



An
Bord
Pleanála

Inspector's Report PL27.247118

Development	Change of use from vacant concrete block manufacturing facility to timber storage and drying unit for 2,000 tonnes of timber.
Location	Whitestown Lower, Stratford on Slaney, Baltinglass, Co. Wicklow.
Planning Authority	Wicklow County Council.
Planning Authority Reg. Ref.	16/644
Applicant	Leinster Pellets Ltd.
Type of Application	Permission
Planning Authority Decision	Grant permission
Type of Appeal	Third Party
Appellant	Transport Infrastructure Ireland
Observers	None
Date of Site Inspection	28/10/16
Inspector	Siobhan Carroll

1.0 Site Location and Description

- 1.1. The appeal site is located in the townland of Whitestown Lower in the west of county Wicklow. It is situated 8km to the north of Baltinglass and 21km to the south of Blessington. The site is setback a minimum of 115m from the N81 to the east. There is an existing vehicular entrance onto the N81 national secondary road which serves a dwelling, farm holding, quarry and the subject site.
- 1.2. The site is of stated area of 5.9hectares. The site contains existing sheds and hard-standing area which was previously used as a facility for the manufacturing of concrete blocks. There is a vacant single storey building to the north-eastern corner of the site. The site is served by a lane which runs for circa 130m from the roadside vehicular entrance to the gated entrance of the site.

2.0 Proposed Development

- 2.1. Change of use of an existing vacant development from a concrete block manufacturing facility to a facility for the storage and natural drying of 2,000 tonnes of timber, sourced mainly from the local forestry and relates sectors. The proposal also includes the erection of external walls and internal partition at an existing 6,543sq m structure to create an enclosed storage unit of 2,178sq m.
- 2.2. The upgrading of the existing on site wastewater treatment system, the installation of a weighbridge and permission for the retention of a 268sq m plant room and a separate vacant building containing 253.5sq m which will be used as an office in connection with this timber proposal.

3.0 Planning Authority Decision

3.1. Decision

The Planning Authority granted permission subject to 9 no. conditions.

3.2. Planning Authority Reports

3.2.1. Planning Reports

- Report of Planning Officer dated 5/7/16 recommended that permission be refused because it would endanger public safety by reason of serious traffic hazard because the proposed development which would require the use of six axle configured vehicles would result in an increase in risk to the safety of road users on the N81 at the site entrance which is inadequate in terms of sightline distances.
- Report of Planning Officer dated 15th of July 2016 – in light of the report from the DOS (Planning) permission was recommended.

3.2.2. Other Technical Reports

Environment Section: No objection subject to conditions.

Roads Design Office: refusal recommended on the basis of the level and nature of traffic the proposed development would generate and the turning movements onto the N81.

3.3. External Report

Transport Infrastructure Ireland: The proposal if approved, would create an adverse impact on the national road where the maximum permitted speed limit would apply. The proposal if approved would result in the intensification of an existing direct access to a national road contrary to official policy in relation to the control of frontage development on national roads.

3.4. Third Party Observations

- None received

4.0 Planning History

There is a planning history on the site dating back to the late 1970's as detailed in the Planner's report. The most recent decision refers to a similar application to that which is currently proposed.

Reg. Ref. 15/677 – Permission was refused for a change of use of an existing vacant development from a concrete block manufacturing facility to the storage and natural drying of 2000 tonnes of timber, sourced mainly from the local forestry and related sectors. Permission was refused for three reasons;

1. The proposed development would endanger public safety by reason of serious traffic hazard because the proposed development which would require the use of six axle configured vehicles would result in an increase in risk to the safety of road users on the N81 at the site entrance which is inadequate in terms of sightline distances

2. The proposed development would represent consolidation of un-authorised development on this site, having regard to the existing development on site for which no permission exists, in particular
 - The existing vacant building of 253.5sqm which is proposed for use as an office

 - The existing 268sqm shed which is proposed for use as plant room

The provision of such a form of development unduly impacts on the amenities of the area, public health, and the amenities of adjoining properties, undermines the planning regulations and would be contrary to the proper planning and sustainable development of the area.

