



An  
Bord  
Pleanála

**Board Direction**  
**PL04.249314**

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The submissions on this file and the Inspector's report were considered at a Board meeting held on 5<sup>th</sup> March, 2018.

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**

- 1.1. Having regard to the nature and extent of the proposed development, it is considered that, subject to compliance with the conditions set out below, the proposed development would be acceptable in terms of traffic safety and convenience, would not be prejudicial to public health, would not seriously injure the amenities of the area or of property in the vicinity and would not, therefore, be contrary to the proper planning and development of the area.

The Board accepted and adopted the screening assessment carried out by the Planning Inspector that the proposed development, either individually or in combination with other plans or projects, would not be likely to have a significant effect on any European Site and, in particular, Saint Gobnet's Wood Special Area of Conservation (Site Code: 000106), in view of the relevant conservation objectives of the sites and that a Stage 2 appropriate assessment (and the submission of a Natura impact statement) is not, therefore, required.

### **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 22<sup>nd</sup> day of August, 2017 and by the further plans and particulars received by An Bord Pleanála on the 24<sup>th</sup> day of October, 2017, 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 permission shall apply for a period of five years from the date of this order. Following the expiration of this period, the importation of material to the site and operations on site shall cease, unless prior to the end of the period, planning permission shall have been granted for a further period.

**Reason**

To enable a review of the effect of the development on the amenities of the area.

3. The maximum quantities of inert soil and stone to be accepted at the site shall not exceed 16,242m<sup>3</sup> in total over the period referred to in Condition Number 2 of this permission with the number of deliveries limited to a maximum of 12 No. loads per day.

**Reason:** In the interest of clarity and traffic safety.

4. The imported material to be deposited on the land shall comprise inert soil, stone and topsoil only and shall be levelled, contoured and seeded upon the completion of the works and protected until established.

**Reason:** In order to assimilate the development into the surrounding rural landscape, in the interest of visual amenity.

- 5.

- a) The imported material shall be deposited on that part of the site identified on Drg. No. TCE/DM17/104 (Proposed Topo Survey) received by the planning authority on the 22<sup>nd</sup> day of August, 2017, excluding that area coloured green in Figure 2.6 of the Flood Risk Assessment received by An Bord Pleanála on the 24<sup>th</sup> day of October, 2017.
- b) A minimum 10-metre-wide buffer zone shall be maintained between that part of the site to be filled and the modelled flood extent for a 0.1% flood event shown in Figure 2.5 of the Flood Risk Assessment received by An Bord Pleanála on the 24<sup>th</sup> day of October, 2017. No inert material shall be deposited in this area.

**Reason:** In the interest of clarity and in order to protect receiving waters.

6. Details for the provision of silt fencing shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

**Reason:** In order to protect receiving waters.

7. The importation of inert soil, stone and topsoil and the operation of associated machinery shall be carried out only between the hours of 0800 and 1900 from Mondays to Fridays, between the hours of 0800 and 1400 on Saturdays and not at all on Sundays, Bank or Public Holidays. Deviation from these times will only be allowed in exceptional circumstances where prior written approval has been received from the planning authority.

**Reason:** In the interest of good traffic management and to protect the amenities of the area.

8. Details of road signage including advance warning notices and proposals for traffic management at the site entrance shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

**Reason:** In the interest of traffic safety.

9. The developer shall be responsible for the full cost of repair in respect of any damage caused to any adjoining public roadway arising from the construction works and operations and shall make good any damage to the road to the satisfaction of the planning authority.

**Reason:** In the interest of traffic management of the area.

10. During the construction phase of the proposed development, the noise level from within the boundaries of the site measured at noise sensitive locations in the vicinity, shall not exceed-

- a) an L<sub>Ar,T</sub> value of 55 dB(A) between the hours of 0800 and 1900 from Mondays to Fridays, between the hours of 0800 and 1400 on Saturdays (excluding public holidays).
- b) an L<sub>Aeq, T</sub> value of 45 dB(A) at any other time.

**Reason:** To protect the residential amenities of property in the vicinity.

11. During the construction stage, dust emissions 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, the commencement date and the frequency of monitoring results.

**Reason:** To protect the residential amenities of property in the vicinity.

**Board Member**

**Date:** 6<sup>th</sup> March, 2018.

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Terry O'Niadh