habitat and species mapping in relation to this chapter of the EIAR.

Habitat surveys carried out on site were not carried out at optimum periods due to project scheduling. You are requested to submit any further findings based on updated surveying carried out within optimal periods as an addendum to Chapter 9 of the EIAR. You shall also consider any additional findings associated with the ephemeral field to the south east of the application site.

You are requested to submit a habitat enhancement drawing which details the locations of all habitat and species enhancement measures proposed within Chapter 9 of the EIAR. This plan shall also be included within the Construction Environmental Management Plan.

It is noted that a Surface Water Management Plan Drawing which is not to scale is submitted as part of the Construction, Environmental Management Plan. You are

requested to submit a Surface Water Management Plan drawing the overall application site which is to scale.

Public Lighting

The applicant shall show the design within a Lighting Reality software report and within the drawing, they shall submit in colour showing lux contour levels for the designed minimum lux level, 1.5, 3, 5, 10, 15, 20.... lux as appropriate.

Applicant's Public Lighting Design shall make provision for lighting of the R907 public road along the curtilage of the site of the development. Applicant shall include for additional lighting along the road to link with the lighting currently extending from the village nucleus.

Applicant's Public Lighting Design shall make provision for a conflict zone at the entrance to the development from the R907 public road.

Soils

The applicant is required to carry out a further site investigation of made ground soils to establish the quantities and level of contaminations of made ground soils with asbestos and hydrocarbons in order to determine the level of risk associated with this development to the existing environment.

Archaeology

To be added

Defer Application

PLANNER'S REPORT

PRIMARY



Enda Quinn
Executive Planner
24/05/2023

PLANNER'S REPORT
FURTHER INFORMATION ASSESSMENT

APPLICATION NO.	04602/23
APPLICANT	Irish Distillers Limited
DESCRIPTION	The extension and expansion of the existing Midleton Distillery and all associated site development works. The proposed development includes, (A) a 2 storey over basement 'pot still' building with ancillary pot still tank farm and mechanical vapour recompression (MVR) building, (B) a 2-9 storey 'column still' building with ancillary column still tank farm and cooling tower, (C) a 3-7 storey over partial basement 'brewhouse' building with ancillary fermenter structures, (D) a pipe rack structure connecting the proposed pot still, column still and brewhouse buildings with the existing distillery, (E) an internal link bridge crossing the Dungourney River which traverses the site, serving as a vehicular and pedestrian connection between the existing distillery and the proposed distillery extension, (F) demolition of an existing industrial building, removal of existing hardstand areas and culverting of a section of the existing mill race, to facilitate the construction of a biogas plant comprising a series of plant and tank structures, a single storey ammonia removal building and change of use and alterations of existing workshop/warehouse no. 1 and warehouse no. 3 to accommodate associated plant and equipment, (G) other ancillary structures including the construction of a single storey 38kV substation and associated electrical compound, security buildings, staff welfare buildings and car park shelters, (H) all other ancillary site development including the diversion of existing gas and ESB lines which traverse the lands, the upgrade of existing waste water treatment plant at the distillery, attenuation basins, fire water basin, noise attenuation fencing, parking areas, planted boundary berm and signage, (I) access to proposed development will be provided via a new entrance from the Old Youghal Road (R907) to the south. The proposed development will also be accessible from the existing distillery entrances from the Dungourney Road (R627) and Distillery Walk (L-9408) to the north and west of the lands. The proposed development is for modifications to an establishment to which the Major Accident Directives applies and is for the purpose of the activity requiring an integrated pollution control license [Industrial Emissions Directive (IED) licence]. An Environmental Impact Assessment Report (EIAR) and Natura Impact Statement (NIS) have been prepared and will be submitted to the planning authority with the application
LOCATION	Park South, Castleredmond & Park North Midleton Co.Cork
DUE DATE	09/11/2023

Further Information was issued on this file in relation to the following items

Traffic/ Transport

1. The proposed traffic volumes during the construction phase are significantly higher than the operating phase. Construction haul routes through Midleton town are not acceptable. The only viable haul route appears to be via the N25 and its junction with the R907, 200m to the east of the proposed development entrance. There are significant road safety concerns regarding this junction in its current alignment and form, particularly for HGV movements. The proposed development is considered a traffic hazard and will cause obstruction with impacts to the operation and safety of all road users on the National Road due to the extra traffic movements generated by the intensification of use of the site as outlined in DOECLG's Spatial Planning and National Roads Guidelines for Planning Authorities.

The next phase of Middleton North Relief Road will pass to the east of the proposed development and join the N25 in the vicinity of the existing junction. Preliminary designs are in place for the junction in the form of a roundabout, a realigned section of the R907 and a short connecting section of the relief road. This upgrade would likely resolve issues regarding road safety concerns at the junction. This matter will need to be reconsidered by you and a revised approach to addressing the traffic concerns outlined above is required.

In the event of proposals being put forward to address the junction, the developer will be required to comply with the requirements of TII Publication DN-GEO-03030 as a local improvement scheme with a Design Report to be submitted through departures portal utilising a TII approved road safety auditor prior to decision.

2. The site is located within the study area of the N25 Middleton to Youghal Project. A route has yet to be determined and there is a concern that this proposal could prejudice plans for the design of the scheme and be premature, as set out in the submission of TII. Please address this concern.

Response: (please refer to updated report from the NRDO and A/E for specific commentary on items 1 and 2. Some additional comments from NRDO office also appended below). In short, the applicant has argued that the implementation the MNRR East of the proposed development is a disproportionate mitigation level given the proposed construction impacts are temporary and operational traffic is not deemed significant. Instead, the applicant has submitted a RSA in respect of the junction (N25/ R907) which includes a number of mitigations to improve the safety and operation of this junction to accommodate the construction impacts i.e proposed improvements to area of land adjacent the junction to increase the turning radius to accommodate left turning HGV movements as well as temp. modifications to the speed limit near the junction. Applicant has also argued that the proposal will not impact on any proposed National road scheme that may be implemented by the TII

While the area engineer is satisfied with this response (as haul routes will be removed from the town as requested), the junction issue/ solution with the N25 is still of concern/unresolved. IN this regard The NRDO reporting engineer has highlighted some concerns with the response as set out, in particular that the additional traffic can be accommodated at this junction. In addition the TII/

NRDO has not been consulted in respect of the junction design. Clarification of these elements is recommended

Greenway

The Midleton Youghal greenway is currently being constructed along the route of the former Midleton to Youghal rail line to the north of the proposed site. Cork County Council intends to provide a link adjacent to the Dungourney River connecting the Greenway to the southern end of Main Street via Distillery Walk. The proposed bridge could impact on the feasibility of any greenway link. No route options have been shown on drawings/ documents submitted once the bridge is installed. Please address. You are also requested to provide for a wayleave via the northern arch of the bridge and through adjacent lands in your control for this possible future greenway link. (You are advised to liaise with the Traffic & Transport Section with respect to this matter).

Response: The revised information shows proposed wayleave for future connection to Midleton – Youghal Greenway, from Midleton Main Street, on southern side of Dungourney River which will run under the proposed Green Bridge via the southern bore. Cross section of southern bore of bridge shows adequate height (2.4m) and width (4.0m) for shared use path beneath the bridge. Traffic and transport engineer has indicated satisfaction with the response

Flood Risk

- 1) In relation to the submitted Flood Risk Assessment (287965-ARUP-ZZ-XX-RP-CF-0001), additional information is required with regard to the following:
 - a) Please confirm that the proposed scenario flood extents shown on Figures 4.15, 4.17, 4.20 and 4.23 show the modelled flood extents post-development, i.e. taking into account both the bridge and culvert works rather than as separate unconnected developments (albeit it is acknowledged that these two structures are proposed on separate water courses).
 - b) The hydraulics report for the Midleton FRS notes that “Areas of the main town centre at the downstream end of Main Street are at risk from tidal flooding. The tidally influenced reach extends as far upstream as the IDL site on the Dungourney River”. The tidal flood extent maps show tidal flooding for the 10% AEP within the proposed development site. You are

requested to update the FRA to take account of this predicted tidal flood extent, including consideration of a fluvial flood event in conjunction with a tidal flood event.