3. The proposed development could be prejudicial to public health because the information submitted in relation to proposals for on-site effluent disposal is inadequate and incomplete and thus it is not possible to determine that this site is suitable for effluent disposal. To permit this development in the

absence of all necessary information would be contrary to proper planning and development.

5.0 Policy Context

5.1. Development Plan

The relevant plan is the Wicklow County Development Plan 2010-2016.

- Chapter 8 refers to the Rural Economy
- Objective RUR5 - To require any proposed commercial / industrial developments in a rural area to comply with the following criteria (in addition to any other relevant objectives of the plan being complied with):
 - It shall be of a scale in terms of the number of employees, site area and building size, which is suitable for the location and which is visually sympathetic to the rural surroundings;
 - It shall not give rise to any significant adverse environmental impact, in terms of impact on the scenic value, heritage value and/ or environmental/ ecological/ conservation quality of the area. It shall not have a negative impact on the surrounding area in terms of nuisance, noise, odours or other pollutants;
 - The development shall not result in the creation of a significant traffic hazard and the road network shall be suitable and shall have the capacity for anticipated traffic levels;
 - The development shall not be detrimental to the amenity of nearby properties, and in particular, to the amenity of nearby residential properties;
 - There shall be acceptable proposals for the safe storage and disposal of waste, in a manner that is visually and environmentally acceptable;

- The site shall be suitable in size such that any housing and commercial activity can be separated, serviced and landscaped accordingly.

Notwithstanding any other objectives set out in this section of the plan, the Planning Authority will refuse permission for any form of development that fails to comply with the above criteria. All planning applications should include details of the nature and scale of the proposed operation, and include opening hours and anticipated traffic levels. A business plan should also be submitted, where appropriate.

- Chapter 11 refers to Roads and Transport
- NR5 -To safeguard the capacity and safety of the National Road network by restricting further access onto National Primary and National Secondary roads outside of restricted speed limits (which correspond with identified development boundaries) in line with the National Roads Authority policy statement on “Development Management and Access to National Roads” (May 2006), as amended.

5.2. Natural Heritage Designations

- The site is located approximately 200m from the Slaney Valley SAC Site Code (000781).
- The site is located approximately 9.5km to the west of the Wicklow Mountains SAC Site Code 002122 and 6.5km the west of the Wicklow Mountains SPA Site Code 004040.
- The Poulaphouca Reservoir SPA Site Code 004063 is located circa 11.8km to the north-east.

6.0 The Appeal

6.1. Grounds of Appeal

A third party appeal was submitted by Transport Infrastructure Ireland (TII) on the 17th of August 2016. The main issues raised concern the following;

- The proposed development is facilitated by a direct private access to the N81, national secondary road. The access is located on an unimproved section of the national road where the maximum speed limit of 100kph applies.
- The proposed development is at variance with official policy to preserve the level of service, safety and carrying capacity of national roads and to protect the public investment in such roads as outlined in the Spatial Planning and National Roads Guidelines for Planning Authorities (DoECLG, 2012).
- It is the responsibility of the TII to protect against the proliferation of roadside development accessing national roads to which the speed limits are greater than 50-60kmh. This policy is in place to as part of an overall effort to reduce road fatalities and injuries.
- The TII considers that the proposed development associated with the change of use accessing the N81 has the potential to endanger public safety by reason of serious traffic hazard arising from the nature of the heavy commercial vehicle traffic the subject site would generate.
- The traffic movements generated by the proposed development would interfere with the safety and free flow of traffic on the public road.
- In order to address the incidents of road accidents the TII has targeted the reduction of number of accesses onto national roads by 5% by 2020.
- Road accident statistics available from the RSA demonstrate that accesses and turning movements generated are a cause of road accidents. The Government endorses the RSA Road Safety Strategy 2013-2020 which sets down to reduce the number of accesses onto national roads by 5% by 2020.

