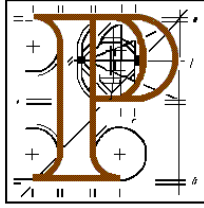


An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2015

Cork County

Planning Register Reference Number: 15/04529

An Bord Pleanála Reference Number: PL 04.245299

APPEAL by Dee Byrne and others care of HRA Planning of 3 Hartstonge Street, Limerick against the decision made on the 14th day of July, 2015 by Cork County Council to grant subject to conditions a permission to Healy Brothers Limited trading as Lagan Concrete care of ORS of ORS Building, Marlinstown Office Park, Mullingar, County Westmeath in accordance with plans and particulars lodged with the said Council.

PROPOSED DEVELOPMENT: Construction of new gated access to serve the Lagan Concrete site off the Ballynabointra Road, the proposed works include the provision of a wheelwash, 2.4 metre high palisade fencing, traffic signs, road marking, public lighting and all associated site works and services, all at Milebush, Ballynabointra, Middleton, County Cork.

DECISION

GRANT permission for the above proposed development in accordance with the said plans and particulars based on the reasons and considerations under and subject to the conditions set out below.

MATTERS CONSIDERED

In making its decision, the Board had regard to those matters to which, by virtue of the Planning and Development Acts and Regulations made thereunder, it was required to have regard. Such matters included any submissions and observations received by it in accordance with statutory provisions.

REASONS AND CONSIDERATIONS

Having regard to the planning history of the adjoining lands which have been in quarry use for a prolonged period, to the objectives for the area, as set out in the current Cork County Development Plan and to the pattern of development in the area, it is considered that, subject to compliance with the conditions set out below, the proposed development would be in accordance with the proper planning and sustainable development of the area.

In deciding not to accept the Inspector's recommendation to refuse permission, the Board did not agree that the proposed development would represent a significant visual intrusion in the rural landscape due to its limited scale and proposals for landscaping submitted.

CONDITIONS

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application as amended by the further plans and particulars submitted on the 25th day of June, 2015, except as may otherwise be required in order to comply with the following conditions. Where such conditions require details to be agreed with the planning authority, the developer shall agree such details in writing with the planning authority prior to commencement of development and the development shall be carried out and completed in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. The construction of the development shall be managed in accordance with a Construction Management Plan, which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This plan shall provide details of intended construction practice for the development, including hours of working, noise management measures and off-site disposal of construction/demolition waste.

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

3. Drainage arrangements shall comply with the requirements of the planning authority for such works.

Reason: To ensure adequate servicing of the development and to prevent pollution.

4. Gates shall open inwards.

Reason: In the interest of road safety.

5. Sight distance of 70 metres to the north and 70 metres to the south shall be provided from centre point of entrance three metres back from public road edge. No vegetation or structure shall exceed one metre in height within the sight distance triangle.

Reason: To provide proper sight distance for emerging traffic in the interest of road safety.

6. With reference to drawing number 151_071_201, the developer shall overlay the length and full width of the public road from the gas marker post located to the south of the drawing to the northern boundary of the site. The road overlay shall be constructed of DMB regulating layer with 60 millimetres DBM Base course and 40 millimetres CI.942.

Reason: In the interest of public safety.

7. The site shall be landscaped using only indigenous deciduous trees and hedging species in accordance with details to be submitted to, and agreed in writing with, the planning authority prior to the commencement of development.

Reason: In order to better assimilate the development into the rural landscape and in the interest of visual amenity.

**Member of An Bord Pleanála
duly authorised to authenticate
the seal of the Board.**

Dated this day of 2015.