



An
Bord
Pleanála

Inspector's Report ABP.301133-18

Development	Retention and completion of the importation of soil for the purposes of land improvements.
Location	Park, Tinryland, Co. Carlow
Planning Authority	Carlow County Council
Planning Authority Reg. Ref.	17/80
Applicant(s)	Paul Washe
Type of Application	Permission
Planning Authority Decision	Grant
Type of Appeal	Third Party
Appellant(s)	John and Janette Keogh
Observer(s)	None
Date of Site Inspection	20 th June 2018
Inspector	Kenneth Moloney

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1.0 Site Location and Description

- 1.1. The subject site is in a rural area in the outskirts of Carlow Town. The subject site is located approximately 3.5km south of Carlow Town Centre. There is an established food production unit on the appeal site which consists of the production of fruit juices for onwards sales.
- 1.2. There are ancillary offices located to the front of the site and there are food production units situated to the rear of the offices. There is staff car parking situated to the front of the site and there are two separate car parks with two separate vehicular entrances onto the local road.
- 1.3. The site the subject of this appeal is located to the rear of the existing processing units and the site itself is generally an unused / overgrown field with different levels throughout.
- 1.4. The neighbouring field to the south of the appeal site is notably situated on a lower level than the appeal site by approximately 1 metre. The neighbouring field is used for tillage farming and there is an existing hedgerow established along the boundary, between the appeal site and the neighbouring field.
- 1.5. There are 3 detached no. 2-storey houses located on the opposite side of the public road from the appeal site and there is also a level crossing located in close proximity to the north of the appeal site.
- 1.6. There are a number of established warehouses located on the adjoining site to the immediate north of the appeal site and these units are used for commercial storage.

2.0 Proposed Development

- 2.1. Permission is sought for the retention and completion of the importation of soil for the purposes of land improvements.
- 2.2. In accordance with the submitted site layout drawing there are 5 no. areas for retention and 1 no. area proposed for soil importation. The table below summaries;

<u>Areas</u>	<u>Volumes</u>
Area no. 1 – 1,198 m ²	360m ³
Area no. 2 – 3,363 m ²	1,622m ³
Area no. 3 – 101 m ²	41m ³
Area no. 4 – 168m ²	58m ³
Area no. 5 – 422m ²	39m ³

- 2.3. A large central area of the site (7,999m²) is proposed to import soil not greater than 5,536m³.

Additional information was sought requesting the applicant to submit (a) details of the quantities for soil importation, including traffic movements and land restoration proposals, (b) a Stage 1 AA Screening Report, (c) the proposed works may impact on a previous permission in terms of floor levels as such the applicant is invited to respond, (d) address concerns of Inland Fisheries Ireland, (e) submit proposals for removal of waste materials and (f) a response to claims of unauthorised development on the site.

Clarification of additional information was sought by the Local Authority in relation to (a) quantities of soil proposed to be imported to the site, (b) traffic volumes, (c) the period over which soil importation is proposed, (d) cumulative impacts on the AA

Screening, (e) a revised site layout plan that specifies all mitigation measures proposed in the Construction Environmental Management Plan, (f) the proposed bund and (g) response to the third-party submission received by the Local Authority on 29th August 2017.

3.0 **Planning Authority Decision**

3.1. Carlow County Council decided to **grant** planning permission subject to 20 no. conditions.

3.2. **Planning Authority Reports**

3.2.1. The main issues raised in the planner's report are as follows;

Area Planner

- EIA not required.
- Inadequate details submitted in relation to the proposed works.
- The submission of a Stage 1 AA Screening is required.
- The applicant's intentions regarding existing permissions are unclear.
- There are issues raised by Inland Fisheries Ireland.

3.3. **Internal Reports;**

Water Services; - No objection.

Area Engineer; - No objections from roads perspective. The area is liable to flooding and as such the filling of the site maybe inappropriate.

Environment; - No objections.

Roads; - No objections. Sightlines and traffic generation acceptable.

3.4. Third Party Observations

There are two third party submissions and the issues have been noted and considered. The content of the submissions generally relates to unauthorised development on the appeal site including that the site currently operates as a scrap yard.

