



Board Direction

Ref: PL04.245515

The submissions on this file and the Inspector's report were considered at a Board meeting held on January 20th 2016.

The Board decided to grant permission generally in accordance with the Inspector's recommendation, for the following reasons, considerations and conditions.

Reasons and Considerations

Having regard to the nature and scale of the proposed development, to the planning history and the established uses on the overall landholding of which the subject site forms a part, and to the location of the site outside the settlement boundary of Ballincollig in the Macroom Electoral Local Area Plan, 2011, it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the residential amenities of the area, would be acceptable in terms of traffic safety and convenience and would not have an adverse impact on the environment. 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 and completed in accordance with the plans and particulars lodged with the application as amended by the additional information and particulars received by the planning authority on the 29th day of July 2015, except as may otherwise be required in order to comply with the following conditions.

Reason: In the interest of clarity.

2. Each and every consignment of waste, howsoever arriving at the waste management facility, shall be accompanied by a waste certificate, which shall identify the following –

- Waste origin, source and area in which it was produced/generated.
- Waste collection schedules.
- Weight of each consignment.
- Waste collection contractor name and address.
- Composition and nature of waste.

The developer shall submit to the planning authority, on a monthly basis, records of all waste delivered to the site on a daily, weekly and monthly basis, in accordance with the aforesaid waste certificate.

Reason: In the interest of development control and to ensure a record is kept of the delivery / acceptance of the waste, in the interest of proper planning control.

3. The development hereby authorised is for a maximum waste intake (including from lands/development in the adjoining lands under the control of the applicant) of 24,500 tonnes per annum. The annual intake to the proposed development shall not exceed this amount without a separate planning permission.

Reason: In order to define the scope of the permission and to ensure that any increase in intake will be assessed through the statutory planning process.

4. The operating hours of the hereby permitted waste transfer facility shall be from 8:00 to 18:30 hours Monday to Friday and 08:30 to 14:00 hours on Saturdays. No operations shall take place outside these times.

Reason: In the interest of protecting adjoining residential amenities.

5. The vehicular access arrangements, internal road network, car and truck parking layout and lighting to service the proposed development shall comply with the requirements of the planning authority.

Reason: To ensure a satisfactory standard of development.

6. Water supply and drainage arrangements, including the disposal of surface water, shall comply with the requirements of the planning authority for such works and services.

Reason: In the interest of public health and to ensure a proper standard of development.

7. Prior to commencement of development, a detailed landscaping scheme for the site shall be submitted to, and agreed in writing with, the planning authority. This scheme shall:

- (i) include details of all existing trees and hedgerows on the site, specifying those proposed for retention, together with measures for their protection during the period in which the development is in operation,
- (ii) details of the species and setting of all new planting, including supplementary planting around the site boundaries,
- (iii) an implementation programme for planting on site and an associated maintenance programme.

Reason: In the interests of the visual amenities of the area.

8. The noise levels generated during the operation of the development shall not exceed $55 \text{ dB(A)} L_{Aeq T}$ when measured at the nearest occupied house. When measuring the specific noise, the time shall be any one hour period.

Reason: In order to protect the residential amenities of property in the vicinity.

9. (a) Dust levels at the site boundary shall not exceed 350 milligrams per square metre per day averaged over a continuous period of 30 days (Bergerhoff Gauge). Details of a monitoring programme for dust shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. Details to be submitted shall include monitoring locations, commencement date and the frequency of monitoring results, and details of all dust suppression measures.

(b) A monthly survey and monitoring programme of dust and particulate emissions shall be undertaken to provide for compliance with these limits. Details of this programme, including the location of dust monitoring stations, and details of dust suppression measures to

be carried out within the site, shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This programme shall include an annual review of all dust monitoring data, to be undertaken by a suitably qualified person acceptable to the planning authority. The results of the reviews shall be submitted to the planning authority within two weeks of completion. The developer shall carry out any amendments to the programme required by the planning authority following this annual review.

Reason: To control dust emissions arising from the development, in the interest of the amenity of the area.

10. The developer shall ensure that any accepted waste subsequently deemed unsuitable and/or in contravention of this planning permission shall be immediately separated and removed from the facility at the earliest possible time. Temporary storage of such wastes shall be in a designated waste quarantine area, which shall be located in the north-western part of the subject site. Waste shall be stored under appropriate conditions in this quarantine area to avoid putrefaction, odour generation, the attraction of vermin and any other nuisance or objectionable condition. All such incidents shall be reported to the local authority in writing on the next working day. The developer shall comply with any further requirements that may be specified by the authority following such reports to ensure compliance with this condition.

Reason: To prevent nuisance arising from the operation of the development, in the interest of protecting the residential amenity of the area.

Note 1. In reaching its decision, the Board noted the Environmental Impact Assessment screening carried out by the Inspector, and concurred with the Inspector's conclusions in this regard. The Board adopted the Inspector's recommendations and was satisfied that an Environmental Impact Statement is not required in respect of this development, and that the development would not be likely to have a significant impact on the environment.

Note 2: The Board noted the Natura Impact Statement Screening Assessment submitted by the applicant and the Appropriate Assessment Screening determination carried out by the Inspector. The Board concurred with the Inspector's Assessment, and adopted his conclusions and

recommendations in this regard. The Board was therefore satisfied, having regard to the nature and scale of the subject development, and the existing arrangements for surface water treatment and disposal on the overall landholding of which the subject site forms a part, and having regard to the significant distance between the subject site and the nearest European site, that the proposed development would not be likely to have a significant effect, individually or in combination with other plans or projects, on the Cork Harbour Special Protection Area (site code 004030), or on any other European sites, in view of their conservation objectives.

Note 3. The Board noted the comments made by appellants regarding the planning status of existing development on the overall lands of which the subject site forms a part, and concurred with the Inspector's view that these were issues to be addressed by the planning authority in its enforcement role.

Please issue a copy of this Direction with the Board Order

Board Member: _____ Date: 22nd January 2016
Philip Jones