- c) Section 4 of the FRA states “Additionally, when the existing flood extents is underlain on the proposed extents, a significant reduction in flooding is seen downstream of the Mill Race Outfall, along the Dungourney River. Full model flood extents are provided in Appendices A”. You are requested to provide an overlay drawing of the existing and proposed full model extents (colour coded appropriately so that the two scenarios can be distinguished), to support this statement.
 - d) It is noted that the FRA states that the “development proposal includes a proposed drainage system (including a non-return valve at the outfall)”. No details have been provided in relation to this existing non-return valve, and it is unclear as to whether this is an existing or proposed NRV. Please provide further details in relation to the non-return valve.
- 2) Section 9.3.4 of the Site Infrastructure Report (287965-ARUP-ZZ-XX-RP-C-0001) states that “It is proposed as part of the development works to undertake some regrading works to the ditch in addition to some general maintenance of ditch slopes and embankments to reduce overgrowth and ensure flow through the ditch is not unnecessarily restricted”. The extent of ditch clearance and regrading proposed is unclear. In addition it is also unclear how the drainage ditch to the east, flowing westward maybe effected by the River Bridge embankments. Please clarify.
- 3) Please provide typical construction details of the proposed SuDS bio-retention measures (i.e. tree pits and rain gardens), or otherwise please clarify where in the existing documentation pack these details are provided.

Response:

(Please refer to updated report from coastal and flood department (CFD) engineer in relation to the items above). In the main, the CFD reporting engineer is generally satisfied with the response however the following has been noted:

While the agents contend that the influence of the proposed development is negligible, from the information submitted, it appears that properties in the town centre, namely around Cuddigan's Yard, Broderick Street, Lower Main Street and Baby Walk Park may be at an increased flood risk due to the proposed development, as is agricultural land upstream of the proposed development in Roxborough. Based on the information submitted, CCC cannot say with confidence that the proposed development meets the requirements of the justification test – i.e. it has not been

demonstrated to the satisfaction of CCC that the development as proposed will not increase flood risk elsewhere.

This matter will need additional consideration

Servicing and Appropriate Assessment

At present the Midleton Wastewater Treatment Plant is overloaded and has no remaining capacity. Discharges are non-compliant with the ELVs set in the wastewater discharge license (per 2021 AER) for this plant. You are requested to submit confirmation of pre-connection agreement/Feasibility of Connection from Irish Water to confirm that IW are satisfied with:

- (a) the feasibility of extra additional flows to the public foul network, i.e. confirming that there is capacity within the Midleton Waste Water Treatment Plant to accommodate waste water loading associated with this development. Note that this information is required to complete the Habitats Directive Assessment for the proposed development;
- (b) the feasibility of the changes to the effluent discharging from SE Final (on site pump station).

Response: UE has confirmed that there is capacity in the water network to cater for the proposal (at rates in lines with the existing discharge licence). Waste water connection is feasible however it will require infrastructure upgrade. These upgrades are currently progressing with the first such upgrade (water rock diversion project) on target for Q4 2023. With respect to the CoF, there is a concern in relation to phasing which has implications for ecology/ AA (see further on same below)

Ecology

1 You are requested to submit detailed drawings and proposals associated with maintenance of the ditch located to the south of the Dungourney river. The preference is to leave this ditch in situ and any proposed regrading works shall be justified and details submitted.

2 As per Chapter 9, it is noted that the Badger survey is ongoing, with the territory including bait marking survey being carried out between February and June. Please submit full details of the survey results and you shall also indicate if the works will result in loss of additional foraging habitat.

3 You are requested to submit specification and drawing identifying locations of badger and other mammal passes proposed within the development site during construction and operational phases. This drawing and specification shall be included within the CEMP.

4 The Habitats mapping included within Chapter 9 of the EIAR has not uploaded and is missing from hard copies of the EIAR as submitted. The document appears to be corrupted. Therefore, you are requested to submit revised habitat and species mapping in relation to this chapter of the EIAR.

5 Habitat surveys carried out on site were not carried out at optimum periods due to project scheduling. You are requested to submit any further findings based on updated surveying carried out within optimal periods as an addendum to Chapter 9 of the EIAR. You shall also consider any additional findings associated with the ephemeral field to the south east of the application site.

6 You are requested to submit a habitat enhancement drawing which details the locations of all habitat and species enhancement measures proposed within Chapter 9 of the EIAR. This plan shall also be included within the Construction Environmental Management Plan.

7 It is noted that a Surface Water Management Plan Drawing which is not to scale is submitted as part of the CEMP. You are requested to submit a Surface Water Management Plan drawing for the overall application site which is to scale.

Response: The ecology officer has reviewed the response and is generally satisfied with the applicants addressal of items 3-7. Items 1 and 2 however are still of concern

With respect to item 1, the incompleteness of the applicant's flood risk response leaves an outstanding ecology concern as any increase in flooding outside of the application site could have potential to have significant effects on the Great Island Channel SAC and the Cork Harbour SPA. An addendum to the NIS is required. The applicant should be advised that the Planning Authority can not see how any increase in flooding outside of the development site could be adequately mitigated not to have a significant effect on Natura 2000 sites as referenced.

In relation to item 2, the servicing CoF submitted appears to relate to two phases however the planning application itself does not refer to same. The existing tidal holding tank at Rathcoursey does not have capacity to cater for the revised flows associated with the outlined phase II elements. However Irish Water has a project in place to construct a tidal holding tank at Midleton WWTP. When the planned new tidal holding tank at the WWTP site is constructed and operational the existing Tidal Holding tank at Rathcoursey would have capacity to cater for these increased flows. The letter notes that this project is in the initial phases and does not currently have a completion date. It will be subject to statutory approvals including planning permission. Should this development be reliant upon the upgraded tidal holding tank at Midleton WWTP it is likely to be considered premature by the Planning Authority given the lack of a

statutory consent for these works. The applicant will therefore be requested to submit clarification in relation to this matter

Public Lighting

1 You shall show the design within a Lighting Reality software report and within the drawing, and shall submit in colour showing lux contour levels for the designed minimum lux levels 1.5, 3, 5, 10, 15, 20.... lux as appropriate.

2 The Public Lighting Design shall make provision for lighting of the R907 public road along the curtilage of the site of the development. Please include for additional lighting along the road to link with the lighting currently extending from the town.

3 The Public Lighting Design shall make provision for a conflict zone at the entrance to the development from the R907 public road.

Soils

You are required to carry out a further site investigation of made ground soils to establish the quantities and level of contaminations of made ground soils with asbestos and hydrocarbons in order to determine the level of risk associated with this development to the existing environment.

Response: The applicant has submitted the requested information. This has been reviewed by the public lighting engineer who has expressed satisfaction with the response

Archaeology

You are required to engage the services of a suitably qualified archaeologist (licensed under the National Monuments Acts 1930–2004) to carry out archaeological testing across Area B on the site and targetting the results of the Geophysical survey, in particular to establish the nature and date of Anomaly No. 4 --the three probable fulacht fiadh. No sub-surface work shall be undertaken in the absence of the archaeologist without his/her express consent. The layout of the test trenches shall be submitted to and agreed in advance with the Local Authority Archaeologist prior to applying for the license.

Where archaeological material is shown to be present, avoidance, preservation in situ is the preferred option and the mitigation measures shall be agreed with the Local Authority archaeologist prior to submitting the report.

