



An
Bord
Pleanála

Board Direction
BD-004547-19
ABP-304868-19

The submissions on this file and the Inspector's report were considered at a Board meeting held on 18/11/2019.

The Board decided to grant permission, for the following reasons and considerations, and subject to the following conditions.

Reasons and Considerations

Having regard to the documentation submitted with the application and appeal, including the Truck Noise Impact Assessment prepared by Byrne Environmental Consulting Ltd., the Board considered that the proposed extended hours (i.e. between 06:00am to 20:00pm from Monday to Friday and between 06:00am to 16:00pm on Saturdays) solely to allow the access/egress of the fleet of 5 no. vehicle/truck/HGV's by depot staff would not adversely impact on the residential amenities of the area or give rise to noise nuisance and would, therefore be in accordance with the proper planning and sustainable development of the area.

In deciding not to accept the Inspector's recommendation to refuse permission, the Board considered that given the proposed low frequency of truck movements during the early morning and late evening and the conclusions drawn from the Truck Noise Impact Assessment, the extension of hours solely for fleet vehicle/truck/HGV access/egress would not adversely impact on the residential amenities of the area or give rise to noise nuisance. However, the Board concurred with the Inspector in allowing these hours for a temporary period only, to enable the Planning Authority to assess the impact thereof.

Conditions

1. There shall be no operational activities carried out during the periods 06:00am to 08:00am and 18:00pm to 20:00pm Monday to Friday and 06:00am to 08:00am and 14:00pm to 16:00pm on Saturday's, other than the access/egress of fleet vehicle/truck/HGV's by depot staff. The hours relating to all other operational activities on the site, including delivery and unloading of bulk coal, bagging of coal, stacking, storage and loading of coal onto trucks etc., remains unchanged as determined by the Board under Ref. PL 05E.248403.

Reasons: In the interests of clarity

2. This permission shall be for a period of 3 years from the date of this order.

Reason: To enable the planning authority to review the development in the light of the circumstances then prevailing.

[**Note:** The Board noted that the application relates to permission as described in the Public notice and not retention permission]

Board Member

Date: 19/11/2019

Stephen Bohan