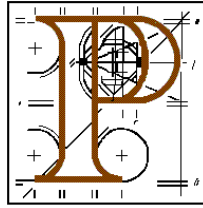


An Bord Pleanála



Inspector's Report

PL01.246445

Development: Construct Office/reception building, wastewater treatment system, car park, new splayed entrance and ancillary works.

Location: Old Leighlin, Co. Carlow.

Planning Application

Planning Authority: Carlow County Council

Planning Authority Reg. Ref. No: 15/239

Applicant: Old Leighlin Quarry Limited

Type of Application: Permission

Planning Authority Decision: Grant

Planning Appeal

Appellants: Michael Sheehy & Seamus Brennan

Type of Appeal: Third Party

Observers: None

Date of Site Inspection 21/7/16

Inspector: Siobhan Carroll

1.0 SITE LOCATION AND DESCRIPTION

- 1.0.1 The site is located at Banagagole townland, County Carlow. The site is located approximately 1.3km to the south of the village of Old Leighlin and approximately 4.4km to the south-west of Leighlinbridge. The River Barrow which runs through Leighlinbridge is situated 2.7km to the east. The Madlin river lies 700m to the north of the appeal site. It is a tributary of the Barrow and rises to the west of Old Leighlin. The M9 runs to the west of the river Barrow and is located 820m from the appeal site.
- 1.0.2 The local road the L3036 serves the quarry. Currently there are a total of 6 no. vehicular access points serving the quarry and its associated buildings. The surrounding area is predominately agricultural in nature. There are a number of houses along the L3036. The closest of which are the appellants' family homes directly opposite the location of the proposed new site entrance.
- 1.0.3 Old Leighlin lies to the south-east of the Castlecomer Plateau which was formed in the Carboniferous Era and was overlain with grits, shales and coal deposits. The eastern section of the Plateau which is the larger and more elevated part is known as the Rossmore Plateau. The subject site at Banagagole townland is located at the southern end of the Rossmore Plateau.
- 1.0.4 The site has a stated area of 12.5 hectares and comprises the lands and buildings which form the quarry operated by Old Leighlin Quarry Limited. The primary rock type within the quarry is Carboniferous limestone which contains a variety of fossils. The area under extraction is circa 3.4 hectares. Irish Blue Limestone is extracted and processed on site.

1.1 THE PROPOSED DEVELOPMENT

Permission is sought for Construct Office/reception building, wastewater treatment system and polishing filter, car park, new splayed entrance, weighbridge with wheel wash and ancillary works. Features of the scheme include;

- Site area 12.5 hectares,
- Floor area of proposed office/reception – 98sq m.

1.2 THE PLANNING AUTHORITY'S DECISION

Internal Reports:

Transportation, Environment & Water Services – No objections subject to conditions.

Area Engineer – No observations

Assistant Chief Fire Officer – No objections subject to conditions.

External Reports:

Irish Water – No objections subject to conditions.

Department of Communications, Energy and Natural Resources – No objections

Submissions

The Planning Authority one submission/observation in relation to the application. The main issues raised are similar to those set out in the appeal.

Decision

Following the submission of further information and clarification of further information, the Planning Authority decided to grant permission subject to 32 no. conditions.

1.3 PLANNING HISTORY

There is an extensive planning history relating to the operation of the Quarry. The most recent decisions are as follows;

Reg. Ref. 98/206 - Permission was granted to Stone Development Ltd. in October 1998 for retention of change of use from residential to office accommodation and for alterations to existing building and for two-storey extension for office use together with site-works. This structure is the current reception and office area.

Reg. Ref. 99/448 - Permission was granted to Stone Development Ltd. for erection of a factory containing 1st floor office and canteen accommodation and single storey production accommodation and for the re-location of a puraflo system and the construction of a new entrance along the existing road frontage and associated site works.

Ref 01/QC 2173 - Section 261 application for continued operation of quarry. The Board confirmed with modifications the decision of the planning authority and directed the said Council to amend conditions 3

and 6 that pertained to noise and hours of operation. It also attached a further condition in relation to blasting.

Ref SU01.SU0024 – Substitute consent granted to Stone Developments Ltd. for the Quarry at Bannagogle, Old Leighlin, Co. Carlow.