Response: Co. archaeologist has reviewed the applicants response and has indicated who has satisfaction with same

Conclusion

I recommend to case planner that Clarification of F.I is sought as per the following:

Traffic/ Transport

Significant concerns remain as the applicant has not addressed to the satisfaction of the Cork National Roads Office that the additional traffic loading can be satisfactorily accommodated on the N25 National Road network at the N25/R907 junction during both construction and operational phases. As traffic data has been provided in support of this application it is appropriate for the applicant to use this to demonstrate how this proposed development is not at variance to the DOECLG's Spatial Planning and National Roads Guidelines for Planning Authorities (2012), including the N25 westbound right turn movement.

It is noted in Section 3.1 Construction Traffic Management Plan of the 'Construction Traffic Mitigation' Note prepared by Arup dated 4 September 2023 outlines that the CTMP will 'outline the HGV routes required to be utilized by HGVs travelling to/ from the site. As part of this, the route outlined for HGVs arriving to the site from the east will require them not to make a right turn directly from the N25 onto the Old Youghal Road. Instead HGVs will be required to continue to Lakeview Roundabout at the junction of the N25 and St. Marys Road, where they will make a U-turn travelling back to along the

N25 eastbound direction, and then proceed to make a left turn onto the Old Youghal Road.'

Confirmation sought from the applicant that the Road Safety Audit Team has reviewed the proposals as per TSK0009-04 and is satisfied in terms of Road Safety on the N25/R907 junction. The additional trips/ volume of traffic added to Lakeview Roundabout is concerning with its considerable existing congestion problems and being the proposed new route for construction traffic and operational deliveries. Please provide further detail on this approach

Section 2.2. 'Construction Traffic Mitigation' Note refers to an average trip rate of '10 trucks in, 10 trucks out per hour across 7 days over 35 weeks'. Clarification is required in terms of number of hours per day as Section 2.2.2 indicates staff arrivals/ departure as 18.30 hrs however construction hours appear to indicate 19.00hrs elsewhere. Clarification required as to whether the 10 trucks in and 10 trucks out apply solely to the excavation works?

It has not been demonstrated by the applicant that a Design Report for any proposed alterations on the N25 in the vicinity of the N25/R907 junction has been submitted for TII Approval in accordance with TII Publication DN-GEO-03030 (Design Phase Procedure for Road Safety Improvement Schemes, Urban Renewal Schemes and Local Improvement Schemes) in advance of any decision on this subject development.

The development is located within the N25 Midleton to Youghal Transport Project study area. The proposed site entrance is very close to the existing N25 c230m in an area where online/ offline widening or changes around the junction may be required, this will be unknown until a preferred option during Phase 2 of the TII Project Management Guidelines. Consideration to be given to a buffer area to be provided to cater for N25 mainline and junction upgrade improvement works.

Flood Risk/NIS

It is noted that the figures presented in Appendix B of the SSFRA show a discrepancy between existing and proposed (i.e. post development) flood extents across various scenarios. While Arup have stated in the Technical Note received on 06th November 2023 that these are 'minor' differences, which are deemed 'negligible', based on the information submitted CCC cannot say with confidence that the development will not increase flood risk elsewhere.

Arup have stated that a detailed inspection of model result files was carried out. Please provide details of this inspection, including but not limited to:

- Flood depths predicted at Cuddigan's Yard, Lower Main Street, Broderick Street and Baby Walk Park, for both existing and proposed scenarios, for all model scenarios run, and the difference in flood depth between existing and proposed model runs for each scenario
- The TN submitted by Arup states that the development has no impact on any properties or critical infrastructure. Please confirm if any 'non-critical' infrastructure is impacted. Please clarify if any increase in flood extent is predicted at/in residential properties and/or business premises.
- Any other information which Arup have used to reach the conclusion that the impact is negligible

CFP would welcome an opportunity to discuss this assessment with the Agent and its applicants.

The applicant should be advised that any increase in flooding outside of the application site could have potential to have significant effects on the Great Island Channel SAC and the Cork Harbour SPA. The applicant shall therefore be requested to carry out an assessment of any increase in flooding outside of the development site on Natura 2000 sites as part of the Natura Impact Statement. This shall form an addendum the NIS.

The applicant should be advised that the Planning Authority can not see how any increase in flooding outside of the development site could be adequately mitigated not to have a significant effect on Natura 2000 sites as referenced.

The SSFRA recommends that the proposal include construction measures that avoid high flow and/or high tide seasons for construction as well as implementing a flood resilient construction method to mitigate the risk of flooding during construction. Given the extent and nature of these requirements, the applicant shall be requested to submit these details and to assess the effectiveness of these proposals as part of the Natura Impact Assessment addendum in offsetting adverse effects on Natura 2000 sites.

Waste Water and Appropriate Assessment

Per the Confirmation of Feasibility (COF) received it is noted that it is noted that the development is split into two phases and development associated with Phase 2 can only be accommodated once Uisce Éireann has obtained a statutory consent in relation to the upgrading of the Rathcoursey Holding Tank associated with Midleton WWTP. From the planning application documentation as received there does not appear to be any reference to separate phases of development. Therefore, it is not clear exactly which phases of the development relates to Phase 1 and Phase 2.

Should any elements of the development as proposed be reliant on wastewater provision associated with Phase 2 of the development as referred to within the COF, then these elements cannot be considered as part of this planning application given that they cannot be facilitated by UE until such time as the development has obtained a statutory approval and has undergone Appropriate Assessment and are likely to be considered premature by the Planning Authority.

The applicant is therefore requested to submit a detailed description and breakdown of works / operations including proposed water flows of the facility associated with Phases 1 and Phase 2 of the proposed development. The applicant is also requested to revise proposals to ensure that all elements of the scheme can be accommodated by Uisce Éireann under Phase 1 waste water discharge flows as described within the Confirmation of Feasibility.

Environment

The applicant has indicated in the Response to Request for FI\Clarification received on the 15/09/2023 that site investigation of made ground soils is still ongoing and a report was not ready at the time of responding to the FI request.

Appendix A

Potential Contributions Calculations

3 new main buildings are proposed for the site.

The new pot still building (4, 770sqm).

Column still building 6, 744sqm.

Brewhouse building. floor area of 12, 974sqm.

In addition 2 x security buildings (84sqm)

1x drivers welfare building 68sqm

Total floor area (buildings) 24, 640sqm

Associated with the buildings are the following elements

Associated fermenter structures (84no- footprint 3, 769sqm)

A piperack (52 structures- footprint 2789sqm)

A smaller tank farm (10 structures-footprint 844sqm).

Total floor area associates structures =7, 402sqm

Overall total (sqm) 32, 042sqm

Please note I have not included the biogas upgrade within the contribution as same would appear to relate purely to plant

“Other non residential uses” would therefore seem to be the appropriate class

Please note the Supplementary contribution also applies as the proposal is <1km from the rail line

Table 1: Approximate Building Gross Floor Area

Building	Width (m)	Length (m)	Overall Height (m)	Gross Floor Area (m2)
Brewhouse & Feeds Recovery	55.2	98.4	26.5	12,974
Grain Column	43.2	48.5	43.7	6,744
Pot Still	34.5	85.8	20	4,700
Security Buildings	6.6	15.6	5.3	41 (each)
Drivers Welfare	8.3	12.9	4.9	68

Biogas facility?