3.5. Submissions

There is a submission from Inland Fisheries Ireland which outlines concerns in relation to the proposed operations having regard to the proximity of the River Barrow SAC. The submission in summary outlines;

- Ensure there are no discharges of suspended solids to the watercourses,
- All waste disposal is in conjunction with the requirements of the Waste Management Act, 1996
- All fuel and oil tanks must be adequately bunded.
- Potential for run-off water from lorry traffic shall be addressed
- Refuelling of machinery must be carried out in bunded areas.

4.0 Planning History

- L.A. 14/308 – Retention **granted**, subject to 10 no. conditions, for extension to existing processing unit. The floor area of the extension was approximately 20 sq. metres.
- An Bord Pleanála (appeal ref. 244615) **granted** permission for retention of road boundary and entrance with security gates, internal road network, parking, portacabins for sales, training and canteen, extension to front building, side and rear of building, ancillary plant, waste water treatment system and ESB substation. Permission **granted** for storage unit, internal road, parking, footpaths, connections and installations of telecommunications, electricity supply, erection of street / yard lighting and the erection of site

boundaries. Retention and Permission also **granted** by the Carlow County Council (14/141).

- L.A. Ref. 12/189 – Extension of duration of L.A Ref. 07/125.
- L.A Ref. 07/125 – Permission **granted** for storage area unit, office suites, plant room, site development works, construction of internal road network and parking facilities, footpaths, connection and installation of electricity supply, street lights, corporate signage and boundary treatment.
- L.A. Ref. 07/125 – Permission **granted** for 2 no. side extensions to existing processing unit.
- L.A. Ref. 05/231 – Permission **granted** for the construction of an existing processing unit.

5.0 Policy Context

5.1. Development Plan

The operational Development Plan is the Carlow County Development Plan, 2013 – 2019.

Some relevant provisions of the County Development Plan include;

- ED Policy 6 – Rural Development.
- ED Policy 9 – Encourage / Promote Agri-Business sector
- ED Policy 10 – Rural Policy
- ED Policy 14 – Agriculture & Food
- Heritage – Policy 1
- Heritage – Policy 2

6.0 The Appeal

6.1. The following is the summary of a third-party appeal submitted by Peter Thomson Planning Consultant,

SAC / Appropriate Assessment

- There is evidence that watercourses are polluted.
- No water quality monitoring in previous permission carried out.
- Cannot be stated with certainty that there will be no adverse impact on SAC.
- It is contended that condition no. 2 of current development seeks to permit development for which a Stage 2 Appropriate Assessment should have been carried out.
- As Appropriate Assessment must be undertaken for all plans and projects a revised construction management plan must be subject to an Appropriate Assessment.
- Application should be invalidated as stage 2 Appropriate Assessment required.

Failure to comply with previous permission

- Applicant has failed to comply with conditions of the previous permission (14/141).
- The previous permission related to a waste treatment plant and is having unacceptable environmental impacts.

Inadequate assessment by Council

- It is unclear from the documentation with the application the amount on fill that will or has been imported to the site.
- Details of where the soil originated from are unclear.
- Details on traffic movements are unclear.

- It is submitted that should the applicant bring a large amount of fill to the site, while not in breach of condition no. 6, would technically be in breach of condition no. 7.
- Condition no. 2 is unsatisfactory as there is no requirement to do the works.
- Condition no. 3 of the current permission is a watered-down version of condition no. 11 of Board decision in appeal ref. 244615. The applicant has not complied with condition no. 11 and non-compliance with condition no. 3 of this permission would compromise the amenities of locals.

Condition no. 4 – 8

- There is inadequate information in relation to the amount of soil importation to the subject site.
- A single consignment of material will be in breach of condition no. 7 and this is the only way that the applicant will know the amount of infill material brought to the site.

Condition no. 10

- This replicates condition no. 11 and no. 12 of the previous permission which the applicant failed to comply with.

Condition no. 14

- Condition no. 11 of the previous permission should have addressed this issue.

Conditions 15, 17 & 19

- Numerous complaints lodged with the Planning Authority regarding dust, litter and noise.

Condition no. 16

- This should include all the ground material that has been contaminated through the spreading of pollutants.

6.2. First Party Response

The applicant submitted a response to the appeal. The submission includes an outline of the site description, development description, planning history and the grounds of appeal. The following is the summary of a response submitted by the applicant;

Consultation

- It is contended that the submission by the appellant to the Carlow County Council dated on the 1st February 2018 is not significant as the Local Authority had decided the additional information submitted and clarification of additional information was not significant.

