



An
Bord
Pleanála

Board Direction
PL93.246478

The submissions on this file and the Inspector's report were considered at a Board meeting held on August 15th 2016.

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

REASONS AND CONSIDERATIONS

Having regard to the existing condition of the site and the proposal to remediate the site and restore it to beneficial agricultural use, it is considered that the proposed temporary use for the importation of soil and stone to fill the ground subject to compliance with the conditions set out below, would be in accordance with Waterford City and County Development Plan, 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, and would 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 further plans and particulars received by the planning authority on the 6th of November 2015, 12th of December 2015, 13th of January 2016 and the 2nd of March 2016, except as may otherwise be required in order to comply with the following conditions. In particular the development shall be carried out, completed and maintained in accordance with mitigation measures set out in the Hydrological/ Hydrogeological Assessment Report lodged with the planning authority on the 2nd of March 2016 and subsequent documentation received from the developer except where altered by conditions of this permission.

Reason: In the interest of clarifying the terms of this permission.

2. The development shall be carried out and completed within five years of the date of this order. Prior to commencement of any development the developer shall submit for the written agreement of the planning authority a revised phasing plan and restoration sequence for the proposed development in accordance with this revised timeframe of five years.

Reason: In the interests of the proper planning and sustainable development of the area and adequate development management.

3. No materials shall be deposited on this site except those classified in the European Waste Catalogue (2002 edition) code 17 05 04 soil and stones other than those mentioned in 17 05 03.

Reason: In the interest of clarifying the terms of this permission.

4. The hours of operation, shall be limited to 08.00 to 17.00 Monday to Friday and 08.00 -13.00 Saturday and not at all on Sundays or public bank holidays.

Reason: In the interest of residential amenity.

5. (a) Prior to the commencement of the development a system of advanced warning signs shall be erected along the regional road as agreed with the planning authority prior to the commencement of development.
(b) A wheelwash facility shall be installed at the exit of the site. The public roadway shall be kept clean and tidy at all stages of the development.

Reason: In the interest of traffic safety.

6. Prior to the commencement of the development the developer shall submit to agree in writing with the planning authority details of the culverting of the proposed entrance, roadside drainage proposals, gradients of the proposed entrance and access road, sightlines, wing walls, roadside boundary setback and fencing.

Reason: In the interest of traffic safety.

7. Prior to the commencement of the development the developer shall submit to and agree in writing with the planning authority arrangements to test the nine wells identified in the Hydrological/ Hydrogeological Assessment Report to provide baseline water quality and quantity conditions. The tests shall be carried out annually following the commencement of the development.

Reason: In the interests of public health.

8. The southern field boundary ditch shall be retained and maintained throughout the entire development to ensure the preservation and protection of the Recorded Monuments located in the general vicinity of the site.

Reason: In the interests of the proper planning and sustainable development of the area and adequate development management.

9. Prior to commencement of development, the developer shall lodge with the planning authority a cash deposit, a bond of an insurance company, or other security to secure the provision and satisfactory completion and maintenance of the land restoration/aftercare plan for this site, coupled with an agreement empowering the planning authority to apply such security or part thereof to the satisfactory completion or maintenance of the land restoration/aftercare plan. The form and amount of the security shall be as agreed between the planning authority and the developer or, in default of agreement, shall be determined by An Bord Pleanála.

Reason: To ensure the satisfactory completion of the development.

Note: Prior to the commencement of the development the applicant shall apply to the local authority for a Waste Permit.

Board Member _____
Paul Hyde

Date: 15th August 2016