



An  
Bord  
Pleanála

## Inspector's Report

### ABP-305208-19

---

<b>Development</b>	New entrance and access works to Enrich Environmental, to replace that permitted under PA ref. RA/140777 (PL17.244408). Development relates to an activity requiring an Industrial Emissions Licence.
<b>Location</b>	Larchill Stud, Newtownrathganley & Phepotstown, Kilcock, Co. Meath
<b>Planning Authority</b>	Meath County Council
<b>Planning Authority Reg. Ref.</b>	RA181383
<b>Applicant(s)</b>	Peter Joseph Barry and Enrich Environmental Ltd.
<b>Type of Application</b>	Permission.
<b>Planning Authority Decision</b>	To grant with conditions.
<b>Type of Appeal</b>	Third Party
<b>Appellant(s)</b>	Jennifer and Michael O'Shea.
<b>Observer(s)</b>	None.

**Date of Site Inspection**

23<sup>rd</sup> October 2019.

**Inspector**

Deirdre MacGabhann

# Contents

1.0 Site Location and Description .....	5
2.0 Proposed Development .....	6
3.0 Planning Authority Decision .....	7
3.1. Decision .....	7
3.2. Planning Authority Reports .....	7
3.3. Prescribed Bodies .....	8
3.4. Third Party Observations .....	8
4.0 Planning History.....	11
5.0 Policy Context.....	12
5.1. Meath County Development Plan 2013 to 2019.....	12
5.2. Natural Heritage Designations .....	12
5.3. EIA Screening .....	12
6.0 The Appeal .....	13
6.1. Grounds of Appeal .....	13
6.2. Applicant Response .....	13
6.3. Planning Authority Response .....	13
6.4. Observations/Further Responses.....	13
7.0 Assessment.....	13
7.3. Need for the Development/Compliance with Policies of the County Development Plan .....	15
7.4. Traffic safety.....	16
7.5. Impact on residential amenity.....	19
8.0 Appropriate Assessment.....	20
9.0 Recommendation.....	20

10.0 Reasons and Considerations ..... 20

11.0 Conditions ..... 20

## 1.0 Site Location and Description

- 1.1. The 4.19ha appeal site is situated at Larch Hill Stud in the townlands of Newtownrathganley and Phepotstown, Co. Meath. It lies approximately 3km north of Kilcock and, c.500m to the west of the R125, a regional road between the M3 at Dunshaughlin and Kilcock.
- 1.2. The site comprises:
- An existing composting facility permitted under PL17.244408 (PA ref. RA140777) and a firewood supplier, Log on Firewood (an independent company), located in adjoining agricultural buildings.
  - An internal access road serving the facility, which joins a local road, L6125, c.180m north of the composting facility. The L6125 joins the R125 c.800m to the east of the site entrance.
  - A linear strip running across agricultural land, south of the L6125, linking the internal access road to the R125.
  - Approximately 300m of the L6125, west of its junction with the R125.
  - A linear strip along tracks and through woodland, to the south of the composting facility, linking the site to the R125.
- 1.3. In the vicinity of the site, the L6125 is approximately 4m in width and is lined with a verge, mature hedgerow and hedgerow trees. Between the existing entrance to the composting facility and the R125 it turns through two 90-degree bends. The L6125 joins the R125 at a bend on the regional road.
- 1.4. Three residential properties lie to the north east of the composting facility alongside the L6215, two properties to the north of the local road (the appellant's properties) and one to the south of it. To the east of the site, with access to it directly from the R125 are Larch Hill House and Phepotstown House (both with designed landscapes and included in the National Inventory of Architectural Heritage, Building and Garden Survey).

