

An
Bord
Pleanála

Board Order
ABP-311002-21

Planning and Development Acts 2000 to 2021

Planning Authority: Meath County Council

Planning Register Reference Number: TA/201886

Appeal by Eco Advocacy of Trammon, Rathmolyon, Enfield, County Meath against the decision made on the 9th day of July, 2021 by Meath County Council to grant subject to conditions a permission to Keegan Landholdings Limited care of Keegan Quarries of Head Office, Trammon, Rathmolyon, County Meath in accordance with plans and particulars lodged with the said Council:

Proposed Development: Construction of a single storey enclosed industrial unit (floor area 2138 square metres and 15.2 metres high) with six number ancillary steel silos (98.7 square metres and 12 metres in height) adjacent to the unit. The unit will contain three number separate industrial processes, production of dry mortar, bagging of bulk powders and manufacturing of steel girders. The unit will also include office space (231.8 square metres) and welfare facilities and comprises walls and railings to north and west boundaries, three metre high security fence along the east and south boundaries, 18 car parking spaces, bicycle rack, service yard, signage on the building, landscaped areas, attenuation tank, connections to all services and ancillary site development works. The HGV vehicular access to the site will be

CM 56

via an entrance to the west, with separate car and pedestrian access to the north east, all at 21, 22 and 23 Oaktree Business Park, Dunderry Road, Trim, County Meath as amended by the revised public notice received by the planning authority on the 15th day of June, 2021.

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 policies and objectives set out in the Meath County Development Plan 2021-2027, to the nature, extent and design of the proposed development, and to its location within an existing industrial estate and employment area removed from residential development and on land zoned for general enterprise and employment use whereon industry general is permitted in principle, it is considered that, subject to compliance with the conditions set out below, the proposed development would comply with the policies and objectives set out in the Development Plan and would not seriously injure the residential amenities of the area or the amenity of properties in the vicinity of the site. 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 to the planning authority on the 3rd day of June 2021 and the 15th day of June 2021, 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. Samples of the materials, colours and textures of all the external finishes to the proposed buildings shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interest of the visual amenities of the area.

3. The developer shall facilitate the archaeological appraisal of the site and shall provide for the preservation, recording and protection of archaeological materials or features which may exist within the site. In this regard, the developer shall:-

- (a) notify the planning authority in writing at least four weeks prior to the commencement of any site operation (including hydrological



and geotechnical investigations) relating to the proposed development, and

- (b) employ a suitably-qualified archaeologist prior to commencement of development. The archaeologist shall assess the site and monitor all site development works.

The assessment shall address the following issues:-

- (i) the nature and location of archaeological material on the site, and
- (ii) the impact of the proposed development on such archaeological material.

A report containing the results of the assessment shall be submitted to the planning authority. No site preparation or construction work shall be carried out until after the archaeologist's report has been submitted and permission to proceed has been received in writing from the planning authority in consultation with the National Monuments Service.

Reason: In order to conserve the archaeological heritage of the area and to secure the preservation (in-situ or by record) and protection of any archaeological remains that may exist within the site.

- 4. Site development and building works shall be carried out only between the hours of 0700 to 1800 Mondays to Fridays inclusive, between 0800 to 1400 hours on Saturdays and not at all on Sundays and public holidays. Deviation from these times will only be allowed in exceptional circumstances where prior written approval has been received from the planning authority.

Reason: In order to safeguard the amenities of property in the vicinity.

- 5. The landscaping scheme as submitted to the planning authority on the 3rd day of June 2021, shall be carried out within the first planting

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season following substantial completion of external construction works. This shall include provision of block wall and railings along the southern boundary of the site to match that proposed along western and northern boundaries.

All planting shall be adequately protected from damage until established. Any plants which die, are removed or become seriously damaged or diseased, within a period of five years from the completion of the development, shall be replaced within the next planting season with others of similar size and species, unless otherwise agreed in writing with the planning authority. Planting at the proposed entrance shall be managed to ensure that sightlines are maintained at all times.

Reason: In the interest of residential and visual amenity.

6. Water supply and drainage arrangements, including the disposal of surface water, shall comply with the requirements for the planning authority for such works and services.