General Contribution

$32,042 \text{ sqm} \times 5.60 \text{ (discounted non res rate)} = 179,435$

Supplementary

$32,042 \times 23.20 = 743,374.4$

Appendix B- additional comments from NRDO

From: Denise McCarthy <Denise.McCarthy@corkrdo.ie>
Sent: Wednesday 8 November 2023 09:52
To: Enda Quinn <Enda.Quinn@CorkCoCo.ie>
Cc: Sean Callery <Sean.Callery@corkrdo.ie>; Adrian Baker <Adrian.Baker@corkrdo.ie>; Ciar O'Flynn <ciar.oflynn@corkrdo.ie>
Subject: RE: Planning Report 234602 uploaded to Odyssey

CAUTION FROM CORK COUNTY COUNCIL IT SECURITY: This email originated from outside of the organisation. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Enda

As a follow on to my email below and attached report, Section 1 of this response refers to their CTMP in which they direct HGVs to Lakeview Roundabout. On reflection, these additional trips/ volume of traffic added to Lakeview Roundabout is concerning with its considerable existing congestion problems and being the proposed new route for construction traffic and operational deliveries. I can update report to include this if you wish.

Section 2 of the attached report relating to the N25 Midleton to Youghal Transport Project will be updated to include the following:

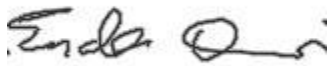
'The development is located within the N25 Midleton to Youghal Transport Project study area. The proposed site entrance is very close to the existing N25 c230m in an area where online/ offline widening or changes around the junction may be required, this will be unknown until a preferred option during Phase 2 of the TII Project Management Guidelines. Consideration to be given to a buffer area to be provided to cater for N25 mainline and junction upgrade improvement works.'

Enda as per section 1 of the attached report this is a very busy junction with a concerning safety record. The new GAA club also has more people walking and cycling in the area.

I would request that consideration be given to a buffer area be provided, I believe this was done for the residential development at Carrigtohill to allow for houses to start and potential future widening of the N25.

Conclusion

Defer Application

Conditions/Reasons

Enda Quinn
08/11/2023

PLANNER'S REPORT
FURTHER INFORMATION ASSESSMENT

APPLICATION NO.	04602/23
APPLICANT	Irish Distillers Limited
DESCRIPTION	The extension and expansion of the existing Midleton Distillery and all associated site development works. The proposed development includes, (A) a 2 storey over basement 'pot still' building with ancillary pot still tank farm and mechanical vapour recompression (MVR) building, (B) a 2-9 storey 'column still' building with ancillary column still tank farm and cooling tower, (C) a 3-7 storey over partial basement 'brewhouse' building with ancillary fermenter structures, (D) a pipe rack structure connecting the proposed pot still, column still and brewhouse buildings with the existing distillery, (E) an internal link bridge crossing the Dungourney River which traverses the site, serving as a vehicular and pedestrian connection between the existing distillery and the proposed distillery extension, (F) demolition of an existing industrial building, removal of existing hardstand areas and culverting of a section of the existing mill race, to facilitate the construction of a biogas plant comprising a series of plant and tank structures, a single storey ammonia removal building and change of use and alterations of existing workshop/warehouse no. 1 and warehouse no. 3 to accommodate associated plant and equipment, (G) other ancillary structures including the construction of a single storey 38kV substation and associated electrical compound, security buildings, staff welfare buildings and car park shelters, (H) all other ancillary site development including the diversion of existing gas and ESB lines which traverse the lands, the upgrade of existing waste water treatment plant at the distillery, attenuation basins, fire water basin, noise attenuation fencing, parking areas, planted boundary berm and signage, (I) access to proposed development will be provided via a new entrance from the Old Youghal Road (R907) to the south. The proposed development will also be accessible from the existing distillery entrances from the Dungourney Road (R627) and Distillery Walk (L-9408) to the north and west of the lands. The proposed development is for modifications to an establishment to which the Major Accident Directives applies and is for the purpose of the activity requiring an integrated pollution control license [Industrial Emissions Directive (IED) licence]. An Environmental Impact Assessment Report (EIAR) and Natura Impact Statement (NIS) have been prepared and will be submitted to the planning authority with the application
LOCATION	Park South, Castleredmond & Park North Midleton Co.Cork
DUE DATE	12/02/2024

Clarification of F.I was sought on this file in relation to the following items

Traffic/ Transport

1 Significant concerns remain as you have not addressed to the satisfaction of the Cork National Roads Office that the additional traffic loading can be satisfactorily accommodated on the N25 National Road network at the N25/R907 junction during both construction and operational phases. As traffic data has been provided in support of this application it is appropriate for you to use this to demonstrate how this proposed development is not at variance to the DOECLG's Spatial Planning and National Roads Guidelines for Planning Authorities (2012), including the N25 westbound right turn movement.

2 Confirmation is sought from you that the Road Safety Audit Team has reviewed the proposals as per Drawing No. TSK0009-04 "Youghal Road and N25 Junction RSA Comments Response Gateway and Signage Proposed Layout", and is satisfied in terms of Road Safety at the N25/R907 junction. The additional trips/ volume of traffic added

to Lakeview Roundabout is concerning with its considerable existing congestion problems and being the proposed new route for construction traffic and operational deliveries. Please provide further detail on this approach.

3 Section 2.2. 'Construction Traffic Mitigation' Note refers to an average trip rate of '10 trucks in, 10 trucks out per hour across 7 days over 35 weeks'. Clarification is required in terms of the number of hours per day, as Section 2.2.2 indicates staff arrivals/ departure as 18.30 hrs, but construction hours appear to indicate 19.00hrs elsewhere. Clarification is required as to whether the 10 trucks in and 10 trucks out apply solely to the excavation works?

4 It has not been demonstrated by you that a Design Report for any proposed alterations on the N25 in the vicinity of the N25/R907 junction has been submitted for TII Approval in accordance with TII Publication DN-GEO-03030 (Design Phase Procedure for Road Safety Improvement Schemes, Urban Renewal Schemes and Local Improvement Schemes) in advance of any decision on this subject development. This is to be addressed.

5 The development is located within the N25 Midleton to Youghal Transport Project study area. The proposed site entrance is very close to the existing N25 c230m in an area where online/ offline widening or changes around the junction may be required, this will be unknown until a preferred option during Phase 2 of the TII Project Management Guidelines. Consideration to be given to a buffer area to be provided to cater for N25 mainline and junction upgrade improvement works.

Response (items 1-5- please refer to report from the NRDO which has itemised the applicants response to these elements. Overall, the NRDO report has indicated that based the detail provided, traffic impacts on the N25 can be accommodated or satisfactorily mitigated where required. It is also acknowledged that once operational, the traffic impact on the N25 will lessen significantly though the level of HGV movements using the N25 will increase. While this will obviously generate an impact on lakeview roundabout, the wider gain of keeping HGV traffic outside the town is beneficial to the settlement and adequate turning areas on the N25 can be provided to access the site. Finally and in relation to the possible prejudicing of the N25 upgrade the NRDO report has acknowledged the long term 4 arm roundabout solution that has been prepared in conjunction with the TII. Having regard to same, the location of the proposed development site to the east of existing built-up areas located to the north of the existing N25 road, the NRDO concludes that it is highly unlikely that the proposed development, if granted, would be prejudicial to any future upgrade of the N25 in the general locus of the development.

Overall therefore the traffic concerns outlined have now been addressed to the satisfaction of the Planning Authority. Please note the response has also been reviewed by the SE/E who has also endorsed the conclusions outlined above.

Flood Risk

6 It is noted that the figures presented in Appendix B of the SSFRA show a discrepancy between existing and proposed (i.e. post development) flood extents across various scenarios. While Arup have stated in the Technical Note received on 06th November 2023 that these are 'minor' differences, which are deemed 'negligible', based on the information submitted CCC cannot say with confidence that the development will not increase flood risk elsewhere.

Arup have stated that a detailed inspection of model result files was carried out. Please provide details of this inspection, including but not limited to:

- Flood depths predicted at Cuddigan's Yard, Lower Main Street, Broderick Street and Baby Walk Park, for both existing and proposed scenarios, for all model scenarios run, and the difference in flood depth between existing and proposed model runs for each scenario
- The TN submitted by Arup states that the development has no impact on any properties or critical infrastructure. Please confirm if any 'non-critical' infrastructure is impacted. Please clarify if any increase in flood extent is predicted at/in residential properties and/or business premises.
- Any other information which Arup have used to reach the conclusion that the impact is negligible

The Coastal & Flood Projects Team of CCC would welcome an opportunity to discuss this assessment with the Agent and you.