## 2.0 Proposed Development

2.1. The proposed development, as revised by way of further information received on 4<sup>th</sup> July 2019, comprises an alternative access to the permitted composting facility, with:

- A new priority-controlled junction with the L6215 with a sightline of 49m to the west and 90m to the east. The existing hedgerow will be removed at this location and a new hedgerow planted behind the sightline.
- A new internal access road from the existing internal access road, to this new junction. The new internal access road will run broadly parallel to the L6215.
- Upgrading of the L6215 to its junction with the R125 (over a distance of c.280m) to provide a 6m carriageway and grass verge of between 0.5m and 1.6m (without impact on existing embankments, hedges and trees). It is noted in the planning application that permission has been granted for a dwelling house on land to the east of the appeal site, fronting the L6215, which will provide further grass verge widening (see Planning History below).
- Provision of sightlines and forward visibility of 90m in each direction at the junction of the L6215 and R125 based on a design speed of 60km/h.
- All works to take place within the original red line boundary and applicant's landholding.

2.2. It is stated in the planning application that the existing access to the site will be retained, accommodating a proportion of staff and other miscellaneous site related traffic, but that all HGV traffic from the local road network to the west of the site will be removed. The access and entrance to the site, from the R125, granted under PL14.244408 will not form part of the composting facility and will be retained as existing.

2.3. The planning application is accompanied by:

- Planning Report.
- Traffic Technical Note.
- A Traffic Response Note (to the request for further information). This report includes information on the vehicle trips currently generated by Enrich Environmental and Log on Firewood (18 HGV movements/day and 35 light

vehicle movements/day) and haul routes (100% of traffic arrive from the west via the R158 and local roads, including the L6215, and 100% leave via the L6215 and R125 (see section 3.3). The report states that the number of traffic movements associated with the access road are, and will remain, within the parameters of the composting facility established under PL17.244408.

- 2.4. The application relates to a development which requires an Industrial Emissions Licence (Licence no. P1013-01 granted on the 9<sup>th</sup> March 2017).

### **3.0 Planning Authority Decision**

#### **3.1. Decision**

- 3.1.1. On the 26<sup>th</sup> July 2019 the planning authority decided to grant permission for the development subject to 11 conditions, including:

- No. 2 – Requires that prior to commencement of development applicant to agree all road improvement works with the planning authority.
- No. 3 – Requires a construction and operational stage traffic management plan.
- Nos. 3 to 6 - Control surface water.
- No. 10 - Governs dust emissions.
- No. 11 – Sets out noise controls for activities on site.

#### **3.2. Planning Authority Reports**

##### **3.2.1. Planning Reports**

- 21<sup>st</sup> January 2019 – Notes that the permitted access has not been constructed and states that this requires regularisation through this planning application (in the event that it is unsuccessful states that enforcement should be progressed). Refers to the report from the Conservation Officer which states that the proposed access is an improvement as it lessens the influence on Larch Hill House. Recommends further information, as per the report by Transportation (below).

- 25<sup>th</sup> July 2019 – Having regard to the suitability of the site from a technical perspective, together with the nature and scale of the development, considers that subject to compliance with proposed conditions the development would not seriously injure the amenity of properties in the vicinity, devalue property or create a traffic hazard. The report recommends granting permission subject to 11 conditions.

### 3.2.2. Other Technical Reports

- Conservation (29<sup>th</sup> November 2019) – No objections. An improvement on RA/140777, less interference with Larch Hill House.
- Transportation (16<sup>th</sup> January 2019) – Recommends further information providing widening of L6215 to 6m, relevant permissions by any landowners, explanation for the number of HGV movements associated with the importation of 50,000 tonnes/pa of raw materials and export of processed material and forward visibility on the R125 when approaching the junction with the L6215 from the north, to comply with TII standards.
- Transportation (24<sup>th</sup> July 2019) – Notes that the applicant proposes to increase the width of the L6215 to 6m which would provide direct access to the R125 and eliminate the circuitous one-way system currently in operation and has otherwise responded to the request for further information. No objections, subject to conditions.

### 3.3. Prescribed Bodies

- None.