Impact on SAC / Appropriate Assessment

- In relation to Appropriate Assessment Screening the Appropriate Assessment Screening Report determined that the soil importation to the site would have no impact on the conservation interests of the River Barrow and River Nore SAC. A Stage 2 Appropriate Assessment is not required.
- The Local Authority carried out its own Appropriate Assessment and decided to grant planning permission.
- In relation to the water quality monitoring in accordance with condition no. 11 and 12 of the previous permission it is submitted that this permission has not been implemented as such no water quality monitoring has been conducted.
- In relation to mitigation measures and the Construction Management Plan it is submitted that the mitigation measures related to the proposed de-culverting of the stream and any revised Construction Management Plan also relates to this.

- It is submitted that both these works would be exempted development having regard to Class 35, Part 1, Schedule 2 of the Planning and Development Regulations, 2001 – 2015.
- The de-culverting would be carried out by Inland Fisheries Ireland and would be classified as improvement works to the watercourse.
- De-culverting would have significant environmental and bio-diversity benefits and it is unlikely that these works would compromise the integrity of the River Barrow and River Nore SAC.
- Mitigation Measures of the Construction Management Plan include providing a bunded buffer zone to the south-east corner of the site, adjacent to the open section of the stream.

Failure to comply with previous permission

- In relation to appeal ref. 244615 new works have not commenced due to commercial reasons.
- Applicants intend to deliver appeal ref. 244615 within the 5-year permission window.
- Should the soil importation change finished floor levels for the future works then the applicant will seek alterations to the permission.
- The applicant has carried out sound proofing to the western boundary and painting to the building extension.
- In relation to the permitted waste water treatment plant this has not been carried out.

Council's Assessment

- It is proposed to import soil no other material.
- The quantity of soil importation is indicated on the submitted Site Layout Plan / Construction Environmental Management Plan submitted to the Local Authority on the 22nd January 2018.

- The response submission replicates these quantities.
- The volume and weight of soil to be imported will not exceed 5,536m and 8,309t respectively.
- Condition no. 4 (a) of the local authority permission restricts that soil will be spread to a height no greater than 700m above natural ground level.
- The imported soil is clean inert soil and to be used for grass cover over the site.
- Condition 4(b) restricts the type of soil importation to inert material EWC 17 05 04. This eliminates dangerous substances.
- Source of soil importation is not yet known.
- Condition no. 5 requires the applicant to submit full details of soil origin.
- In relation to traffic volumes it is noted that soil importation is restricted to 8,309t of inert soil. A four-axle rigid truck has a capacity of 20t and therefore amounting to 415 trips, in and out.
- Soil importation will be carried out over a 6 – 7-month period.
- It is submitted that soil importation will be submitted by 3 trips a day (Monday to Friday) and one trip on a Saturday.
- Condition no. 6 & 7 of the Local Authority permission restricts the soil importation to occur over a 6 – 7-month period.
- It is not the intension of the applicant to import soil at a faster rate.
- It is submitted that this area is a rural area where rural industry and farming activities operate and should be protected.

Conditions

- Condition no. 2 and no. 3 require the carrying out of de-culverting works.
- In relation to condition no. 11 of the previous permission no works have been carried out.

- In relation to conditions 4 to condition no. 8 any concerns in relation to discrepancy of the quantities of the imported soil is addressed in response to the clarification of the additional information.
- Condition no. 5 addresses the source of the soil.
- In relation to condition no. 10 the appellant refers to condition no. 11 and no. 12 of appeal ref. 244615. However, work has not commenced on this permitted development.
- In relation to condition no. 15, 17 and 19 it is submitted that the photos contained in the response submission indicate that the site is clean and well maintained.
- It is submitted that the proposed development is supported by policy provisions in the National Development Plan and the County Development Plan.

7.0 **Assessment**

- Principle of Development
- Appropriate Assessment
- Access
- Impact on Established Residential Amenities
- Conditions
- Other Issues

7.1. **Principle of Development**

- 7.1.1. The appeal site is in a rural area which is unzoned. In general terms where no specific use zoning is indicated, the primary use can be assumed to be that already existing in the area. In this instance the primary use is agriculture.

