



An
Bord
Pleanála

Board Direction
BD-004640-19
ABP-304867-19

The submissions on this file and the Inspector's report were considered at a Board meeting held on December 2nd, 2019.

The Board decided to treat this case under section 139 of the Planning and Development Act, 2000. The Board also decided, for the Reasons and Considerations set out below that the planning authority be directed, as follows:

Remove condition number 7

Amend condition number 6 so that it reads as follows:-

6. Dust levels at the site boundary shall not exceed 350 milligrammes per square metres per day, averaged over a continuous period of 30 days (Bergerhoff Gauge). Details of monitoring of such dust levels shall be submitted to, and agreed in writing with, the planning authority within three months of the date of this order. Such details shall include monitoring locations, commencement date and the frequency of monitoring results. Details of dust suppression measures, to ensure compliance with this standard, shall also be agreed in writing with the planning authority.

Reason: To control dust emissions from the development in the interest of residential amenity and the protection of the environment.

Reasons and Considerations

Having regard to the location of the application site, within a larger site wherein the extraction of sand and gravel is a permitted use, to the planning history of the site, including the conditions imposed on the operation of the sand and gravel quarry under the registration process, as varied by An Bord Pleanála under register reference number 26.QC2179, and to the relatively minor nature of the structures for which retention is sought, it is considered that the control of dust emissions by reference to the standard set in the re-worded condition number 6 is reasonable, and that the imposition of condition 7 was not justified by the planning authority, and should accordingly be removed.

Board Member

Date: 2nd December 2019

Philip Jones