### 3.4. Third Party Observations

3.4.1. There is one third party appeal by Jennifer and Michael O'Shea and Rebecca and John Walsh who own the two properties to the north east of the composting facility, on the northern side of the L6215). Issues raised are:

- As built development does not comply with conditions of the permission granted under PL17.244408 (nos. 1, 2, 4, 6, 7, 12 and 14), including the



requirement to provide new access road under condition nos. 6 and 8. The built development constitutes unauthorised development.

- Inaccurate to state that the existing (permitted access) is capable of taking only 75% of the permitted traffic. The Inspectors report indicated that it would virtually eliminate traffic from local roads. Condition no. 6 of the previous decision requires the closure of the existing access onto the R125 (i.e. the main entrance onto the L6215 and then on to the R125). Use of the L6215 is undesirable for the reasons referred to below. To permit HGV use of the road would be negligent and set an undesirable precedent.
- No sensible reason to relocate the entrance to the site from the approved entrance. Inappropriate rationale for development, to save money.
- The speed limit for the L6215 and R125 is 80kph. The proposed sightlines and stopping distances at the junction are inadequate and do not take account of vehicles travelling at higher speeds.
- No details of weather or road conditions are given (which can slow speeds). Survey should eliminate traffic travelling at lower speeds (as likely to be entering or leaving L6215) and distinguish between HGVs and LVs (HGVs will lower the average speed). Survey should have recorded speeds at each side of the bend and at 160m to the north and south of it.
- No reference to actual TII design standards used to show compliance with these.
- Inadequate design speeds for access onto L6215 (vehicles can travel at higher speeds than estimated) and internal access road (where speed limits are usually 15kph).
- Observers do not give permission to widen road alongside their landholding. Applicant does not have an interest in lands to achieve the 13 m radius on the junction corner (L6215 and R125) or to widen the L6215.
- Loss of grass margin will increase the risk of fatalities/serious injuries. Design of widened L6215 does not take account of non-motorised traffic or disabled persons. No provision for verges in upgraded L6215 which is contrary to TII design standards.

- Traffic report is described as preliminary which is unacceptable.
- Traffic report refers to round the clock operation, whereas condition no. 12 of the grant of permission restricted operating hours to between 8am and 6pm Monday to Friday.
- Poor surface condition of L1625 and R125. Inappropriate to upgrade the road by widening of a section. More substantial works required. Impact of road widening on existing roadside trees and road drainage.
- Proposed access road passes through folio MH56938F, site of dwelling granted permission under PA ref. DA40522 and there is no reference to this in the application or permission sought for it (i.e. sub-division of site).
- Impact of development on independent wells and sewage treatment systems serving the four dwellings along the L6215, from the junction to the composting facility (three built and one recently granted). Dwellings, wells and sewage treatment systems not shown in plans).
- Risk of pollution from diesel fuel spill from lorries/transport of effluent and impact on adjoining wells and on groundwater.
- Development will adversely affect the residents along the L6215, with predicted 8320 HGVs per annum (impact on residential amenity, noise from trucks, pollution, damage to trees, increase in traffic hazard and accident risk). Impact on ability of observers children/grandchildren to walk/cycle along the L6215 to visit and help out on family farm. No assessment of impact of vehicles lights (turning onto L6215 from development) on local residences. Impact on property values.
- Development will not improve or impact on any policies of County Development Plan.
- Development does not comply with policies of the County Development Plan (ED POL 14, 16, 17 and 18).
- Compost facility has received 5 non compliances under EPA monitoring, including for odour. Observers have noticed an increase in house flies and are concerned re infection.