- TII notes and concurs with the recommendation of the Roads Design Office of Wicklow County Council and the initial Planning Officer's report to refuse permission.
- TII acknowledges that the condition no. 2 of the permission granted has made attempts to improve visibility at the junction to the N81. However the proposals are substandard for sightline requirements for a national road with a 100kph design speed. As outlined in the Council's Road Design report the sightlines are measured incorrectly.
- Therefore, TII does not consider that the measures required by condition no. 2 of the permission granted would offset the traffic hazard created by the traffic generated including turning movements onto the national route N81.
- The previous refusal relating to the site reg. ref. 15/677 is still relevant. It is noted that no mitigation for refusal reason no. 1 was proposed.
- The proposed change of use to a facility to store and dry timber relates to only part of the buildings on site with the existing permitted Concrete Block Manufacturing Facility apparently remaining an established permitted use on the remainder of the site.
- In conclusion, a piecemeal approach to the development of the site is of concern to the TII and the main concern refers to the road safety issues identified.

6.2. Applicant Response

A response to the third party appeal was received on the 16th of September 2016 from Vincent JP Farry & Co. Ltd Planning and Development Consultants on behalf the applicants Leinster Pellets Ltd. The main issues raised concern the following;

- The key issue in the appeal refers to whether this development would adversely affect the safety and free flow of traffic using the national secondary road N81.

- The use of the site for heavy industry specifically concrete block manufacturing is the existing authorised use on the site. The first party note the planning history on site and state that the appellant appears to have largely overlooked the planning history of the land.
- The first party request that the Board consider that the development merely involves the conversion of existing built development from heavy industry purposes to the drying of timber.
- The report of the Planning Officer initially opposed this development on the basis that the sightlines from the access would be substandard. This opinion was not held by the Senior Engineer and Director of Services.
- The appeal by Transport Infrastructure Ireland states that the proposal 'would be at variance with official policy' in the Spatial Planning and National Roads Guidelines for Planning Authorities. The first party state that specific provisions in the publication are not identified. It is agreed that the publication seeks to 'guard against a proliferation of roadside developments accessing national roads.
- The first party state that the principle does not militate against the continued use of an existing lawful access.
- Section 2.5 of the Guidelines which refers to lands adjoining National Roads where speed limits greater than 60kmh apply is cited which states, *"the policy of the planning authority will be to avoid the creation of any additional access point from new development or the generation of increased traffic from existing accesses to national roads to which speed limits greater than 60kmh apply. This provision applies to all categories of development*

including individual houses in rural areas, regardless of the housing circumstances of the applicant.”

- The first party state that the report of the Senior Engineer and the Director of Services have regard to the history of the site in relation to assessing the proposed vehicular access arrangements.
- The appeal submission refers to road safety and cites accident related statistics. It is noted that no part of the appeal refers to accidents which have occurred in the vicinity of the site.
- It is stated that the proposed sightlines of the entrance onto the N81 would jeopardise road safety. The first party refer to the document ‘Contributory Factors Analysis for Road Traffic Collisions (2012) which states that road factors are cited as a contributory factor on their own in only 2% of collisions.
- It is stated in the appeal that it is an objective of the Road Safety Strategy 2013-2020 to reduce the number of accesses onto the national roads by 2020.
- The appellant considers that the sightlines at the existing access are substandard and that full sightline requirements for a national road with a 100kph design speed are provided. The first party consider that all the available evidence indicates that it is not necessary to adhere to desirable standards in every case and that the planning history of the land is a relevant factor.
- Therefore, it is considered that sightlines of 175m provide adequate visibility from the existing entrance to serve the proposed development. The

drawing accompanying the appeal response illustrates that it is possible to secure 215 metre sightlines. A letter of consent from the neighbouring landowner has been submitted which indicates that they provide consent to the applicant Leinster Pellets Ltd, to relocate and maintain the 2 no. hedgerows to the east and west of the N81 as identified on drawing no: "115-A67-LP01-REVB Sightline Layout".

