



An
Bord
Pleanála

Board Direction
BD-001295-18
ABP-300848-18

The submissions on this file and the Inspector's report were considered at a Board meeting held on 09/10/2018.

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

Having regard to the location of the proposed development in a rural area where the dominant land use is agriculture, to the existing use of the site for the sale of agriculture related goods and subject to compliance with the conditions set out below it is considered that the proposed development for retention and the proposed development would not endanger public safety by reason of traffic hazard or be prejudicial to public health, would not seriously injure the residential amenity of nearby residential property by reason of noise or dust emissions and would, therefore, accord with the provisions of the Wexford County Development Plan 2013-2019 and 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, 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 hours of operation shall be between 600 hours and 2400 hours Monday to Friday and between 600 hours and 2200 hours on Saturday. The proposed development shall not operate on Sundays or public holidays save with the prior written agreement of the planning authority.

Reason: In the interest of the amenities of property in the vicinity.

3. The noise level shall not exceed 55 dB(A) rated sound level, as measured at the nearest noise sensitive location between 0800 and 2000 hours, Monday to Friday inclusive, and shall not exceed 45 dB(A) at any other time. Procedures for the purpose of determining compliance with this limit shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

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

4. 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.

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

5. The proposed septic tank drainage system shall be in accordance with the standards set out in the document entitled "Wastewater Treatment Manual – Treatment Systems for Single Houses" – Environmental Protection

Agency (2009).

Reason: In the interest of public health.

6. All uncontaminated roof water from buildings and clean yard water shall be separately collected and discharged in a sealed system to an attenuation tank or adequate soakpits and shall not discharge or be allowed to discharge to the foul effluent drains or to the public road.

Reason: In order to ensure that the capacity of effluent and storage tanks is reserved for their specific purposes.

7. A scheme indicating boundary treatments shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This boundary treatment scheme shall provide a screen along the north-eastern (roadside) boundary and south-eastern boundary, consisting predominantly of trees, shrubs and hedging, capable of growing to the height of 3 metres. The planting shall be carried out in accordance with the agreed scheme and shall be completed within the first planting season following the completion of construction works.

Any plants which die, are removed or become seriously damaged or diseased, within a period of 5 years from the completion of the development shall be replaced within the next planting season with others of similar size and species, unless otherwise agreed in writing with the planning authority.

Reason: In order to screen the development, in the interest of visual amenity.

8. 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, as amended. The contribution shall be paid prior to 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 An Bord Pleanála to determine the proper application of the terms of the Scheme.

Reason: It is a requirement of the Planning and Development Act 2000, as amended, 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.

Board Member

Date: 09/10/2018

Maria FitzGerald