2.0 PLANNING POLICY

2.1 Carlow County Development Plan 2015 – 2021

E.D.- Policy 13

It is the policy of Carlow County Council to:

Provide for quarry and extractive development where it can be demonstrated that the development would not result in a reduction of the visual amenity of designated scenic area, to residential amenities or give rise to potential damage to areas of scientific, geological, botanical, zoological and other natural significance including all designated European Sites

Ensure compliance with the overall objectives of the Water Framework Directive in the context of quarries, mining and extractive development.

11.16 – Extractive Industries

2.2 National Policy

Quarries and Ancillary Activities Guidelines for Planning Authorities

These guidelines offers guidance on planning for the extractive industry through the Development Plan process and on the assessment of planning applications and Environmental Impact Statements for quarrying and related activities, including recommendations on possible planning conditions (4.7). Chapter 3 outlines the potential environmental effects arising from quarrying activities and provides guidance on best practice/possible mitigation measures on a topic-by topic basis, including noise and vibration, dust deposition, traffic impact, water supplies and groundwater, landscape, natural heritage and cultural heritage.

3.0 APPEAL

A third party appeal has been lodged by Sinead O'Connor, Town Planning and Environmental Management Consultant on behalf of Michael Sheehy & Seamus Brennan on the 12th of April 2016. The main issues raised concern the following;

- The proposed new vehicular entrance would represent a traffic hazard due to its location directly opposite two dwellings. The location of the proposed entrance is a point on the public road where the road width is 4.5m and there is no footpath.
- The appellants question the level of traffic which the facility would generate and which would use the entrance. It is stated that the applicant has failed to consider the impacts of the proposed entrance in conjunction with vehicular movements to and from the appellant's dwellings opposite the proposed entrance.
- The proposals would interfere with the character of the landscape due to the encroachment of the existing screen berm, the removal of 31.5m of existing vegetation and realignment of 72 metres of mature hedgerow.
- The proposed development would cause air pollution, water pollution, noise, light and vibration.
- The appellants consider that the proposed development would seriously injure the amenity of the area and depreciate the value of dwellings in the vicinity.
- It is stated that the proposed development would contravene materially condition no. 3 of Ref SU01.SU0024 which refers to the remedial EIS and the mitigation measures. The proposed development involves the removal of 72 metres of mature hedgerow which is contrary to section of the mitigation measures which states *'any hedgerows bounding the development site were retained as part of the existing development leaving the site surrounded by mature hedgerows. Any hedgerows/trees lost as part of the extraction works will be compensated by planting new hedges and pockets of native scrub mix as part of the restoration works.'*
- It is stated that the removal of the vegetation and ditch to the north of the proposed entrance would reduce the level of suspended solids which are removed from the surface water.
- It is noted that no additional landscaping berms are proposed and therefore it would impact upon noise and dust levels outside the site.
- It is requested that the Board take account of the impacts of the proposed entrance and amend or refuse the subject entrance.

A further submission was received from Michael Sheehy & Seamus Brennan on the 21st of June 2016. The main issues raised are as follows;

- The appellants agree with the applicant that in the interests of management and safety there are too many vehicular entrances to the quarry site.
- The applicant did not give enough consideration to the proposed location of the new vehicular entrance opposite the appellants' dwellings.
- The matter of HGV parking on the public road is noted. It is noted that an alternative layout could be provided to allow HGV parking on site.
- The impacts from noise, dust, exhaust fumes are reiterated.
- The matter of surface water run-off from the quarry and its impact on the public road and the appellants' properties has not been addressed.
- The issue of landscaping and the visual impact of the new entrance has not been addressed.

3.1 First Party response

A response to the third party appeal was submitted by SRL Consulting Ireland on behalf of the applicant Old Leighlin Quarry Limited on the 13th of May 2016. The main issues raised concern the following;

- The quarry site is long and narrow and it has been developed in a piecemeal manner by the previous owners. Entrances to the site were added over time to serve the operation of the quarry and the production facilities. This has result in a layout which is inefficient where there are multiple entrances and where none are suitable for the safe entry and egress of HGV traffic.
- The operations within the site involve a flow of the limestone material from south to north. There are currently six entrances to the site from the public road.
- Entrance no. 1 is used to access the staff car parking area. The applicant is proposing to extend the quarry operations laterally over the area adjacent to this entrance. An application will be made to Carlow County Council. Therefore this entrance is not considered a suitable location for the long term entrance to the facility. If permission is granted the gate at this location would remain closed but accessible for emergency access only.