Response: The applicant has consulted with the Coastal & Flood Projects Team and has addressed the items raised above. The formal response has been reviewed by the Coastal & Flood Projects engineer who has indicated that he updated FRA further confirms that there is no increase in the flood extent or flood depth at any of the residential or non-residential properties in the study area for the current scenario. SSFRA recommends that the proposal include construction measures that avoid high flow and/or high tide seasons for construction as well as implementing a flood resilient construction method to mitigate the risk of flooding during construction. This should be included as a condition, in the event that planning is granted.

Section 50 consent from the OPW will be required for the proposed new bridge crossing on the Dungourney, and perhaps for the culverting of the mill race.

Appropriate Assessment

7 You are advised that any increase in flooding outside of the application site could have potential to have significant effects on the Great Island Channel SAC and the Cork Harbour SPA. You are therefore requested to carry out an assessment of any increase in flooding outside of the development site on Natura 2000 sites as part of the Natura Impact Statement. This shall form an addendum to the NIS. Note that any increase in flooding outside of the development site may be very difficult to mitigate in terms of preventing a significant effect on Natura 2000 sites.

8 The SSFRA recommends that the proposal include construction measures that avoid high flow and/or high tide seasons for construction as well as implementing a flood resilient construction method to mitigate the risk of flooding during construction. Given the extent and nature of these requirements, you are requested to submit these details and to assess the effectiveness of these proposals as part of the Natura Impact Assessment addendum in offsetting adverse effects on Natura 2000 sites.

Response (items 7 & 8). Please refer to updated report from ecology officer for more detailed commentary on the response to these elements. Requested information has been submitted.

9 Per the Confirmation of Feasibility (COF) received it is noted that the development is split into two phases and development associated with Phase 2 can only be accommodated once Uisce Éireann has obtained a statutory consent in relation to the upgrading of the Rathcoursey Holding Tank associated with Midleton WWTP. From the planning application documentation as received there does not appear to be any reference to separate phases of development. Therefore, it is not clear exactly which phases of the development relate to Phase 1 and Phase 2.

Should any elements of the development as proposed be reliant on wastewater provision associated with Phase 2 of the development as referred to within the COF, then these elements cannot be considered as part of this planning application given that they cannot be facilitated by UE until such time as the development has obtained a statutory approval and has undergone Appropriate Assessment and are likely to be considered premature by the Planning Authority.

You are therefore requested to submit a detailed description and breakdown of works / operations including proposed water flows of the facility associated with Phases 1 and Phase 2 of the proposed development. You are also requested to revise proposals to

ensure that all elements of the scheme can be accommodated by Uisce Éireann under Phase 1 wastewater discharge flows as described within the Confirmation of Feasibility.

Response: The applicant has confirmed that the entire proposed development can be facilitated without the UE upgrades at Rathcoursey and can operate within the existing Distillery's current IE licence limits. Therefore, the development is not reliant on upgrades to the Uisce Eireann Midleton Waste Water Infrastructure.

Water Services engineer has reviewed this response and has indicated no objection to the proposal subject to the attachment on conditions of planning subject to the attachment of conditions of planning requiring the applicant to sign a connection agreement with UE prior to commencement of development and requirement to adhere to current discharge limits until such time as UE infrastructure has been upgraded/installed.

Water services also raise concerns about increasing flows to the current discharge point further to investigations carried out following recent flooding events in Midleton. Water Services recommend attaching a condition requiring the applicant to engage with UE in advance of increasing flows to the UE network whereby an alternative connection to the UE network may be required.:

- The applicant should engage with Uisce Eireann prior to increasing foul flows due to this development as an alternative connection point to the Uisce Eireann network may be required. Should an alternative connection point to the Uisce Eireann network be required this shall be subject to assessment of the associated details and may be subject to a separate planning permission should the works have potential for significant effects on any Natura 2000 site.

Overall and in respect of AA, the ecology officer is satisfied with the applicants response to the issues of concerns as set out above and has concluded –

“Having had regard to the Natura Impact Statement, the Construction, Environmental Management Plan, Further Information Response and Clarification response, reports of other departmental inputting in respect of this application and associated planning material and having carried out my own assessment, the proposed development does not pose a risk of causing adverse effects or cumulative or in-combination effects on the integrity of Cork Harbour SPA, the Ballycotton Bay SPA or the Great Island Channel SAC or to any Natura 2000 site subject to the implementation of the attached conditions of planning”

Environment

10 You have indicated in the Response to Request for FI\Clarification received on the 15/09/2023 that site investigation of made ground soils is still ongoing and a report was not ready at the time of responding to the FI request. Please submit a completed investigation.

Response: Requested Geo-Environment report has now been included. While I do not have the environment officers updated report at time of adjudication, it is noted that the environment officer had previously indicated no overall objection to the proposal and had recommended that condition be applied requesting submission of the detail referenced above

Conclusion

All outstanding items have now been addressed to the satisfaction of the Planning Authority

I therefore recommend to case planner that permission be GRANTED

Contributions

Estimated contribution breakdown outlined below:

Table 1: Approximate Building Gross Floor Area

Building	Width (m)	Length (m)	Overall Height (m)	Gross Floor Area (m2)
Brewhouse & Feeds Recovery	55.2	98.4	26.5	12,974
Grain Column	43.2	48.5	43.7	6,744
Pot Still	34.5	85.8	20	4,700
Security Buildings	6.6	15.6	5.3	41 (each)
Drivers Welfare	8.3	12.9	4.9	68

3 new main buildings are proposed for the site.

The new pot still building 4, 770sqm.

Column still building 6, 744sqm.

PLANNER'S REPORT
FURTHER INFORMATION ASSESSMENT

Brewhouse building. floor area of	12, 974sqm.
security buildings (2no.)-	82sqm
<u>1x drivers welfare building</u>	<u>68sqm</u>
Total floor area (buildings)	24, 638sqm

Associated with the buildings are the following elements

Associated fermenter structures (84no- footprint 3, 769sqm)

A piperack (52 structures- footprint 2789sqm)

A smaller tank farm (10 structures-footprint 844sqm).

Total floor area associated structures = **7, 402sqm**

Overall total (sqm)	32, 040sqm
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Please note I have not included the biogas upgrade within the contribution as same would appear to relate purely to plant

“Other non residential uses” would therefore seem to be the appropriate contribution class

Please note the Supplementary contribution also applies as the proposal is <1km from the rail line

General Contribution

32, 0420 sqm x 5.60 (discounted non res rate)=179, 424e

Supplementary

$$32,040 \times 23.20 = 743,328e$$

Special Contribution

The Middleton Northern Relief Road (MNRR) is proposed adjacent the subject site. As identified in the main application, the most suitable access to the proposed development will ultimately be achieved by the construction of a section of the MNRR. The section would include the proposed roundabout, the realigned section of the R907 as well as a short connecting section of the Relief Road. The SE/E has estimated cost of these works is €4,000,000. It is considered reasonable that the application should be responsible for 50% of the cost of these works. Therefore, it is recommended that a **Special Contribution of €2,000,000 be charged against the application.**

Conclusion

Grant

Conditions/Reasons

No.	Condition	Reason
1	The proposed development shall be carried out in accordance with plans and particulars lodged with the Planning Authority on 31st March 2023, 15th September 2023 and 8th December 2023 save where	In the interests of clarity.

