



## Board Direction

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### Ref: 03.229645

The submissions on this file and the Inspector's report were considered at a Board meeting held on 26/02/09.

The Board decided to grant permission in accordance with the attached draft reasons, considerations and conditions.

In deciding not to accept the Inspector's recommendation to refuse permission, the Board had regard to the location of the crematorium in proximity to a grave yard and public car parking and noted the further submission received from the applicant with regard to a flood risk assessment, storm water details and existing sea defences and the option to connect to the public sewer. The Board noted the necessary works to the public road and the applicants stated willingness to contribute to these improvements.

### REASONS AND CONSIDERATIONS

Having regard to the scale, design and location of the proposed development and the pattern of development in the area, it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the amenities of the area or of property in the vicinity would be acceptable in terms of traffic safety and convenience and would not be prejudicial to public health. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

### CONDITIONS

1. The development shall be carried out in accordance with the plans and particulars lodged with the application as amended by the further plans and particulars received by the planning authority on the 18<sup>th</sup> day of March, 2008 and the further details received by An Bord Pleanála on the 19<sup>th</sup> day of December, 2008, except as may otherwise be required in order to comply with the following conditions.

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

2. The wastewater treatment system originally proposed with the planning application shall not be constructed and instead the development shall be connected to the public sewer, details of which shall be submitted for the

written agreement of the planning authority prior to commencement of development.

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

3. The crematorium shall be designed, constructed, operated and monitored in accordance with the United Kingdom Secretary of State's Guidance for Crematoria (Process Guidance Note 5/2 (2004)). The emission limits and control parameters set out in this document shall be adhered to. In this regard, the following details shall be submitted to the planning authority for agreement prior to commencement of construction:

- Details of the crematorium design, which shall include for mercury and dioxin abatement
- Details of stack design including confirmation that the proposed height is appropriate
- A detailed monitoring programme for stack emissions, including continuous monitoring for the relevant parameters specified for continuous monitoring in the UK guidance document above. Specific procedures for the commissioning phase shall be included.

Reason: in the interests of environmental protection and public health.

4. An Annual Environmental Report shall be submitted to the planning authority before the end of February each year, detailing the performance of the facility during the previous calendar year. The report shall include:

- A record of the number of cremations carried out
- Records of maintenance/ servicing of the crematorium
- Records of all monitoring carried out for both process control and air emissions. Any non-compliance with the relevant emission limits and control parameters set out in the UK Process Guidance Note 5/2 (2004) shall be highlighted.
- Records of waste management
- A programme for any proposed measures necessary to ensure ongoing compliance of the crematorium with planning conditions.

Reason: in the interests of environmental protection and public health.

- 5 All operations shall be carried out to ensure that no nuisance from odour, fumes, smoke, dust or other matter occurs beyond the boundaries of the site.

**Reason:** To safeguard the amenities of the area.

6. All tree trimming and tree removal shall be carried out from the end of August to the beginning of October to limit the disturbance on wintering waterfowl in the area. Bird surveys shall be undertaken by a suitably qualified person during and after construction to monitor the effect of the development on the local bird population. These counts should take place in the months of December, January and February of both phases. Details of same shall be submitted to the planning authority within one month of completion of each report.

**Reason:** In the interest of reducing the impact of the proposed development on the ecological integrity of the surrounding area.

7. Prior to commencement of development, a surface water drainage management plan, including drawings and based on the recommendations of the submitted Environmental Management Plan shall be forwarded to the planning authority.

**Reason:** In the interest of preserving the ecological integrity of the adjacent Special Area of Conservation, Special Protection Area and proposed Natural Heritage Area.

8. Notwithstanding the exempted development provisions of the Planning and Development Regulations, 2001, as amended, no boundary walls and fences and no signs, symbols or other means of advertising shall be erected or displayed on the site.

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

9. The following schedule of materials/finishes only shall be used in the proposed development in accordance with the details received by the planning authority on the 18<sup>th</sup> day of March, 2008:

- (a) All external doors shall be of solid painted timber. All external windows shall be of painted timber.
- (b) The roof shall be finished in natural quarry slate (salvaged or new) black, dark grey or blue/black in colour. The colour of the ridge tile shall match the colour of the roof and shall be of concrete or clay manufacture without raised edges or ribs. All fascia/soffits shall be hardwood timber.
- (c) No changes are permitted to the agreed window sizes, materials or designs. No neo-Georgian style plastic glazing bars or other decorations are permitted.
- (d) No changes are permitted to the agreed external wall finishes.
- (e) Any stone facing shall be of natural local stone. All pointing shall be recessed or flush. Any concrete boundary walls including entrance walls shall be faced in natural local stone.

**Reason:** In the interest of visual amenity and in order to ensure a standard of materials and finishes appropriate to this area.

10. Public lighting shall be provided in accordance with a scheme, details of which shall be submitted to the planning authority for agreement prior to the commencement of development. Lighting shall be mounted at a low level and shall be designed to minimise light pollution (light spill) outside of the site. Lighting shall be extinguished outside of working hours of the crematorium.

**Reason:** In the interest of public safety and protection of the amenities of the area.

11. All planting, seeding and earthworks shown on the submitted site layout plan received by the planning authority on the 18<sup>th</sup> day of March, 2008 shall be carried out in the first planting season following commencement of construction of the crematorium. All planting shall comply with the recommendations of the Environmental Assessment and Management Plan received by the planning authority on the 18<sup>th</sup> day of March, 2008.

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

12. Any oil/chemical containers to be kept on site shall be bunded to 110 per cent of its effective volume. The walls and base of the bund shall be of water tight construction and impervious to the passage of oil. Prior to commencement of development, details in this regard shall be submitted to the planning authority.

**Reason:** To avoid environmental pollution in the interest of amenity, public health and orderly development.

13. (a) Traffic and parking management plan to manage traffic during funerals shall be submitted to the planning authority and shall include details of signage, road markings and supervision.  
(b) Designated disabled car parking spaces shall be provided within the subject site adjacent to the crematorium in accordance with the requirements of the planning authority.

**Reason:** In the interest of public access and safety.

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

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

15. The developer shall pay to the planning authority a financial contribution as a special contribution under section 48(2) (c) of the Planning and Development Act 2000 in respect of the upgrading of the adjoining road network and car parking area. The amount of the contribution shall be agreed between the planning authority and the developer or, in default of such agreement, the matter shall be referred to the Board for determination. The contribution shall be paid prior to the commencement of the development or in such phased payments as the planning authority may facilitate and shall be updated at the time of payment in accordance with changes in the Wholesale Price Index – Building and Construction (Capital Goods), published by the Central Statistics Office.

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

In deciding not to accept the Inspector's recommendation to refuse permission, the Board had regard to the location of the crematorium in proximity to a graveyard and public car parking and noted the further submission received from the applicant with regard to a flood risk assessment, storm water details and existing sea defences and the option to connect to the public sewer. The Board noted the necessary works to the public road and the applicant's stated willingness to contribute to these improvements

Board Member: \_\_\_\_\_ Date: 26/02/09

Jane Doyle