- Entrances no. 2 & no. 3 are located to the front of the site office and serve visitor cars to the site. Two entrances are used due to the narrowness of the car park. It is noted that no swept path analysis was carried out for the entrances.
- Entrance no. 4 is located at the finished product serve yard where finished stone products are transported off-site. The yard is relatively small and can sometimes be congested with stock. The area is not of sufficient size to locate a new weighbridge and wheelwash. A swept path analysis was carried out for this entrance which indicated that a HGV of 16.5m in length would have to utilise the full width of the road when exiting and entering the entrance. If permission is granted the gate at this location would remain closed but accessible for emergency access only.
- Entrance no. 5 is located adjacent to the 'Slab Storage Yard' where the cut stone are stored before processing. If the main site entrance was located here it would introduce a serious risk to employee safety as there would be a conflict between HGV traffic and the internal movement of stone between the processing factories. A swept path analysis was carried out for this entrance which indicated that a HGV of 16.5m in length would have to utilise the full width of the road when exiting and entering the entrance. If permission is granted the gate at this location would remain closed but accessible for emergency access only.
- Entrance no. 6 is located close to the 'Primary Saw/Tile Shed' and the Maintenance Shed/Workshop. It is proposed to extend the 'Primary Saw/Tile Shed' this will be subject to a planning application. If these premises were extended there would not be sufficient area to provide for a new weighbridge and wheelwash. It is stated that an entrance at this location would be in direct conflict with access to the Maintenance Shed/Workshop. A swept path analysis was carried out for this entrance which indicated that a HGV of 16.5m in length would have to utilise the full width of the road when exiting and entering the entrance. If permission is granted the gate at this location would remain closed but accessible for emergency access only.
- It is proposed that the new entrance would become the primary site entrance to the facility for all HGV and car traffic. A swept path analysis was carried out for this entrance which indicated that a HGV of 16.5m in length would be able to exit the site in a safe manner.
- The new entrance would mean that HGV traffic entering the site will not have to take up the whole width of the public road to manoeuvre into the site. HGV traffic would not require to reverse onto the

public road on exiting the site or have to wait and park on the public road.

- It is stated that there is no scope using the existing entrances to provide a wheelwash and weighbridge.
- The concerns raised by the third party were raised at the planning application stage and were addressed through the submissions of further information and clarification of further information.
- The conditions attached by the Planning Authority demonstrate that they have taken into consideration the issues raised by the adjacent residents. This includes the condition to limit the permission for a period of five years to ensure that a full review of development is carried out.
- The proposed new entrance will eliminate the current road safety issues at the site.
- The applicant respectfully requests that the Board uphold the decision of Carlow County Council to grant permission.

3.2 Planning Authority response

A response was received from Carlow County Council on the 15th of June 2016 which stated that they have no further submissions/observations to make.

4.0 ASSESSMENT

Having regard to the above, and having inspected the site and reviewed all documents on file, the following is my assessment of this case. Issues to be considered in the assessment of this case are as follows:

- Vehicular Access and Traffic
- Visual amenity and landscape impact
- Residential amenity
- Environmental Impact Assessment
- Appropriate Assessment

4.1 Vehicular Access and Traffic

- 4.1.1 The appellants have raised specific concerns regarding the proposed location of the new splayed vehicular entrance to the south-eastern corner of the site. The dwellings owned by Michael Sheehy and Seamus Brennan are located directly opposite the proposed vehicular entrance.
- 4.1.2 The existing quarry and production facilities are well established on the appeal site. The operations have progressed over time and this included the addition of vehicular entrances to serve the various buildings. The current owners Old Leighlin Quarry Limited consider that the existing layout where there are multiple vehicular entrances is sub-standard and inefficient.
- 4.1.3 It is proposed to close the six existing entrances and construct a new vehicular entrance to service the whole facility. This is applicant's preferred location for the entrance on the basis that the appropriate visibility splays can be provided to ensure the safe movement of vehicle into and out of the site. It is also stated that the proposed location provides that HVG traffic entering the site would not take up the whole width of the public road manoeuvring into the site and that HGV traffic would not have to reverse out onto the public road on exiting the facility as is currently the case.
- 4.1.4 It is intended that the sightline provision in either direction would be 90m which I would consider acceptable given the class of road and the expected level of traffic on this rural road. The proposed layout and entrance design provides that it would not be necessary for HGV traffic to wait and park on the public road.
- 4.1.5 Regarding the traffic generation the applicant addressed the matter in Further Information response which the Planning Authority received on the 22nd of December 2015. Table 1 sets out the Daily Site Traffic Movements based on the worst case scenario. It is concluded based on a typical working day from 8.00am to 5.00pm that there would be a maximum of 6 no. HGV to and from the site per hour with a total of 58 no. HGV movements to and from the site per day. The staff movements to the site are indicated as 44 no. vehicles generating a total of 88 no. HGV movements to and from the site per day.
- 4.1.6 Aside from the construction phase, the proposed development would not generate traffic on the road network of a type or volume that was significantly greater than that which is generated by the existing quarry and production facility that the board authorised under Ref SU01.SU0024. The applicant has undertaken to rationalise the existing vehicular access arrangements and provide a significantly improved vehicular access in terms of the sightlines and accommodation and safe manoeuvring of HGV traffic within the confines of the site.