PLANNER'S REPORT
FURTHER INFORMATION ASSESSMENT

	amended by the terms and conditions herein.	
2	The applicant should engage with Uisce Éireann prior to increasing foul flows due to this development as an alternative connection point to the Uisce Éireann network may be required. Should an alternative connection point to the Uisce Éireann network be required this shall be subject to assessment of the associated details and may be subject to a separate planning permission should the works have potential for significant effects on any Natura 2000 site.	Due to current capacity of the Uisce Éireann network.
3	(a) Prior to the commencement of any development on site the developer shall enter into a full Connection Agreement with Irish Water in relation to the development. (b) No development shall commence on site until such time as full details of Connection Agreement required under (a) above has been secured and a signed copy of this site specific Connection Agreement between the applicant/developer and Uisce Éireann is submitted to the Planning Authority for agreement in writing at least 1 month in advance of any development commencing	In the interests of public health
4	The proposed development shall comply with the current discharge limits of 5,000 m ³ /day with peak flows of up to 270 m ³ /hour to the industrial sewer until Uisce Éireann infrastructure has been installed on this network to facilitate any increase above this limit.	In the interests of public health
5	Foul drainage shall be to the satisfaction of Irish Water, constructed in accordance with Irish Water Code of Practice for Wastewater Infrastructure - Connections & Developer Services, and subject to a connection agreement prior to any works commencing.	In the interest of sustainable development

PLANNER'S REPORT
FURTHER INFORMATION ASSESSMENT

6	The proposed mitigation measures as outlined under the various chapters of the submitted Environment Impact Assessment Report (EIAR) shall be applied in full (unless otherwise stipulated/ superceded by conditions herein or agreed in writing with the Planning Authority)	In the interests of clarity
7	A Bridge Construction Plan detailing construction measures, materials, plant, anti erosion measures shall be submitted to the Planning Authority for agreement in writing.	To minimise water pollution from construcion of water crossings
8	All tank and drum storage areas shall be rendered impervious to the materials stored therein. In addition, tank and drum storage areas shall, as a minimum be bunded, either locally or remotely, to a volume not less than the greater of the following; (i) 110% of the capacity of the largest tank or drum within the bunded area (ii) 25% of the total volume of substance which could be stored within the bunded area. Drainage from bunded areas shall be diverted for collection and safe disposal. The integrity and water tightness of all the bunding structures and their resistance to penetration by water or other materials stored therein shall be tested and demonstrated to the satisfaction of the Planning Authority The loading and unloading of materials shall be carried out in designated areas protected against spillage and leachate run - off. While awaiting disposal, all materials shall be collected and stored in designated areas protected against spillage and leachate run - off.	For the Protection of Groundwater, Surface Water and soil.
9	Prior to any construction work (including site clearance, grading, well boring, levelling etc.) at the proposed development site, appropriate surface water	To prevent water pollution

	management controls shall be in place to prevent the discharge of sediment contaminated water to adjacent water courses. Unvegetated slopes shall be temporarily scarified during construction to minimise runoff velocities.	
10	Storm water attenuation and treatment measures utilizing Nature Based Drainage Solutions and SUDS best management practices shall be incorporated into the proposed storm water system. The Developer shall submit a Drainage Impact Assessment (DIA) and SUDS statement per Practice Note No. 2 Surface Water Management (Cork County Council, 2022). This DIA will inter alia demonstrate a net biodiversity gain by the implementation of Nature-Based Solutions (NBS) into the overall drainage solution. Details of the number, location and catchment drained by each element shall be marked on a site SUDS-NBS drawing. This DIA shall have regard to Best Practice Guidance on the Design of SuDS as contained in The Greater Dublin Strategic Drainage Study (GSDSDS) (2005) and Nature-based Solutions to the Management of Rainwater and Surface Water Runoff in Urban Areas – Best Practice Interim Guidance Document (DHLG,2022) and A development completion stage storm-water audit shall be carried out within 3 months of substantial occupation of the development to ensure the SUDS/NBS measures were installed and working as designed, no misconnections have taken place and that damage has not occurred to any of the stormwater or foul drainage infrastructure during construction. A CCTV survey shall be carried out of all stormwater pipes and foul pipes and the survey and report forwarded to the Planning	To prevent flooding, and improve the quality of the storm water discharge, and allow some ground water recharge.

PLANNER'S REPORT
FURTHER INFORMATION ASSESSMENT

	Authority.	
11	There shall be no interfering with, bridging, piping, draining, or culverting of any watercourse, its banks or bankside vegetation to facilitate this development without the prior approval of the Planning Authority.	To safeguard the amenities, prevent pollution and/or erosion.
12	Construction Noise & Vibration Maximum permissible noise levels at the façade of dwellings during construction: Monday to Friday (07:00 to 19:00hrs): 70 L Aeq (1hr) dB or 80 L pA(max)slow dB Monday to Friday (07:00 to 19:00hrs): 60 L Aeq (1hr) dB or 65 L pA(max)slow dB Saturday (08:00 to 16:30 hrs): 65 L Aeq (1hr) dB or 75 L pA(max)slow dB Sundays/Bank Holidays (08:00 to 16:30hrs): 60 L Aeq (1hr) dB or 65 L pA(max)slow dB Allowable vibration velocity (Peak Particle Velocity) at the closest part of any sensitive property to the source of vibration, at a frequency of: <10 Hz: 8 mm/s 10 to 50Hz: 12.5 mm/s 50 to 100Hz (and above): 20 mm/s	To Protect amenities & structures
13	The Applicant shall use the best practicable means to limit, control, and if possible, to prevent an emission to air from the premises. No such atmospheric emission shall be in such a quantity, or in such a manner, as to be a nuisance, and/or a risk of air pollution.	To protect amenities, and mitigate risk of air pollution.
14	The developer shall put in place a programme to ensure that members of the public can obtain information concerning all emissions from this activity. The	Reason: To safeguard the amenities of the area

	programme shall be submitted to the planning authority for agreement within three months of the date of this order. The developer shall record all complaints received relating to site operations. The record shall contain the name of the complainant, nature, time and date of the complaint and a summary of the company's investigation and response. Details of these complaints shall be submitted to the planning authority every three months. The developer shall ensure that a responsible and suitably qualified person is available on the site at all times during which emissions to the environment are occurring. A designated member of the company's staff shall interface with the planning authority or members of the public in the event of complaints or queries in relation to environmental emissions.	
15	A competent Environmental Clerk of Works (EnCoW) shall be appointed to oversee the implementation of the mitigation measures and efficacy of controls as per application documents. This EnCoW shall have the authority to halt any works where a failure or risk of failure of any control(s) or unforeseen event arising during development, presents a potential for adverse public health or environment impacts until additional controls can be implemented.	To protect amenities and the environment.
16	All mitigation measures outlined in the CEMP shall be fully	To safeguard amenities and the environment.

PLANNER'S REPORT
FURTHER INFORMATION ASSESSMENT

	implemented. A programme of monitoring of the efficacy of emission controls and for ambient monitoring, shall be agreed with the Planning Authority for the duration of the construction phase.	
17	No development shall be permitted on the site of the The proposed Midleton Northern Relief Road (MNRR) identified in drawings lodged on the 31st March 2023 unless otherwise agreed in writing with the Planning Authority	In the interests of clarity
18	Before development commences, the developer shall submit for agreement with the Planning Authority proposals for both the timing and the details of works at the junction of the R907 and N25, including potential localised realignment of the R907. The works in question may be required during both construction and operational phases. These works shall be in place either, two months after the beginning of construction or before significant works related traffic movements commence, whichever is the earlier, unless otherwise approved by the planning authority.	In the interests of road safety.
19	The applicant shall ensure compliance with the requirements of their Road Safety Audit at all locations where the development impacts on the public road network. A Stage 3 Road Safety Audit shall be carried out, and its recommendations implemented, prior to the commencement of works impacting on the public road network.	Safe and Orderly development.
20	Traffic movements shall be monitored continuously during construction of the proposed development and results shall be made available for inspection by the Planning Authority. Based on this data, the applicant may be required to carry out additional works, at own expense, to ensure safe and efficient traffic movements during	In the interest of road safety.