- The appellant also opposes the proposed development on the basis of the vehicle type which would be associated with the proposed development. They refer to the 'nature of the heavy commercial vehicle traffic that the subject site would generate' which 'would interfere with the safety and free flow of traffic.' The authorised use of the site is for concrete block manufacturing purposes. The existing and proposed activities both require the use of large trucks. It is considered that the vehicles associated with the transportation of timber are more likely to be smaller and lighter.
- The report accompanying the application states that the proposed development would generate 1.85 heavy vehicles per day.
- A letter provided from Roadstone Ltd. details the traffic generated when the premises was in operation as a facility for the manufacturing of concrete blocks. It states that during the time when the premises was operated by Roadstone Ltd. trucks up to six axels were used to deliver raw materials to the premises and trucks up to five axels were used to transport finished products from the premises over a period of eight years until the mid 1990's.
- In relation to the issue of free flow of traffic the appellant states that they "*consider the grant of permission...has the potential to compromise...the national road network*". The appellant does not explain the basis for this

view as it might relate to the flow of traffic as distinct from the safety of traffic on the National Secondary Road N81.

- The appellant relies on the nature of vehicles which would be generated referring to 'heavy commercial vehicle (HGV) traffic that the subject site would generate. However, this does not take account of the type of vehicles associated with the authorised use of the site for concrete block manufacturing purposes.
- The appeal refers to an incremental and piecemeal approach to the development of the site. In response the first party states that the appeal should be assessed and determined on the basis of the plans and particulars submitted.
- In conclusion, it is not considered that the change of use of the existing floor space from concrete block manufacturing purposes to the drying of timber would not give rise to traffic and road safety difficulties.
- Therefore, the first party requests that the Board grant permission for the reasons set out in the appeal response.

6.3. Planning Authority Response

- In assessing the application the Planning Authority had regard to the extant authorised use on the site and the substandard nature of the existing entrance. Improvements to the entrance would be carried out if permission is granted and the development carried out. The Planning Authority also had regard to the relatively low traffic flows which would be generated by the proposed development and it was considered that the location for suitable for the use proposed.
- The TII in their appeal may not have had regard to the increase in safety at the proposed entrance. This would improve the safety of authorised existing users of the existing entrance and traffic on the N81.
- The reference in the appeal to the Council's Road Design Report identifying the incorrect measurement of sightlines and the fact that it was not addresses

is incorrect. The Planning Report refers to the Road Design Office's observation and noted that the observation was not relevant and that it would result in the sightlines being exaggerated.

- The Planning Authority requests that the Board take these matters into consideration. The Planning Authority respects the views of the TII and fully understands their role in protecting the safety and free flow of traffic of the N81. The Planning Authority also considers that it is very important to protect the safety and free flow of traffic of the N81.

6.4. Further Responses

A Further response was received from TII on the 17th of October 2016. TII has reviewed the details of the application, the original comments made by the Planning Authority on the application and appeal.

- TII acknowledges the established use of the existing access serving the concrete block manufacturing facility. However, the sightlines at the access to the N81 are substandard to that required for a national road with a design speed of 100kph.
- Having regard to the nature of the heavy commercial vehicles that the site would generate, additional traffic movements of this nature at this location would interfere with the safety and free flow of traffic on the public road. This remains the position of TII which is consistent with the recommendation in the Roads Design report.
- TII welcomes the Sightline Layout Drawing (ref.115-A67-LP01-REVC) submitted with the appeal response of Vincent JP Farry & Co. Ltd. The first party response states that it is possible to secure 215m sightlines subject to neighbouring landowner consent. It is noted that the sightline drawing referred to in the landowner consent letter refers to ref.115-A67-LP01-REVB and not ref.115-A67-LP01-REVC which was submitted with the appeal response.

- TII is of the opinion that the works required to achieve the 215m sightlines should be subject to a Road Safety Audit undertaken prior to a decision on the application so the findings of the Audit can be incorporated as conditions.
- Should the Board be satisfied that the proposed development would not result in the intensification of use of the direct access to the N81, TII requests that proposal outlined to achieve the 215m sightline provision as indicated on ref.115-A67-LP01-REVC are included as conditions.