- 4.1.7 The proximity of the appellant's properties to the proposed entrance is noted. The Planning Authority in their grant of permission attached a condition which specified that the new entrance shall be permitted for a period of five years and that the use shall cease unless a prior grant of permission is received. The attachment of this condition provides that the operation of the entrance can be reassessed in terms of its impact upon the public road and the surrounding area.
- 4.1.8 Accordingly, subject to attachment of a similar worded condition limiting the authorised usage of the proposed entrance to a period of five years I am satisfied that the proposed development would not give rise to an undue traffic hazard or obstruction of road users, and would be acceptable in terms of traffic safety and convenience.

4.2 Visual amenity and landscape impact

- 4.2.1 The subject site at Banagagole townland, County Carlow is located within the Killeshin Hills Landscape Character Area and within the farmed lowlands where the landscape sensitivity is defined as moderate. As set out in the Carlow County Landscape Character Assessment the capacity of the landscape within the Killeshin Hills to absorb the extractive industry is moderate.
- 4.2.2 The overall area of the quarry is 12.5 hectares. The area where it is proposed to located the office/reception building, car park, weighbridge and new splayed entrance is to the south-eastern corner of the overall site. This area is also located within the site which received substitute consent under Ref SU01.SU0024. The southern boundary of the quarry is formed by mature hedgerow which it is proposed to retain. The proposed car parking area and office building would be located in the southern eastern corner and will be screened by the existing planting when viewed from the public road to the south.
- 4.2.3 The proposed new vehicular entrance would entail the removal of the existing roadside planting for 32m. In relation to the existing roadside berm which is maturely planted, it is proposed to be retained aside from the section to be removed to facilitate the development of the new entrance. To the south of the proposed vehicular entrance it is proposed to remove a 72m section of roadside hedgerow to provide 90m sightlines. The removal of this section of hedgerow would not in my opinion open views from the south into the quarry as it is proposed to retain the hedgerow along the extent of the southern boundary of the site. Accordingly, I am satisfied that the proposed development would not adversely impact upon the visual amenities and landscape character of the area.

4.3 Residential amenity

- 4.3.1 The appellant's dwellings are situated circa 10m to the east of the quarry site on the opposite side of the L3036. They have raised concerns in connection with noise, dust, light from vehicles and surface water run-off from the quarry. The Planning Authority in the Further Information requested that the applicant provide a detailed assessment on the risk to the properties across the road from the proposed entrance and provide details of mitigation measures.
- 4.3.2 The applicant's Consultant Engineers SLR Consulting produced a risk assessment and mitigation measures which addressed the issues of noise, light from vehicles, traffic and dust. In relation to impacts from noise both the noise generated during the construction phase and the operational phase were assessed. It is noted that it is proposed to retain the existing screen berm which runs along the eastern roadside boundary opposite the appellant's properties. It was concluded in the document prepared by SLR Consulting that the operational noise levels would not exceed the noise limit value of 55 dB(A) LAeq when measured at all noise sensitive locations. Furthermore, the cumulative noise levels would not exceed the noise limit value of 55 dB(A) LAeq.
- 4.3.3 The applicants propose mitigation measures in relation to limiting noise and providing an acoustic barrier through the retaining of the existing screen berm and containment of noise from vehicles and the delivery and movement of goods/materials on site. According, I am satisfied that the proposed development would not unduly impact upon the amenities of the closest residential properties specifically in terms of noise. It is recommended that should the Board decide to grant permission that a number of conditions referring to noise be attached including that all mitigation measures set out in the SRL Noise Assessment submitted to the planning Authority be implemented in full.
- 4.3.4 The potential impact of dust emissions was examined in Appendix B of the document prepared by SLR Consulting. In terms of the construction phase it is stated in the document that having regard to the short-term period of construction activities the magnitude for dust release will be low and due to the limited extent of the earthworks and proximity to receptors the dust risk category is considered to be 'negligible'. A series of mitigation measures are proposed during the construction phase to ensure dust emissions are low. These include the use of water sprays, the minimising of dropping loads from a height, the use of road sweepers and the seeding of surfaces of completed mounds. The existing screen berm will be retained and this will also mitigate dust from the construction phase.
- 4.3.5 In relation to the operational phase it is stated that the risk of impact at the nearest receptors would be low with negligible dust soiling effects. The installation of the proposed new wheelwash will further control and limit the amount of dust and material leaving the site from the operation