- 7.1.2. I would note that the appeal site forms part of a larger site for which the primary use is food processing, i.e. the production of fruit juices. I noted from my site inspection and the documentation on the file that the primary production on the applicant's landholding is the production for fruit juices for off-site sales i.e. sales from supermarkets.
- 7.1.3. The proposed development relates to a field to the rear of the fruit juice production. The field is currently in poor condition and is underutilised apart from the storage of construction materials located to the rear (east) of the field. The proposal includes the retention of importation of soil to the field and the proposed importation of soil to the field. The primary purpose of the soil importation is to improve land fertility for agricultural purposes.
- 7.1.4. I would consider that having regard to the predominate agricultural uses in the immediate and local area that the importation of soil for improving the fertility of agricultural land would be acceptable in principle. I would accept that the principle of the proposed development would only be accepted provided that the proposal would protect the amenities of the area including both residential and natural heritage amenities.

7.2. **Appropriate Assessment**

- 7.2.1. The purpose of the Appropriate Assessment Screening is to determine, based on a preliminary assessment and objective criteria, whether a plan or project, alone or in combination with other plans or projects, could have significant effects on a Natura 2000 site in view of the site's conservation objectives. The 'Appropriate Assessment of Plans and Projects in Ireland Guidelines, 2009,' recommend that if the effects of the screening process are 'significant, potentially significant, or uncertain' then an appropriate assessment must be undertaken.
- 7.2.2. I would note from the NPWS website (www.npws.ie) that the nearest designated Natura 2000 site to the appeal site is the River Barrow and River Nore cSAC (site

code 002162). The River Barrow is located approximately 2.5km – 3km directly to the west, as the crow flies, to the appeal site. The qualifying interests for this SAC include the following;

- Estuaries [1130]
- Mudflats and sandflats not covered by seawater at low tide [1140]
- Reefs [1170]
- Salicornia and other annuals colonising mud and sand [1310]
- Atlantic salt meadows (*Glauco-Puccinellietalia maritimae*) [1330]
- Mediterranean salt meadows (*Juncetalia maritimi*) [1410]
- Water courses of plain to montane levels with the *Ranunculion fluitantis* and *Callitriche-Batrachion* vegetation [3260]
- European dry heaths [4030]
- Hydrophilous tall herb fringe communities of plains and of the montane to alpine levels [6430]
- Petrifying springs with tufa formation (*Cratoneurion*) [7220]
- Old sessile oak woods with *Ilex* and *Blechnum* in the British Isles [91A0]
- Alluvial forests with *Alnus glutinosa* and *Fraxinus excelsior* (*Alno-Padion*, *Alnion incanae*, *Salicion albae*) [91E0]
- *Vertigo moulinsiana* (Desmoulin's Whorl Snail) [1016]
- *Margaritifera margaritifera* (Freshwater Pearl Mussel) [1029]
- *Austropotamobius pallipes* (White-clawed Crayfish) [1092]
- *Petromyzon marinus* (Sea Lamprey) [1095]
- *Lampetra planeri* (Brook Lamprey) [1096]
- *Lampetra fluviatilis* (River Lamprey) [1099]
- *Alosa fallax fallax* (Twait Shad) [1103]
- *Salmo salar* (Salmon) [1106]
- *Lutra lutra* (Otter) [1355]
- *Trichomanes speciosum* (Killarney Fern) [1421]
- *Margaritifera durrovensis* (Nore Pearl Mussel) [1990]

- 7.2.3. I would note from the applicant's submitted Stage 2 AA Screening Report that there is an identified pathway from the appeal site to the River Barrow and River Nore cSAC. There is a stream / watercourse located to the immediate south east of the appeal site and this stream / watercourse travels southwards before meandering in a western direction and then entering the River Barrow in the townland Cloghna. The overall distance of the stream / watercourse from the appeal site to the SAC is 4.6km.
- 7.2.4. I would note that there is a submission from Inland Fisheries Ireland who outline their concern in relation to earth moving and excavation at the appeal site. The submission considers that these works can have an adverse impact on ecosystems including, clogging salmonid spawning beds, blanketing over of plant and macroinvertebrate communities leading to loss or degradation of valuable habitat.
- 7.2.5. It is important to note that the applicant's documentation on the file confirms that the material to be imported to the site is soil rather than waste material and the applicant also confirms that the soil is not contaminated. Furthermore, it is confirmed by the applicant, in their response submission, that the soil imported to the site will be consistent with that required in condition no. 4 (b) of the Local Authority permission. This requires that the imported soil shall comprise inert material EWC 170504, soil and stones. I would acknowledge that the source of the soil is unknown, however the Local Authority in condition no. 4 requires that the source is agreed with the Local Authority prior to the commencement of development.
- 7.2.6. I have reviewed the NPWS documentation 'Conservation Objectives' (www.npws.ie) and I would note that there are no qualifying interests located within the River Barrow adjacent to the townland Cloghna, where the stream / watercourse flows into the River Barrow. However, I would note that a relatively short distance downstream of the confluence that Map 7 of the NPWS 'Conservation Objectives' indicates that there is 'White Clayed Crayfish' and further downstream there are 'alluvial forests' and 'broadleaved woodland' as indicated in Map 6 of the 'Conservation Objectives'. I would note the details of the Construction Environmental Management Plan as