7.0 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:

- Principle of Development
- Vehicular Access and Traffic
- Appropriate Assessment

7.1. Principle of Development

- 7.1.1. The subject site is located within the rural townland of Whitestown Lower, Co. Wicklow. The site is situated in an area with the landscape designation 'Access Corridor Area'. The area is primarily agricultural in nature. The quarry immediately to the west of the site is not currently in operation.
- 7.1.2. The proposed development, as has been outlined above, provides for a change of use of an existing vacant development from a concrete block manufacturing facility to a facility for the storage and natural drying of 2,000 tonnes of timber. The proposal also includes the upgrading of the existing on site wastewater treatment system, the installation of a weighbridge and the use of the existing vacant building as an office in connection with the timber facility.
- 7.1.3. Chapter 8 of the Wicklow County Council Development Plan 2010-2016 refers to the Rural Economy. Objective RUR5 refers to commercial/industrial development in rural areas and states that any proposed development are required to comply with a

number or criteria including that the scale shall be suitable for the location, that it would not give rise to any significant adverse environmental impact, that it shall not result in the creation of a significant traffic hazard and the road network shall be suitable and shall have the capacity for anticipated traffic levels and that the development shall not be detrimental to the amenity of nearby properties, and in particular, to the amenity of nearby residential properties;

7.1.4. In relation to the proposed development the applicant has stated in the application and appeal submission that the proposed change of use is appropriate to the location having regard to the previous commercial use on the site and that the nature of the proposal which involves the storage, drying and processing of predominately locally sourced timber. The proposed development would use the existing buildings and also the existing vehicular entrance. I would consider the proposed use is appropriate to this rural location having regard to the nature of the use involving the storage and processing of locally sourced timber.

7.1.5. Notwithstanding the appropriateness and suitability of the location for the proposed development it is necessary to examine the suitability of the site having regard to the vehicular access arrangements and traffic which would be generated.

7.2. Vehicular Access and Traffic

7.2.1. The appellants have requested that permission be refused on the basis that having regard to the nature of the heavy commercial vehicles that the site would generate, that the additional traffic movements would interfere with the safety and free flow of traffic on the public road, i.e. the N81 national secondary road.

7.2.2. The original report of the Planning Officer and the report of the Roads Design Office recommended that the proposal be refused on the basis of the level and nature of traffic that the proposed development would generate and the turning movements onto the N81. The report of the Planning Authority dated the 15th of July 2016 stated that in light of the report from the Director of Services (Planning) that permission was recommended. In their assessment of the proposal the nature of the traffic generated by the existing authorised use of the site, i.e. a concrete block manufacturing facility was taken into consideration and it was concluded that use would generate higher turning movements than the current proposal. Furthermore,

with the proposals to improve the sightlines at the entrance it was concluded that the proposed change of use would be acceptable.

- 7.2.3. Chapter 11 of the Development Plan refers to Roads and Transportation. Objective NR5 refers to National Roads and states that it is an objective to safeguard the capacity and safety of the National Road network by restricting further access onto National Primary and National Secondary roads outside of restricted speed limits (which correspond with identified development boundaries) in line with the National Roads Authority policy statement on “Development Management and Access to National Roads” (May 2006), as amended.
- 7.2.4. In relation to the subject proposal, I note that it is an existing vehicular access onto the N81. The existing authorised use of the site is as a concrete block manufacturing facility. A Traffic report was produced by TPS Ltd. This accompanied the application. As indicated in Section 5.2 of the report the traffic generated by the concrete block manufacturing facility was up to 30 inbound heavy vehicle movements and 30 outbound heavy vehicle movements per day. The proposed change of use to a facility for the storage and natural drying of 2,000 tonnes of timber would generate a maximum of 2 inbound and 2 outbound heavy vehicular traffic movements per day.
- 7.2.5. Having regard to the fact that this represents a significant reduction in the level of heavy vehicular traffic movements generated per day, I am satisfied that the proposed change of use would not result in an intensification of heavy vehicular traffic movements to the subject site when compared with the existing permitted use.
- 7.2.6. Regarding the suitability of the existing vehicular entrance to serve the proposed development, the applicant proposes to upgrade the existing vehicular access onto the N81 by improving the sightlines. The first party appeal response was accompanied by revised drawings indicating that with the removal and relocation of existing hedging and planting to the north and south of the vehicular entrance that sightlines of 215m can be achieved. The proposed revised sightlines are indicated on drawing no: 115-A67-LP01-REVC received by the Board on the 16th of September 2016. As indicated on the drawing the lands where it is proposed to carry out the works are under the ownership of Mr. Joseph O’Neill. A letter issued by Mr. Joseph O’Neill on the 13th of September 2016 to the applicant Leinster Pellets