of the HGV's. Accordingly, having regard to the details contained in the document prepared by SLR Consulting including the mitigation measures concerning dust and I would consider that the proposed development would not adversely impact on the air quality of adjacent residential amenities.

- 4.3.6 The matter of the light generated by vehicular traffic at the entrance is addressed in the SLR Consulting document. The retention of the planted screen berm along the eastern site boundary will protect the amenities of the appellant's by eliminating any light pollution from vehicles in the car park. Furthermore I note that the working hours are stated as 8am to 5pm and therefore there would be very limited light from vehicular movements associated with the use and operation of the quarry beyond these hours.
- 4.3.7 Regarding the matter of surface water run-off from the quarry this is addressed in the remedial Environmental Impact Statement which was prepared for the Substitute Consent Application. Process water is treated to remove suspended solids and is then reused in the stone cutting process. Surface water run-off from hard standing areas is collected in surface water drains and is discharged off site. All waste water generated from the canteen and washrooms is directed to the waste water treatment plant and the treated effluent is then discharged off-site to surface water. Accordingly, I am satisfied that the proposed development would not give rise to risk of pollution to ground or surface water subject to the implementation of an environmental management system to ensure the water management system within the overall site is operating and ground and surface water is adequately protected.

4.4 Environmental Impact Assessment

- 4.4.1 An Environmental Impact Statement (EIS) is required to accompany a planning application for development of a class set out in Schedule 5 of the Planning and Development Regulations 2001-2011 which exceeds a limit, quantity or threshold set for that class of development. An EIS will also be required by the planning authority in respect of sub-threshold development where the authority considers that the development would be likely to have significant effects on the environment.
- 4.4.2 The proposed development comprises the construction of an office/reception building, wastewater treatment system with polishing filter, car parking area, weighbridge with wheel wash, underground storage tanks, boundary fencing and new entrance within the site of an established and operational quarry. Accordingly, the proposed development does not involve the extension of the quarry or the area of extraction.

4.4.3 Schedule 5 Part 2 Article 2 (b) provides that the extraction of stone, gravel, sand or clay where the area of extraction would be greater than 5ha requires an EIA. The proposed development does not fall into this class.

4.4.4 The Planning Authority requested as part of the Further Information that the applicant submit a copy of the remedial Environmental Impact Statement which accompanied the Section 261A Substitute Consent Application reference SU01.SU0024 in order that relevant details were available to assess the proposal.

4.5 Appropriate Assessment

4.5.1 The appeal site is situated circa 700m from the Madlin river which is a tributary of the River Barrow and forms part of the River Barrow and River Nore SAC (Site code 002162). The Natura site comprises the freshwater stretches of the Barrow/Nore River catchments as far upstream as the Slieve Bloom Mountains and also includes tidal elements at Creadun Head in Waterford. The site is selected as an SAC for the presence of alluvial wet woodlands and petrifying springs and priority habitats on Annex I of the E.U. Habitats Directive.

4.5.2 The Planning Authority prepared an Appropriate Assessment screening report. It was concluded that a Stage 2 Appropriate Assessment was not required. A remedial Natura Impact Assessment was submitted with the Section 261A Substitute Consent Application reference SU01.SU0024. In determining the Substitute Consent Application the Board concluded that the subject development would not have, and has not had, an adverse effect on the integrity of any European site, having regard to the conservation objectives of such sites.

