



An  
Bord  
Pleanála

**Board Direction**  
**BD-006912-20**  
**ABP-307636-20**

The submissions on this file and the Inspector's report were considered at a Board meeting held on 11/11/2020.

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 planning history of the site, the resource based nature of the proposed development, the pattern of development in the area and the provisions of the Cork County Development Plan 2014 in respect of the extractive industry, it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the amenities of the area or of property in the vicinity, would not be prejudicial to public health, would be acceptable in terms of traffic safety and would otherwise 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 submitted on the 13<sup>th</sup> day of May, 2020, 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. Apart from any departures specifically authorised by this permission, the conditions of permission Reg. Ref: 01/6926 (ABP Ref: PL04.131372) and any agreements entered into thereunder, shall be complied with in full.

**Reason:** In the interest of clarity and to ensure that the overall development is carried out in accordance with the previous permission.

3. Permission is granted for a six year extraction period, from the date of this Order. Full restoration of the site shall commence within one month of the cessation of extraction and shall be completed within twelve months of commencement. A final restoration programme shall be agreed in writing with the planning authority within six months of the date of this Order.

**Reason:** To limit the impact of the development on the amenities of the area and to ensure appropriate restoration of the site.

4. Within six months of the date of this Order, or at the discretion of the planning authority, within such further period or periods of time as it may nominate in writing, the developer shall lodge with the planning authority, a cash deposit of €84,000, a bond of an insurance company in the sum of €84,000, or other security to secure the satisfactory completion and restoration of the site, coupled with an agreement

empowering the planning authority to apply such security or part thereof to the satisfactory completion and restoration of the site.

**Reason:** To ensure the satisfactory completion and restoration of the site.

5. 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 the 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:** 11/11/2020

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Chris McGarry