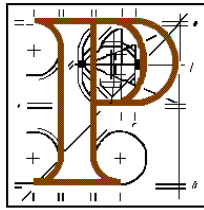


An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2015

Offaly County

Planning Register Reference Number: 15/275

An Bord Pleanála Reference Number: PL 19.246834

APPEAL by Michael C. Muldoon and others care of Saint Oliver's, Rhode Village, Tullamore, County Offaly against the decision made on the 2nd day of June, 2016 by Offaly County Council to grant subject to conditions a permission to Coillte Teoranta care of ORS of Block A, Marlinstown Office Park, Mullingar, County Westmeath in accordance with plans and particulars lodged with the said Council.

PROPOSED DEVELOPMENT: A new forest road entrance and associated site works at Toberdaly, Rhode, County Offaly.

DECISION

GRANT permission for the above proposed development in accordance with the said plans and particulars based on the reasons and considerations under and subject to the conditions set out below.

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.

REASONS AND CONSIDERATIONS

Having regard to the provisions of the Offaly County Development Plan 2014 – 2020, including in particular policy RDP-10, and having regard to the stated purpose of the proposed entrance, which is to facilitate the harvesting of commercial forestry, it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the residential amenities of property in the vicinity, would not interfere with the character of the surrounding rural environment and would not lead to traffic hazard. The proposed development would, therefore, 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 10th day of May 2016, 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. Drainage arrangements, including the disposal of surface water, shall comply with the requirements of the planning authority for such works.

Reason: In order to prevent pollution.

3. All service cables at the location of the proposed entrance shall be undergrounded.

Reason: In the interest of visual amenity.

4. Details of road signage, warning the public of the entrance and of proposals for traffic management at the entrance, shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interest of traffic safety.

5. The strengthening of the public road at the proposed entrance to the site shall be in accordance with the details on drawing number 151_282_220_D2 dated the 28th day of August, 2015. In addition to the provision of 55 millimetres heavy duty macadam binder course and 45 millimetres surface course of Hot Rolled Asphalt on public road at entrance area, the developer shall make provision for the road edge treatment, consisting of stabilised Clause 804 granular materials in accordance with TII/NRA guidance given in Manual of Contract Documents for Roadworks (McDRW), Volume 4, Road Construction Details. All final details of road makeup shall be approved by the planning authority prior to commencement of construction.

Reason: In the interest of proper planning control.

6. Existing roadside drainage shall not be impaired and the new entrance area shall be designed and shaped or otherwise treated to ensure the uninterrupted flow of road surface water run-off.

Reason: To prevent flooding of the public road and in the interest of amenity and traffic safety.

7. The two number passing bays along public road L5016 shall be constructed in accordance with details submitted to the planning authority on the 10th day of May, 2016 and shall be subject to prior approval by the planning authority. Surface water run-off from the public road at these locations shall not be affected.

Reason: To prevent flooding and in the interest of orderly development.

8. Prior to commencement of development, the developer shall carry out a detailed pre-development survey on the two culverts on the proposed haulage route and submit this survey to the planning authority for written agreement. The survey shall include a photographic record, record of specification and structural condition of the culvert pipe(s) and supporting masonry, channels, etc., invert and crown levels each side of the culverts and road levels for 25 metres each side of culverts. A post development survey containing information on the above parameters shall be submitted to the planning authority within two months of works completion date. The developer shall carry out any works deemed necessary by the planning authority to the culverts once the surveys are complete.

Reason: In the interest of orderly development.

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

Dated this day of 2016.