4.5.3 Having regard to the nature of the proposed development within the existing quarry site which received substitute consent under Ref SU01.SU0024 and which was subject to Appropriate Assessment under the Section 261(A) review, I would consider that it is reasonable to conclude that the proposed development, individually or in combination with other plans or projects would not be likely to have a significant effect on River Barrow and River Nore SAC, or any other European site, in view of the sites' Conservation Objectives, and a Stage 2 Appropriate Assessment (and submission of a NIS) is not therefore required.

5.0 Recommendation

5.0.1 I have read the submissions on file, visited the site, and had due regard to the provisions of the Development Plan and all other matters arising. In the light of this and the assessment above, I recommend that permission be granted for the reasons and considerations set out below.

Reasons and Considerations

Having regard to the nature of the proposed development within an existing quarry and the provisions of the Carlow County Development Plan 2015-2021 in respect of the extractive industry and the planning history on the site, it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the visual amenities of the area or the residential amenities of property in the vicinity, would not give rise to risk of pollution, would not detract from the natural or cultural heritage of the area, would be acceptable in terms of traffic safety and convenience and 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 22th day of December, 2015, and the 19th day of February, 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. The new splayed entrance shall be permitted for a period of five years from the date of this order. The use of the entrance shall cease within three months of the expiration of this period. The gate/walls/access shall be removed and the area shall be reinstated with a landscaped berm with the works to be carried out to the satisfaction of the planning authority, unless prior to the end of that period, planning permission shall have been granted for the continuance of the use of the entrance for a further specified period.

Reason: To allow for a review of the development having regard to the circumstances then pertaining.

3. The proposed new vehicular entrance shall be located and designed in accordance with details to be submitted to and agreed in writing with the planning authority prior to commencement of construction. On completion of the new entrance, the existing 6 no. entrances shall be permanently closed (except for emergency use only).

Reason: In the interest of traffic safety and orderly development.

4. 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.

5. On site operations associated with the proposed development including vehicle transportation, shall only operate between 0800 hours and 1800 hours, Monday to Friday and between 0800 hours and 1400 hours on Saturdays. No activity shall take place outside these hours or on Sundays or public holidays.

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

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

Reason: In the interest of public health and to ensure a proper standard of development.

7. No surface water or silt from the site shall be allowed discharge from the quarry onto the public road. Existing roadside drainage shall be maintained and not obstructed.

Reason: To maintain proper roadside drainage and the interest of public safety.

8. Prior to commencement of development, the developer shall submit to and agree in writing with the planning authority a proposal for an environmental management system in respect of the proposed development, incorporating provisions for the noise, dust and vibration monitoring measures required under the conditions of this permission generally, and for the following:

- (a) details of safety measures for the perimeter of the quarry, to include warning signs and stock-proof fencing, which shall be implemented

- to the written satisfaction of the planning authority within three months of the date of this Order,
- (b) management of all landscaping and buffer areas on the perimeter of the site,
 - (c) monitoring of ground and surface water quality, ground water levels and discharge water quality,
 - (d) a complaints management procedure,
 - (e) an annual topographical survey,
 - (f) details of the operation of the wheel wash,
 - (g) details of the site manager, contact numbers (including out of hours) and public information signs at the entrance to the facility, and
 - (h) associated procedures for reporting to the planning authority.

Reason: In the interests of orderly development and of the amenities of the area.

9. All mitigation measures set out in the SRL Noise Assessment submitted to the planning Authority on the 22nd of December, 2015, shall be implemented in full except as may otherwise be required in order to comply with the following conditions.

Reason: In the interest of protection of the environment.

10.

- (1) The noise levels generated during the operation of the quarry, including all ancillary activities within this site, shall not exceed 55 dB(A) LAeq when measured at the nearest occupied house, in accordance with noise monitoring procedures to be submitted to and agreed in writing with the planning authority prior to commencement of development. These details shall include monitoring locations, the frequency of monitoring, and details of all noise suppression measures.
- (2) All noise measurement shall be carried out in accordance with the provisions of ISO 1996:2007: Acoustics – Description, Measurement and Assessment of Environmental Noise.

Reason: In the interest of the amenities of residential property in the vicinity.

11. 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. The contribution shall be paid prior to the commencement of development

or in such phased payments the planning authority may facilitate. 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 the Board to determine the proper application of the Scheme.

Reason: It is a requirement 48 of the Planning and Development Act 2000 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.

**Siobhan Carroll,
Inspectorate
2nd of August 2016**