submitted with the additional information response and I would consider having regard to the nature of the proposed works, the measures proposed in the Construction Environmental Management Plan and the separation distance of the appeal site to the SAC that the proposal would not give rise to any significant effects.

- 7.2.7. It is reasonable to conclude that based on the information on the file, which I consider adequate 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 any European Site, i.e. site code 002162 in view of the sites conservation objectives and a Stage 2 AA is therefore not required.

7.3. **Access**

- 7.3.1. It is proposed that the access to the serve the proposed development will be located on the south-western corner of the appeal site where there is an established vehicular entrance.
- 7.3.2. I would note from the documentation on the file that it is intended that the total importation of soil will be over a period of 7 – 8 months and it is intended that there will be 3 vehicular trips, in and out, per day Monday to Friday and a single trip a day resulting in 16 trips weekly.
- 7.3.3. I would note that the vehicular access is onto a local rural road and on the day of my site inspection the traffic along this rural road was relatively light. There is a level crossing, for the Dublin – Waterford railway line, situated approximately 80 metres to the north of the proposed vehicular entrance. The proposed entrance would provide a sightline provision of approximately 70 metres to the north and approximately 90 metres to the south.
- 7.3.4. I would note the report of the Road Engineer, dated 18th April 2017, states that the local rural road carries approximately an average daily traffic load of 500 vehicles.

The Road's Engineer concluded that the proposed development will not materially alter traffic movement on the road and that sightlines are also adequate.

- 7.3.5. In conclusion I would consider that the proposed vehicular entrance is acceptable in terms of public safety.

7.4. **Impact on Established Residential Amenities**

- 7.4.1. In terms of impacts on established residential amenities I would consider that traffic, noise and dust would be genuine concerns having regard to the nature of the proposed development.

- 7.4.2. I have outlined above that deliveries to the site will be spread over a number months such that the daily impact will be negligible. It is also important to note that the traffic deliveries to the site will be temporary in nature. Therefore, any impact on established residential amenities, in my view, will not be significant.

- 7.4.3. In relation to the noise and dust impacts I would consider having regard to the temporary nature of the proposed works that these impacts would not be significant having regard to the rural location of the proposed development.

- 7.4.4. Overall, I would consider that given that the predominant use is agriculture and the proposed development is an agricultural related use and is temporary in nature that the proposal would not have any adverse impacts on established residential amenities.

7.5. **Conditions**

- 7.5.1. In relation to condition no. 2 the appellant is concerned that this condition will not enforce the applicant to de-culvert the stream. I would note that the de-culverting was not part of the original proposal as per the planning application and it came about as part of the submission by Inland Fisheries Ireland. I would consider the

condition reasonable and I would not recommend to the Board that the condition is altered.

7.5.2. In relation to condition no. 3 the appellant submits that as the applicant has not complied with condition no. 11 in respect of application 14/141 then it is considered that condition no. 3 will not be complied with. I note from the documentation on the file that development permitted in accordance with L.A. Ref. 14/141 has not been implemented. I would consider that condition no. 3 is sound and I would not recommend any changes to this condition.

7.5.3. I would consider that conditions no. 4 – 8 are reasonable and I would consider that the appellants submission in relation to conditions no. 10, 11, 14, 15, 16, 17 and 19 are effectively enforcement issues for which the Board has no function in accordance with the provisions of the Planning and Development Act, 2000 (as amended).

