

An
Bord
Pleanála

Board Direction
BD-018455-24
ABP-318513-23

The submissions on this file and the Inspector's report were considered at a Board meeting held on 11/12/2024.

The Board decided by a majority of 2:1, 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 provisions of the County Donegal Development Plan 2024-2030, the planning history pertaining to the site, the location of the site within the established quarry, the scale and nature of development, it is considered that subject to compliance with the conditions set out below, the proposed development would not affect the residential amenities of the area, would not be prejudicial to public health, would not have unacceptable impacts upon the environment including designated European Sites. The proposed development would therefore be in accordance with the proper planning and sustainable development of the area.

Conditions

1. The extended hours of operation of the asphalt/bitmac plant shall be permitted for a temporary period of 2 years, from the date of this decision after which time the hours of operation of the plant shall revert to the hours of operation as permitted under PA Ref: 21/52254 unless, prior to the end of the period,

planning permission shall have been granted for extended operating hours for a further period.

Reason: To enable the impact of the extended operating hours to be monitored and reassessed in the interest of residential amenity.

2. (a) Initialisation / heating of the asphalt/bitmac batching plant is herein permitted to commence at 05.30 hours Monday to Saturday (unless under exceptional circumstances and up to a maximum of 30 recorded & notified occurrences per annum). The plant shall not commence any operations prior to 05.30 hours or on Sundays / Public Holidays (unless under exceptional circumstances of up to a maximum of 30 recorded & notified occurrences per annum).
- (b) Removal / loading of heated material from the asphalt/bitmac batching plant into awaiting lorries (parked the night before in the quarry) is herein permitted to commence at 06.30 hours Monday to Saturday (unless under exceptional circumstances of up to a maximum of 30 recorded & notified occurrences per annum).
- (c) No lorries laden or un-laden shall enter / access the quarry prior to 06.30 hours Monday to Saturday (unless under exceptional circumstances of up to a maximum of 30 recorded & notified occurrences per annum).
- (d) All asphalt/bitmac batching plant operations / associated activities including filling associated loading bins, shall cease at 20.00 Monday to Friday and shall cease at 16.00 on Saturday (unless under exceptional circumstances of up to a maximum of 30 recorded & notified occurrences per annum).
- (e) The hours of operation to facilitate the sole use of the existing asphalt batching plant, shall be not construed as permitting any other access to the quarry / loading of processed materials for delivery, extraction, processing, crushing, screening or grading of material outside the normal permitted hours of quarry operations which remain restricted to between 07:00 hours and 19:00, Monday to Friday and between 08:00 and 16:00 hours on Saturday. The facility shall not operate outside these hours or on Sundays or Public Holidays.

Reason: In the interest or orderly development.

3. Noise levels from within the boundary of the site as measured at the agreed noise sensitive locations shall not exceed the following:

- An Leq 1 h value of 55 dB(a) during 08.00 to 18:00
- An Leq 15 min value of 45 d B(a) at any other time.

Nighttime emissions shall have no tonal component. Hazard sirens associated with reversing trucks shall be silenced during nighttime operation of the facility.

During the extended operation of the plant, the developer shall undertake noise monitoring at the identified noise sensitive locations. Noise monitoring results shall be submitted to the planning authority on a quarterly basis.

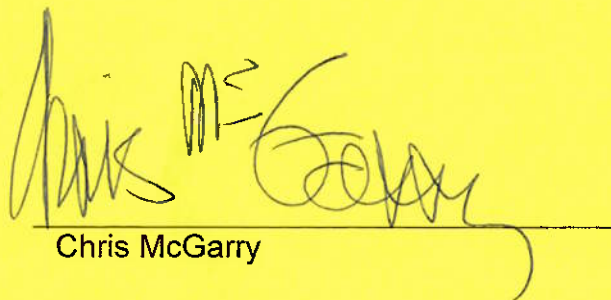
Reason: To enable the impact of the extended operating hours to be monitored and to protect the residential amenities of property in the vicinity.

4. (a) Prior to the any activity taking place on the asphalt plant between 8pm and 5.30am, the developer shall notify the Planning Authority in writing and obtain written agreement at least 7 days in advance of the planned works.

(b) Prior to the any activity taking place on the asphalt plant between 8pm and 5.30am, the developer shall notify all residents (within a 750m distance from the subject site) in writing (via letter/email/text alert notification system) at least 7 days in advance of the planned works (and shall cumulatively amount to no more than 30 occurrences per annum as per the requirements of Condition no. 2 above).

Reason: In the interest of the protection of residential amenity.

Board Member



Chris McGarry

Date: 13/12/2024