



An
Bord
Pleanála

Board Order
PL 88.249114

Planning and Development Acts 2000 to 2018

Planning Authority: Cork County Council

Planning Register Reference Number: 17/124

Appeal by Frank Nixon of Inchafune, Dunmanway, County Cork against the decision made on the 3rd day of August, 2017 by Cork County Council to grant subject to conditions a permission to Drimoleague Concrete Works care of Keohane Geological and Environmental Consultancy of Ivy House, Clash, Carrigrohane, County Cork in accordance with plans and particulars lodged with the said Council:

Proposed Development: Retention of existing processing plant within a 2.9-hectare area of the Inchafune Gravel Pit, including washing and screening plant, existing infrastructure including access road, site entrance, wheel-wash, site welfare facilities, fuel storage/generator shed, tool/spare parts store, settlement ponds and all associated ancillary infrastructure, for the processing of stockpiled gravel. Permission for the continuation of use of this processing plant and permission for completion of restoration of the site in accordance with previously approved plans. A three-year permission is sought, all at Inchafune Gravel Pit, Inchafune, Dunmanway, West Cork.

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 planning history of sand and gravel extraction at this site, the limited extended period for which permission is sought to process existing stockpiles of gravel, and having regard to the separation distance of the washing and screening plant from the closest houses, and the closed nature of the water handling on the site, it is considered that, subject to compliance with the conditions set out below, the development for which retention and continuation is sought would not seriously injure the residential amenities of the area, would not be prejudicial to public health, would not be harmful to the ecology of the area, and would be acceptable in terms of pedestrian and traffic safety. The development for which retention and continuation is sought would not, therefore, be contrary to the proper planning and sustainable development of the area.

Conditions

1. The development shall be retained, carried out and completed in accordance with the plans and particulars lodged with the application, as amended by further plans and particulars submitted to Cork County Council on the 13th day of July, 2107, except as may otherwise be required in order to comply with the following conditions. Where such conditions require points of detail to be agreed with the planning authority, the developer shall agree such details in writing with the planning authority within the time limit set out in such conditions, and the development shall be implemented in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. Processing and despatch of existing stockpiles of aggregate shall be completed on or before the 31st day of March, 2020. After this date no aggregate shall be exported from the site, and any remaining stockpiled material shall be used solely for restoration of the site. Final restoration works, in accordance with the restoration plan submitted as part of this application, shall be completed on or before the 31st day of January, 2021.

Reason: To allow for the timely completion of this development, in the interests of visual amenity and of the proper planning and sustainable development of the area.

3. No excavation work shall be undertaken within 15 metres of the ringfort (CO108-047) on the western boundary of the site. Restoration works in the vicinity of this National Monument shall be undertaken in such a manner so as not to cause any subsidence at this part of the site. The buffer zone shall be delimited by a stout fence to prevent access.

Reason: In the interest of preserving the archaeological heritage of the area.

4. The hedgerows flanking the recessed entrance to the site shall be trimmed back and maintained, so as to provide for 130 metre sight distance in either direction for vehicles exiting the site onto the R637 (as measured from a point set back three metres from the edge of the carriageway).

Reason: In the interest of traffic safety.

5. Within one month of the date of this permission, at all locations where oil has leaked from generators or tanks/drums, the contaminated ground shall be excavated and removed from the site for disposal at a suitably licenced waste facility.

Reason: In the interest of public health and to avoid contamination of ground water in the area.

6. The effluent treatment facilities shall be decommissioned and removed entirely from this site on or before the 31st day of January, 2021, and the waste disposed of to an appropriately licensed facility.

Reason: In the interest of public health and to avoid contamination of ground water in the area.

7. Any over ground tanks containing liquid fuels shall be contained in a waterproof bunded area, sufficient to contain 110 per cent of the value of the largest tank. In particular, the open shed within which oil drums are stored shall be fully bunded within one month of the date of this permission, or else all fuel/lubricants stored within this shed shall be permanently removed to a bunded area within the site, or removed from the site altogether.

Reason: In the interest of public health and to avoid contamination of ground water in the area.

8. All HGVs exiting the site shall do so via the wheel-wash facility. No mud or debris from the site shall be carried out onto the R637. Any such deposition on the roadway shall be immediately cleaned up and removed by the developer, in accordance with the requirements of the planning authority and at the developer's expense.

Reason: In the interest of traffic safety.

9. The sand and gravel pit operation, and all activities occurring therein, shall only operate between 0700 and 1800 hours Monday to Friday. No activity shall take place outside these hours or on Saturdays, Sundays or public holidays.

Reason: In order to protect the residential amenities of the area.

10. Advance road warning signs of the pit operation shall be erected on the approaches along the R637. The design, location and wording of the warning signs shall be submitted to, and agreed in writing with, the planning authority. These signs shall be erected within one month of the date of the planning authority's written agreement.

Reason: In the interest of traffic safety.

11. All waste (including machinery, plant, tanks, metal containers, tyres, spent machinery or parts, rubber conveyor belts) shall be removed permanently from the site, as part of the restoration process.

Reason: In the interests of public health and visual amenity.