7.6. **Other Issues**

7.6.1. The appellants submission argues that the applicant has failed to comply with the previous permission, i.e. 14/141 (appeal ref. 244615). However I would note from the first party response submission that the applicant has not implemented this permission due to commercial reasons. It is also outlined that the applicant intends to implement this development within the 5-year permission window. I therefore consider that there is no substance for the Board to consider in this issue.

8.0 **Recommendation**

8.1. I have read the submissions on the file, visited the site, had due regard to the County Development Plan, and all other matters arising. I recommend that planning permission be granted for the reasons set out below.

9.0 Reasons and Considerations

Having regard to the pattern of development in the area and the extent of the proposed development, 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 not seriously injure the visual amenities of the area and would not have an adverse impact on the environment. The proposed development 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, and as amended by plans and particulars submitted to Wexford County Council on the 16th August 2017 and on the 22nd January 2018 and, except as may otherwise be required in order to comply with the following conditions. Where such conditions require points of detail to be agreed with the planning authority, these matters shall be the subject of written agreement and shall be implemented in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. Prior to the commencement of development, the applicant shall liaise with Inland Fisheries Ireland (IFI) to agree proposals to de-culvert the sections of the watercourse bordering the site, as identified on the site layout plan received by the planning authority on 22nd day of January, 2018.

No development shall be commenced on the site until (i) this condition is complied with and (ii) evidence of consultation with Inland Fisheries Ireland (IFI) is submitted for the written agreement of the planning authority.

Reason: In the interest of environmental protection.

3. (a) Prior to the commencement of development, a revised Construction Environmental Management Plan (CEMP) shall be submitted for the written agreement of the planning authority. The revised CEMP shall take account of the requirements of condition no. 2 of this permission to include revised mitigation measures to prevent the discharge of suspended solids to the watercourse bordering the site e.g. buffer zone and bunding. The revised CEMP shall also be accompanied by a site layout plan specifying all mitigation measures proposed.
- (b) All works on the site shall be carried out strictly in accordance with the mitigation measures specified in the Construction Environmental Management Plan (CEMP).

No development shall be commenced on the site until part (a) of this condition is complied with.

Reason: In the interest of environmental protection.

4. (a) This permission provides for the retention of the importation of a maximum of 3,180 tonnes of inert soil onto the site and the proposed importation of a maximum of 8,309 tonnes of inert soil onto the site.
- (b) All soil imported onto the site shall comprise inert material EWC 17 05 04, soil and stones.
- (c) The soil shall be levelled and seeded to a depth of not greater than 0.7 metres above the existing ground level.

Reason: To regulate the development in the interest of the proper planning and sustainable development of the area.

5. Prior to the commencement of development, details regarding the origin/source of the inert soil to be used for the proposed importation of a

maximum of 8,309 tonnes onto the site, including haul routes, shall be submitted for the written agreement of the planning authority.

Reason: To regulate the development in the interest of the proper planning and sustainable development of the area.

6. In accordance with the details specified in the further information received by the planning authority on 22nd day of January 2018, works on the site shall be commenced and completed within a period of seven months, unless otherwise agreed with the planning authority.

Reason: To regulate the duration of the development in the interest of the amenities of the area and the proper planning and sustainable development of the area.

7. (a) The number of truck movements to and from the site for the importation of inert soil, shall be restricted to a maximum of three truck movements per day.

(b) The operational hours shall be from 0800 to 18.00 hours Monday to Friday and 0800 to 1400 hours on Saturday. No operations are to take place on Sundays, Public Holidays or Bank Holidays.

Reason: In the interest of traffic safety, to mitigate against any negative impact the proposed development may have on the existing road network and in the interest of the amenities of the area.

8. The development shall not commence on this site until a Waste Permit or Certificate of Registration, under the Waste Management Act, has been issued and site operations shall be in accordance with the said permit or certificate. **Reason:** In the interest of amenity and to prevent environmental pollution.

9. That all necessary measures be taken by the contractor to prevent the spillage or deposit of clay, rubble or other debris on adjoining roads during the course of the works.

Reason: To protect the amenities of the area.

10. All site operations shall be carried out in such a manner as to ensure that no odour or dust nuisance occurs off site.

Reason: To protect the amenities of the area.

Kenneth Moloney
Planning Inspector
25th July 2018