



An
Bord
Pleanála

Board Direction
BD-007918-21
ABP-308383-20

The submissions on this file and the Inspector's report were considered at a Board meeting held on 16/04/2021.

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

Remove condition number 7

Amend condition number 5 and number 8 as follows:-

Condition No. 5

During the operation of the proposed development the noise level from the operations measured at the site boundaries shall not exceed:-

- (i) an Laeq (1 hour) value of 55 dB(A) during the period 0800 hours to 1800 hours Monday to Saturday,
- (ii) an Laeq (1 hour) value of 45 dB(A) at any other time.

All sound measurements shall be carried out in accordance with the ISO recommendations 1996 (assessment of noise with respect to community response) as amended by ISO Recommendations 1996/1, 2 and 3 (description and measurement of environmental noise (as appropriate)).

All machinery and vehicles employed on the site and the conveyor shall be fitted with effective silencers of a type appropriate to the specification and at all times the best

available technology, not entailing excessive costs, shall be employed to prevent or counteract defects of noise emitted by vehicles, plant machinery or otherwise arising from the site activities.

Reason: To protect the amenities of the properties in the vicinity of the site

Condition No. 8

A monthly survey and monitoring programme of dust emissions shall be undertaken to provide for compliance with the limits set out in Condition No. 6. Details of this programme, including the location of dust monitoring stations, and details of dust suppression measures to be carried out within the site, shall be submitted to, and agreed in writing with, the planning authority prior to commencement of any quarrying works on the site. This programme shall include an annual review of all dust monitoring data, to be undertaken by a suitably qualified person acceptable to the planning authority. The results of the reviews shall be submitted to the planning authority within two weeks of completion. The developer shall carry out any amendments to the programme required by the planning authority following this annual review.

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

Reasons and Considerations

Having regard to the Quarries and Ancillary Activities Guidelines for Planning Authorities (DOEHLG 2004) and the Environmental Management in the Extractive Industry Non-Scheduled Guidelines (EPA 2006), to the existing established nature of the quarrying operation within the site and on adjoining lands in the ownership of the applicant, to the nature of the development for which continuation of use permission is sought and the new proposed elements of the development, the location of the application site relative to nearby residential properties and to the N11 national

primary route, the Board considered that the conditions, as originally imposed by the planning authority, should be altered as set out in this order.

Board Member:

Date: 16/04/2021

Chris McGarry