PLANNER'S REPORT
FURTHER INFORMATION ASSESSMENT

	construction and operation. The scope of any such works shall be agreed in writing with the Planning Authority	
21	The applicant shall update the implement the proposals contained in their Construction Traffic Mitigation Note to minimise the impact of the development at all stages of construction.	In the interests of safe and orderly development.
22	Advance archaeological resolution (excavation) is required of the features identified in the Archaeological Testing report submitted by Lane Purcell August 2023. In this regard all features identified in Trenches 28, 38 and 39 will be preserved by record (archaeological excavation). The applicant is therefore required to engage the services of a suitably qualified archaeologist to carry out an archaeological excavation of all areas identified above. The work shall be undertaken by an archaeologist under licence from the National Monuments Service of the Department of Housing, Local Government and Heritage. The Method Statement for the archaeological excavation shall be agreed in advance with the Local Authority Archaeologist prior to submitting the excavation licence application to the National Monuments Service. No ground works / construction works or enabling works are to take place on the site in the absence of the archaeologist. The applicant/developer shall facilitate the archaeologist in recording any material found. The Method Statement shall show that satisfactory arrangements have been agreed with the developer in relation to costs and time for excavation, post excavation, research, the recording, removal and storage of any archaeological remains which may be considered appropriate to remove and for the	In the interest of the preservation of the archaeological heritage

	preparation of the final report. The Planning Authority and the National Monuments Section of the Department of Housing, Local Government and Heritage shall be furnished with a report describing the results of the excavation and shall be included in the overall final report (as per condition) The development can proceed once the National Monuments Service and the Planning Authority have received the preliminary Archaeological Excavation Results and written permission to commence works has been issued.	
23	The applicant is required to engage the services of a suitably qualified archaeologist to monitor under licence from the National Monuments Service of the Department of Housing, Local Government and Heritage topsoil removal or other groundworks as determined by the appointed archaeologist associated with the development (including monitoring of works in the vicinity of the Mill Race where applicable). No ground works, construction works, topsoil removal is to take place in the absence of the archaeologist. The ground works / removal of topsoil shall be carried out under the direction of the appointed archaeologist. In the event that archaeological material is found during the course of monitoring, the archaeologist shall have work on the site immediately stopped and notify the Local Authority Archaeologist and National Monuments Service. No further construction works or topsoil removal shall take place pending a decision as to how best to deal with the archaeology. The developer shall be prepared to be advised by the Local Authority Archaeologist and the National Monuments Service in regard to any necessary mitigating action (e.g. preservation in-situ or preservation by record	In the Interest of the protection of the Archaeological Heritage

PLANNER'S REPORT
FURTHER INFORMATION ASSESSMENT

	(excavation). The applicant / developer will allow the appointed archaeologist adequate time and resources to facilitate implementation of the agreed mitigation measures if applicable. The Planning Authority and the National Monuments Service shall be furnished with a report describing the results of the monitoring.	
24	Public Lighting in this development shall be designed and constructed in accordance with Cork County Council's Public Lighting Manual and Product Specification 2023; a copy of which is available on Cork County Council's website, www.corkcoco.ie .	In the interest of consistency of design and compatibility for future maintenance.
25	The following conditions as contained in Appendix H, Figure 4, of the Cork County Council Public Lighting Manual and Product Specification 2023 shall apply to this development: - A1, A3, A5, A6, A9, A12, A23, A27, A28.	In the interests of proper design and orderly development.
26	Public Lighting within this development shall be unmetered tariff and subject to a maximum load on individual midi-pillar connections of 2KW. Lighting shall be dimmed to profile U15, subject to a minimum of 1 Lux maintained. Lanterns shall be LED type, using brands commonly used in, and acceptable to, Cork County Council. If in doubt, the designer should contact the Council's Public Lighting Engineer, (022-30472). Lanterns shall be warm white 2,700k - 3,000k unless located at significant conflict locations such as at roundabouts, or zebra crossings, where neutral white is preferred. Any zebra crossings installed as part of this development shall incorporate auxiliary lighting designed to ILP technical report TR12.	In the interests of proper design.
27	The applicant shall review the light spill from the columns along the R907. The back spill from the lanterns needs to be reviewed to	In the interests of residential amenity

PLANNER'S REPORT
FURTHER INFORMATION ASSESSMENT

	ensure a more uniform illumination and to avoid any obtrusive lighting encroaching onto the residents property to the south of them.	
28	The applicant/operator of the site shall ensure that all Construction and Demolition works for on this site shall be carried out in accordance with a site specific Construction & Environmental Management Plan and Site Layout Demolition Plan that was received from the applicant on the 15/09/2023	To prevent air and groundwater pollution
29	The applicant/operator of the site shall ensure that all Surface water runoff management for the Construction phase of the proposed development shall be carried out in accordance with a site specific Construction Site Stormwater Management Plan, that was received from the applicant on the 15/09/2023 which shall provide for the management and control of waste , surface/ground water and atmospheric emissions from the construction phase of the development . Silt fencing and other surface water mitigation measures shall be erected where required prior to the commencement of works.	To prevent water quality and groundwater pollution
30	The developer shall ensure that all waste leaving the site shall be transported by a suitably permitted contractor and taken to a licensed/permitted facility. All waste leaving the site shall be recorded and copies of consignment delivery dockets, copies of waste collection and facility and a waste register shall be retained on site and made available to Environmental officers of the Local Authority for inspection at any time during the construction stages of the project. During the course of construction works, the developer shall provide onsite skips or other such	To protect the local environment.

PLANNER'S REPORT
FURTHER INFORMATION ASSESSMENT

	receptacles for the deposit of rubbish, litter, packaging, rubble and other such materials arising from the works. Adequate on site arrangements shall be made to the satisfaction of the Planning Authority for the storage of recyclable materials prior to collection. Materials exported from the site for recovery, recycling, or disposal shall be managed at an approved facility.	
31	Prior to construction works commencing ,the Contractor shall designate a Site Engineer/Manager/Assistant Manager as the Construction Waste Manager and who will have overall responsibility for the implementation of the Project Waste Management Plan. The Waste Manager will have the authority to instruct all site personnel to comply with the specific provisions of the Plan.	To protect the local environment.
32	All fuel tanks and fuel filling locations, hazardous materials, if used on site in the site development and operational stages shall be bunded. The applicant shall provide and maintain a spill kit to deal with spillages of oils and fuels and other waste liquids both during the construction phase and post commissioning of the development.	To safeguard the amenities of the area and prevent water pollution
33	Prior to construction works commencing, all storm drains and curb inlets etc., within the Site area, and in close proximity, shall be identified by the contractor and suitably protected from potential sediment/contaminant input. All storm drains and curb inlets etc., within the Site area, and in close proximity, shall be checked, cleaned and maintained for efficacy throughout the Construction Phase, with checks carried out daily for damage or sediment loading and	To prevent water quality and groundwater pollution

PLANNER'S REPORT
FURTHER INFORMATION ASSESSMENT

	cleaning carried out as required.	
34	Prior to construction works commencing, specific areas for storage, delivery and loading/unloading of materials shall be designated and shall have appropriate containment/spill protection measures put in place. The applicant/developer shall ensure that handling and storage areas shall be actively managed and fine, dry material shall be stored inside enclosed shields/coverings or within central storage areas(A layout map (scale 1:500)shall be submitting that shows waste storage locations within the proposed site)	To prevent water quality and groundwater pollution
35	The developer shall ensure that waste storage areas shall be selected so that they are set back from watercourses, ecological sensitive areas of extreme vulnerability, and away from potential floodplain areas and areas containing invasive species.	To prevent soil contamination and water pollution
36	The developer/applicant shall ensure that a 5m wide buffer zone shall be maintained between construction activities /storage areas and adjacent to all boundaries/hedgerows/matute trees on the site at all times during the construction and operational phase of the development. No material is to be deposited within this area.	To prevent water pollution
37	The operator of the site shall ensure that emissions from any extract shall be controlled such that no odour or dust nuisance is caused to adjoining properties.	To safeguard the amenities of the area and prevent air pollution or nuisances
38	Sight distance of 59 m to the east and 59 m to the west shall be provided from centre point of entrance 3 m back from public road edge. No vegetation or structure shall exceed 1m in height within the sight distance triangle.	To provide proper sight distance for emerging traffic in the interests of road safety.
39	Vegetation or any structure shall not exceed 1m in height within the sight distance triangle.	To provide proper sight distance for emerging traffic in the interests of road safety.