Reason: To ensure adequate servicing of the development and to prevent pollution.

7. Prior to commencement of development, the developer shall enter into water and/or wastewater connection agreement(s) with Irish Water.

Reason: In the interest of public health.

8. Prior to the commencement of development, a Construction Environmental Management Plan (CEMP) shall be submitted to, and agreed in writing with, the planning authority. This plan shall provide details of intended construction practice for the development, including:

A method statement(s) for incorporating environmental control measures to avoid siltation, erosion, surface water run-off and accidental pollution events to include as follows:

- (a) means to ensure that non-native species are not introduced or transferred to the area, and
- (b) location of designated refuelling area, management of hydrocarbons and arrangements for accidental spills.

A record of daily checks that the works are being undertaken in accordance with the CEMP shall be available for inspection by the planning authority.

Reason: In the interest of amenities, public health and safety.

9. The construction of the development shall be managed in accordance with a Construction Management Plan, which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This plan shall provide details of intended construction practice for the development, including the management of construction traffic (number and frequency of vehicles to access site and haul routes), arrangements for off-carriageway parking facilities for all traffic associated with the development, noise management measures, and off-site disposal of construction/demolition waste, and the means to manage dust and dirt.

Reason: In the interests of public safety and residential amenity.

10. Public lighting shall be provided in accordance with a scheme, details of which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interests of amenity and public safety.

11. (1) 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).

- (2) Details of a survey and monitoring programme shall be submitted to the planning authority for written agreement, prior to the commencement of development.

Reason: To control dust emissions arising from the development and in the interest of the amenity of the area.

12. During the operational phase of the proposed development, the noise level from within the boundaries of the site measured at noise sensitive locations in the vicinity, shall not exceed

- (a) an Leq, 1h value of 55 dB(A) between 0800 and 1800 hours Monday to Friday (inclusive) and 0800 to 1400 hours on Saturdays, and
- (b) an Leq, 15 min value of 45 dB(A) at any other time.

There shall be no clearly audible tonal component or impulsive component in the noise emission from the site at any noise sensitive receptor.

Details of a survey and monitoring programme shall be submitted to, and agreed in writing with, the planning authority prior to the commencement of development.

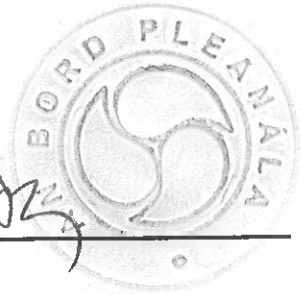
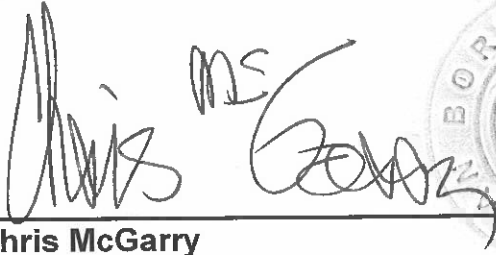
Reason: In the interest of public health and to protect the amenities of property in the vicinity.

13. A minimum of 10% of the proposed car parking spaces shall be provided with electrical connection points, to allow for functional electric vehicle charging. The remaining car parking spaces shall be fitted with ducting for electric connection points to allow for future fitout of charging points. Details of how it is proposed to comply with these requirements shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interest of sustainable transport.

14. The developer shall pay to the planning authority a financial contribution in respect of public infrastructure and facilities benefiting development in the area of the planning authority that is provided or intended to be provided by or on behalf of the authority in accordance with the terms of the Development Contribution Scheme made under section 48 of the Planning and Development Act 2000, as amended. The contribution shall be paid prior to commencement of development or in such phased payments as the planning authority may facilitate and shall be subject to any applicable indexation provisions of the Scheme at the time of payment. Details of the application of the terms of the Scheme shall be agreed between the planning authority and the developer or, in default of such agreement, the matter shall be referred to An Bord Pleanála to determine the proper application of the terms of the Scheme.

Reason: It is a requirement of the Planning and Development Act 2000, as amended, that a condition requiring a contribution in accordance with the Development Contribution Scheme made under section 48 of the Act be applied to the permission.



Chris McGarry

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

Dated this 28th day of February 2022.