



Planning and Development Acts 2000 to 2018

Planning Authority: Cork County Council

Planning Register Reference Number: 15/04659

Appeal by Ballyhea Asset Holdings Limited care of McCutcheon Halley of 6 Joyce House, Barrack Square, Ballincollig, County Cork in relation to the inclusion of special contribution condition number 35 by Cork County Council in its decision made on the 29th day of January, 2018.

Proposed Development: A sand and gravel quarry with an extraction area of approximately 1.7 hectares and all associated ancillary development works at Ballyroe, Ballyhea, Charleville, County Cork. A further public notice was received by the planning authority on the 30th day of January, 2017.

Decision

The Board, in accordance with section 48 of the Planning and Development Act, 2000, as amended by section 30 of the Planning and Development Act, 2010, based on the reasons and considerations under, directs the said Council, under section 48 (13) of the 2000 Act, to ATTACH condition number 35 and the reason therefor.

Reasons and Considerations

Having regard to the character and condition of the road serving the proposed quarry based on the information on file, and the impact of the quarry traffic on road surface conditions particularly at the two junctions identified by the Area Engineer – namely ‘Aglish Cross’ and the site entrance junction, it is considered reasonable and appropriate for the planning authority to impose a special development contribution with respect to resurfacing of the junctions in question. It is considered that the relevant scope of work identified (namely a 50-metre length of road at each junction) and the unit rate indicated by the planning authority is also reasonable based on the nature of work involved. The condition is, therefore, considered acceptable in terms of the proper planning and sustainable development of the area.

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.

Conall Boland

Member of An Bord Pleanála

**duly authorised to authenticate
the seal of the Board.**

Dated this day of 2018.