Ltd., states that he provides his consent for Leinster Pellets Ltd to carried out the works to relocate and maintain the required area of hedgerow to the east and west of the N81.

7.2.7. I note that the letter from Mr. O'Neill refers to drawing no: 115-A67-LP01-REVB and not drawing no: 115-A67-LP01-REVC. Drawing no: 115-A67-LP01-REVB indicates sightlines of 175m in both directions. The revised sightlines of 215m are preferable to provide for the 100kph design speed of the road. Subject to the provision of the 215m sightlines as indicated on drawing no: 115-A67-LP01-REVC, I consider the proposed vehicular entrance arrangements would be acceptable. Therefore, should the Board decide to grant permission for the proposed development, I would recommend the attachment of a condition requiring that prior to the commencement of development on site, the improvements to sightlines at the vehicular entrance as proposed by the applicant in drawing no: 115-A67-LP01-REVC received by the Board on the 16th of September 2016 shall be carried out in full.

7.2.8. The proposed improvements to sightlines at the vehicular entrance will provide increase the safety of the existing entrance and given that the level of heavy vehicular traffic movements generated by the proposal would be considerably less than the permitted use, 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.

7.3. Appropriate Assessment

7.3.1. The appeal site is situated circa 200m from the Slaney Valley SAC Site Code (000781), approximately 9.5km to the west of the Wicklow Mountains SAC Site Code 002122, circa 6.5km the west of the Wicklow Mountains SPA Site Code 004040. The Poulaphouca Reservoir SPA Site Code 004063 is located circa 11.8km to the north-east.

7.3.2. The Slaney Valley SAC Site Code (000781) is the closest to the appeal site. The conservation and qualifying interests and species and features of interest of the Slaney River Valley SAC include freshwater pearl mussel (*Margaritifera margaritifera*), sea lamprey (*Petromyzon marinus*), brook lamprey (*Lampetra planeri*), river lamprey (*Lampetra fluviatilis*), allis shad (*Alosa alosa*), twaite shad

(*Alosa fallax fallax*), salmon (*Salmo salar*), estuaries, mudflats and sandflats not covered by seawater at low tide, Otter (*Lutra lutra*), water courses of plain to montane levels with the *Ranunculion fluitantis* and *Callitriche-Batrachion* vegetation, old sessile oak woods with *Ilex* and *blechnum* in British Isles, alluvial forests with *alnus glutinosa* and *fraxinus excelsior* (*Alno-Padion*, *Alnion incanae*, *Salicion albae*).

- 7.3.3. The application was accompanied by an Appropriate Assessment screening report prepared by EirEco Environmental Consultants. The report concluded that the subject development which is confined to the site of a disused quarry and would entail the importing, storage and drying of timber before chipping and distribution would not give rise to any pollutants or risk of impacting on surface or ground water quality and that there would be no direct or indirect impact on any Natura 2000 site.
- 7.3.4. It is noted that the proposed development also includes the upgrading of the existing on site wastewater treatment system. This will serve to improve the quality of effluent treatment and significantly reduce the potential for risk to water sources.
- 7.3.5. Having regard to the nature of the proposed development a change of use of an existing vacant concrete block manufacturing facility to a facility for the storage and natural drying of 2,000 tonnes of timber before chipping and distribution and the upgrading of the existing on site wastewater treatment system and the distance between the appeal site and the closest Natura site the Slaney Valley SAC Site Code (000781) circa 200m, It is reasonable to conclude that on the basis of the information on the file, which I consider adequate in order to issue a screening determination, that the proposed development, individually or in combination with other plans or projects would not be likely to have a significant effect on the Slaney Valley SAC Site Code (000781), or any other European site, in view of the site's Conservation Objectives, and a Stage 2 Appropriate Assessment is not therefore required.

