

# An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2015

## Wexford County

**Planning Register Reference Number: 20150809**

An Bord Pleanála Reference Number: PL 26.245932

**APPEAL** by Roadstone Limited care of SLR Consulting Ireland of 7 Dundrum Business Park, Windy Arbour, Dublin against the decision made on the 4<sup>th</sup> day of December, 2015 by Wexford County Council to grant subject to conditions a permission in accordance with plans and particulars lodged with the said Council.

**PROPOSED DEVELOPMENT:** Development consisting of the erection and operation of a semi-mobile asphalt plant and all related ancillary facilities (including bitumen storage tanks, fuel storage tanks and generator) on an area of circa 0.53 hectare within the Brownswood 'Old Quarry' area (Quarry Reference Q3). The overall maximum height of the plant will be 28.35 metres with a stack height of 24 metres, all at Brownswood Quarry, (Quarry Reference Q3), Brownswood, Enniscorthy, County Wexford.

## DECISION

Having regard to the nature of the conditions the subject of the appeal, the Board is satisfied that the determination by the Board of the relevant application as if it had been made to it in the first instance would not be warranted and, based on the reasons and considerations set out below, directs the said Council under subsection (1) of section 139 of the Planning and Development Act, 2000 to REMOVE conditions numbers 6 and 7 and the reasons therefor, and AMEND conditions numbers 4 and 5 so that they shall be as follows for the reasons set out.

4. 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.

5. (a) Dust levels at the site boundary shall not exceed 350 milligrams per square metre per day averaged over a continuous period of 30 days (Bergerhoff Gauge). Details of a monitoring programme for dust shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. Details to be submitted shall include monitoring locations, commencement date and the frequency of monitoring results, and details of all dust suppression measures.

- (b) A monthly survey and monitoring programme of dust emissions shall be undertaken to provide for compliance with these limits. 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 (issued by the Department of the Environment, Heritage and Local Government in 2004) and the Environmental Management in the Extractive Industry Non-Scheduled Guidelines (issued by the Environmental Protection Agency in 2006), to the existing established nature of the quarrying operation within the site and on adjoining lands in the ownership of the applicant, 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.

### **MATTERS CONSIDERED**

In making its decision, the Board had regard to those matters to which, by virtue of the Planning and Development Acts and Regulations made thereunder, it was required to have regard. Such matters included any submissions and observations received by it in accordance with statutory provisions.

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**Member of An Bord Pleanála  
duly authorised to authenticate  
the seal of the Board.**

**Dated this      day of                      2016.**