40	Any utility poles currently within the roadside boundary set back required by other conditions of this schedule shall be repositioned behind the new boundary, and any surface chambers or manholes within it shall be repositioned in a location or at a level to be agreed with in writing Planning Authority. The applicant shall be responsible for the costs of relocating these facilities, for notifying the relevant statutory undertakers, for obtaining any necessary licenses, and for notifying the Planning Authority of the revised locations of such utilities, prior to commencement of development, or, at the discretion of the Planning Authority, within such further period or periods of time as it may nominate in writing.	To protect existing utility infrastructure.
41	Surface water shall not be permitted to flow onto the public road from the site.	To prevent the flooding of the public road.
42	Existing road drainage shall not be obstructed and any the new entrance shall be designed and constructed to ensure the uninterrupted flow of road surface run-off.	To maintain proper roadside drainage and to prevent the flooding of the public road.
43	Existing inlets or drains taking surface water from the public road into the site shall be preserved and maintained.	To prevent flooding of the public road.
44	No dust, mud or debris from the site shall be carried onto or deposited on the public road/footpath. Public roads and footpaths in the vicinity of the site shall be maintained in a tidy condition by the developer during the construction phase.	To protect the amenities of the area and in the interests of road safety.
45	Due to the residual risk of flooding the following shall put in place, kept up to date and implemented • Flood Awareness Plan • Flood Emergency Response Plan .In the preparation of these documents, the developer should take cognisance of the contents of Section 5.8.11 and 5.8.12 of CCC's	To mitigate flood risk

	Strategic Flood Risk Assessment, June 2022 which forms part of the Cork County Development Plan 2022. These should be live documents and be updated as required.	
46	The proposed development shall ensure that sufficient space is provided to allow for the future construction of a proposed flood defence within the development site, including working space for construction, back of defence drainage and access for long term maintenance. The applicant shall liaise with CCC's Coastal and Flood projects department in this regard.	To allow for the future construction of the Midleton Flood Relief Scheme, in order to mitigate flood risk
47	Developer must seek OPW consent for the development under the Arterial Drainage Act(s), and where appropriate Section 50 consent must be put in place, prior to construction commencing. The applicant must confirm to CCC that this process has commenced and details of alterations, if required by the OPW, shall be confirmed to CCC.	To mitigate flood risk, and to achieve the objectives of County Development Plan WM 11-18
48	In accordance with the recommendation of the FRA, the construction of the proposed development shall include construction measures that avoid high flow and/or high tide seasons for construction as well as implementing a flood resilient construction method to mitigate the risk of flooding during construction.	To mitigate flood risk
49	Any cutting of trees, hedgerows and vegetation on site should only be undertaken outside of the bird breeding season. The Bird breeding season takes place between March 1st and August 31st.	To minimise risks to breeding birds.
50	Environmental protection measures set out within the Natura Impact Statement received by the Planning Authority on 31/03/2023 and as updated by further information and clarification shall be implemented	To ensure there will be no impacts to the integrity of any Natura 2000 site.

	and adhered to in full.	
51	All works on site shall be implemented in accordance with a Construction Environmental Management Plan, which shall be based on the Outline CEMP and shall include all measure proposed within the Biodiversity Chapter of the Environmental Impact Assessment Report and Natura Impact Statement and associated addendum and conditions of planning attached herein. The plan shall be prepared by a qualified and experienced person, and shall accord with recognised standard best practice - CIRIA Guidance No C532 - Control of Water Pollution From Construction Sites. All works on site shall be implemented in accordance with the final agreed plan. It shall be the responsibility of the project manager to ensure the implementation of these measures.	To ensure the protection of ecological receptors.
52	Landscaping of the site shall be in accordance with the Landscape Plan received by the Planning Authority on 15/09/2023 and measures and mitigation specified within the Landscape Chapter of the EIAR (as amended by way of Further Information, Clarification or conditions of planning). This plan shall be implemented in full under the supervision of an appropriately qualified and experienced landscape specialist within the first year following completion of the development. Any trees that die or are removed within three years of planting shall be replaced in the first planting season thereafter.	To ensure the protection of biodiversity generally.
53	A pre-construction survey for amphibians shall be completed by a suitably qualified and experienced ecologist to establish their presence and locations on site. The results of this survey/these surveys must be	To prevent impacts to amphibians.

PLANNER'S REPORT
FURTHER INFORMATION ASSESSMENT

	submitted to the Planning Authority before the commencement of works. Should amphibians be discovered on site the applicant is requested to prepare a mitigation plan to prevent impacts to amphibians which avoids direct impacts to these species and allows for their continued occurrence onsite. In the event protected species are identified as occurring on site and are considered to be vulnerable to disturbance caused by the development, the developers will be required to contact the National Parks and Wildlife Service to determine whether a (Section 23 (5)(d) Wildlife Act derogation license is required to allow the works to proceed.	
54	Prior to the commencement of development, the developer shall submit for agreement an Ecological Mitigation Plan which shall include details of all mitigation measures as included in the NIS, all ecological and water quality management measures included within the EIAR and as updated by further information and conditions of planning herein. The plan shall include details of ecological supervision/monitoring of the works phase as specified in the planning reports. All mitigation measures included in the Ecological Mitigation Plan shall be implemented in full. Within 6 months of completion of construction phase of the proposal, the applicant shall submit a compliance monitoring report in respect of biodiversity measures implemented at the site such as site landscaping, biodiversity enhancement measures, bat sensitive lighting etc.	To protect biodiversity and prevent adverse effects on Natura 2000 sites.
55	All works shall be supervised by an	To ensure compliance with

	on-site Ecological Clerk of Works who will report on compliance with the relevant mitigation measures. The Ecological Clerk of Works shall be empowered to halt works where he/she considers that the continuation of the works is likely to result in a significant pollution or siltation incident. In the event of a water pollution incident, or of damage to the adjacent river, these reports will be made available to the relevant statutory authorities, and on-site works will cease until authorized to continue by the planning authority. A compliance monitoring report shall be prepared by the Ecological Clerk of Works and shall be submitted to the planning authority at the end of the main construction period.	mitigation measures and to protect biodiversity.
56	As per details submitted on the 15th September 2023 the applicant shall (a) permit Cork County Council to construct a shared path through the subject lands to facilitate future connection from Midleton Main Street to Midleton Youghal Greenway to support active travel links. (b) Permit Cork County Council to access (via southern bore of Green Bridge) to allow access to lands East and West of Green Bridge.	In the interest of sustainable transportation.
57	Before any development commences, or, at the discretion of the Planning Authority, within such further period or periods of time as it may nominate in writing, the developer shall lodge with the Planning Authority a sum of €1,500 to guarantee the satisfactory completion of Water, foul & storm as required by Conditions. The sum lodged pursuant to this condition shall be refunded only when it is certified by the Planning Authority that these conditions have been completed to its satisfaction.	To ensure satisfactory compliance with conditions in the interests of residential and visual amenity.

PLANNER'S REPORT
FURTHER INFORMATION ASSESSMENT



Enda Quinn
18/01/2024