

An
Bord
Pleanála

Board Order ABP-320019-24

Planning and Development Acts 2000 to 2022

Planning Authority: Wexford County Council

Planning Register Reference Number: 2024/0226

Appeal by Philip Moran of Kilcavan, Wellingtonbridge, County Wexford against the decision made on the 7th day of June, 2024 by Wexford County Council to grant subject to conditions a permission to Sutton Plant Hire (Wexford) Limited care of Philip Lawlor of Rathrolan, Tacumshane, County Wexford in accordance with plans and particulars lodged with the said Council.

Proposed Development: Extend the area of infilling and to increase the volume of material to be imported from that previously granted under planning register reference number 2017/0177, all at Kilcavan (Oldmill), Ballymitty, County Wexford.

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.

Reasons and Considerations

Having regard to the nature and scale of the proposed development and its location in a rural area of Wexford County, the provisions of the Wexford County Development Plan 2022-2028, particularly Section 5.8 (Aggregate Resources and the Extractive Industry) and Section 5.9 (Facilities for Disposal of Inert Materials), it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the residential or the visual amenities of the area and would be acceptable in terms of traffic safety and convenience. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

Conditions

1. The proposed 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 received by the planning authority on the 13th day of May, 2024, 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 proposed development shall be carried out and completed in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. All surface water generated within the boundaries of the site shall be collected and disposed of within the curtilage of the site.

Reason: In the interest of public health.

3. The developer shall monitor the local entry road on a daily basis when the facility is in operation and shall clean the road surface when required or instructed to do so by the planning authority.

Reason: In the interest of amenity and the protection of the environment.

4. A wheel-wash facility shall be provided adjacent to the site exit. The location, details and provisions for wash waters shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interest of traffic safety and convenience, and to protect the amenities of the area.

5. Operating hours shall be from 0800 to 1800 Mondays to Fridays, inclusive, and from 0800 to 1400 hours on Saturdays. No activity shall take place outside these hours or on Sundays or public holidays. Deviation from these times shall only be allowed in exceptional circumstances where prior written agreement has been received from the planning authority.

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

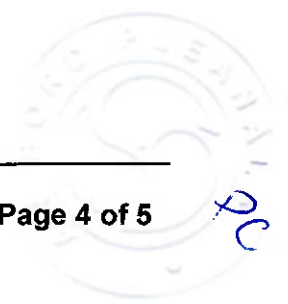
6. Noise emanating from the proposed development shall not cause to be measured at the facing elevation (outside) of any dwelling in the area during the hours of 0700 to 2100, a noise level of 55dB(A) (L_{Aeq} 1 hour), and during the hours of 2100 to 0700 and on Sundays and bank holidays, a noise level of 42 dB(A) (L_{Aeq} 1 hour). The noise shall not be impulsive in nature or have any tonal element which is 5dB(A) above the adjacent frequencies.

Reason: In the interest of amenity and the proper planning and sustainable development of the area.

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

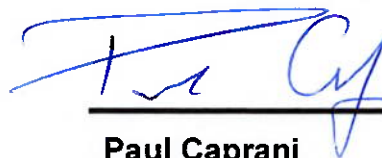
Reason: In the interest of traffic safety.

8. (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 and particulate 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 and in the interest of the amenity of the area.



Paul Caprani

Member of An Bord Pleanála

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



Dated this 27th day of January 2025.