8.0 Recommendation

- 8.1. 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.

9.0 Reasons and Considerations

Having regard to the established commercial use of the lands, the nature of the proposed use associated with the storage and processing of locally sourced timber, the proposal to upgrade the existing vehicular access and the limited traffic flow the proposed development would generate, it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the amenities of the area or of property in the vicinity, would be compatible with existing land uses in the vicinity, would be acceptable in terms of traffic safety and convenience, would not be prejudicial to public health and would, therefore, be in accordance with the proper planning and sustainable development of the area.

10.0 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 received by An Bord on the 16th day of September 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. Notwithstanding the exempted development provisions of the Planning and Development Regulations, 2001, as amended, and any statutory provision replacing or amending them, no change of use shall take place on site without a prior grant of planning permission.

Reason: In the interests traffic safety and of the amenities of the area and to permit the planning authority to assess any such development through the statutory planning system.

3. Prior to the commencement of development on site, the improvements to sightlines at the vehicular entrance as proposed by the applicant in drawing no: 115-A67-LP01-REVC received by An Bord Pleanála on the 16th day of September 2016 shall be carried out in full and be in accordance with the Planning Authorities detailed requirements. Details of the proposed revised roadside boundary 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 orderly development.

4.
 - (a) The proposed effluent treatment and disposal system shall be located, constructed and maintained in accordance with the details submitted to the planning authority on the 10th day of June, 2016, and in accordance with the requirements of the document entitled "Code of Practice - Wastewater Treatment and Disposal Systems Serving Single Houses (p.e. ≤ 10)" – Environmental Protection Agency, 2009. Arrangements in relation to the ongoing maintenance of the system shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.
 - (b) Within three months of the installation of the proprietary effluent treatment system, the developer shall submit a report from a suitably qualified person with professional indemnity insurance certifying that the proprietary effluent treatment system has been installed and commissioned in accordance with the approved details and is working in a satisfactory manner in accordance with the standards set out in the EPA document.

Reason: In the interest of public health.

5.

(a) During the operational phase of the proposed development, the noise level arising from the development, as measured at the nearest dwelling or at any point along the boundary of the site shall not exceed:-

(i) An Leq,1h value of 55 dB(A) during the period 0800 to 2200 hours from Monday to Saturday inclusive.

(ii) An Leq,15 min value of 45 dB(A) at any other time. The noise at such time shall not contain a tonal component.

At no time shall the noise generated on site result in an increase in noise level of more than 10 dB(A) above background levels at the boundary of the site.

(b) All sound measurement shall be carried out in accordance with ISO Recommendation 1996:2007: Acoustics - Description and Measurement of Environmental Noise.

Reason: To protect the residential amenities of property in the vicinity of the site.

[ADVICE NOTE 1:- It is desirable that the T component be specified. The measurement time intervals typically used are 1 hour by day and 15 minutes by night.]

[ADVICE NOTE 2:- If the noise contains a discrete, continuous note (whine, hiss, screech or hum), or if there are distinct impulses in the noise (bangs, clicks, clatters or thumps), or if the noise is irregular enough in character to attract attention, a penalty of 5dB(A) shall be applied to the measured noise

level and this increased level shall be used in assessing compliance with the specified levels. In such circumstances, the levels stated should be 50 and 40 dB(A) in the above condition.]

6. Water supply and drainage arrangements, including the attenuation and 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.

Siobhan Carroll
Planning Inspector

9th December 2016