## 4.0 Planning History

4.1. The following planning applications have been made in respect of the appeal site:

- DA40563 – Permission granted for a paved area, c.0.55ha, to provide a compost pad and a 0.075ha constructed wetland.
- DA60440 – Permission granted for construction of 432sqm agricultural shed for the storage of timber.
- DA801986 – Permission granted for 0.45ha enclosed facility for manufacture and storage of horticultural and agricultural composts and soil conditioners.
- DA140332 – Retention granted for extension of permitted agricultural shed, portacabin, top soil storage areas, polytunnel, containers for the storage of logs/timber and tools/machinery and removal of chain link fence. Permission granted for provision of 'airlock' enclosure, new educational and office building, waste water treatment system, car parking spaces, removal of a storage container and existing portacabins and refuelling station.
- DA140777/PL17.244408 – Increase in intake of material at composting facility from 25,000 to 50,000 tonnes. The development included an upgraded access onto the R125 and new internal access road to improve traffic movements at the site. Condition no. 6 of the permission required that the existing vehicular access onto the R125 be permanently closed within one month of the opening of the new internal road and provision of new entrance onto the R125.

4.2. In addition, permission has been granted under PA ref. RA/180884 for a new dwelling on land to the east of appeal site. The site has a front boundary alongside the L6215, for c. 170 up to its junction with the R125. Condition no. 11(b) of the permission requires the removal of the roadside boundary to provide sightlines, with provision of a new boundary 3m back from the existing road hedge.

## 5.0 Policy Context

### 5.1. Meath County Development Plan 2013 to 2019

5.1.1. The appeal site lies within a rural area under Strong Urban Influence. Policies of the Plan, that are relevant to the appeal seek to:

- Support the viability of rural based enterprises (RUR DEV SO 7).
- Minimise the volume of waste going to landfill and encourage waste reduction through minimisation, re-use, recycling and recovery of waste and provide waste infrastructure in the county (WM POL 2 and 3).
- Support rural economic development and in the interest of sustainable social and environmental development of these areas and the expansion of existing rural enterprises, subject to appropriate environmental controls, including traffic considerations (ED POL 17, 19 and 20).

### 5.2. Natural Heritage Designations

5.2.1. The appeal site is removed from sites of nature conservation interest. The closest site lies c.6km to the south east and comprises the Rye Water Valley/Carton SAC (site code 001398).

### 5.3. EIA Screening

5.3.1. The planning application for the composting facility at Larch Hill, the parent permission, was subject to environmental impact assessment based on the intake of waste > 25,000 tonnes pa (Class 11, Part 2, Schedule 5, Planning and Development Regulations 2001, as amended). For subsequent development, the Regulations require environmental impact assessment for any change or extension of development already authorised, if it would result in the development being listed in a Class of the Schedule or result in an increase in size greater than 25% or an amount equal to 50% of the appropriate threshold, whichever is greater.

5.3.2. In this instance, an alternative access is proposed to the permitted development. However, there is no change or extension to the composting facility already

authorised i.e. its capacity remains unchanged. Environmental impact assessment is therefore not triggered, as a consequence of these requirements.

- 5.3.3. Notwithstanding this, the proposed development is of a type that constitutes an EIA project and is also a sub-threshold project under Class 10(dd) Part 2, Schedule 5, of the Planning and Development Regulations, 2001 (as amended), private road. However, the proposed development is well below the threshold set out in the Schedule, will have benign effects and is proposed in agricultural land which is abundant in the area. There is therefore, no real likelihood of significant effects on the environment.

## **6.0 The Appeal**

### **6.1. Grounds of Appeal**

- 6.1.1. The first party appeal repeats matters raised in observations on the planning application (summarised above).

### **6.2. Applicant Response**

- 6.2.1. The applicant responds to the appeal made. In the interest of brevity, I refer to the matters raised in my assessment below.

### **6.3. Planning Authority Response**

- 6.3.1. Refers the Board to the Planner's Report dated 25<sup>th</sup> July 2019 and the comments made by Transportation (report dated 24<sup>th</sup> July 2019).

### **6.4. Observations/Further Responses**

- None.

## **7.0 Assessment**

- 7.1. Having regard to the information on file and my inspection of the appeal site, I consider that the key matters for this appeal relate to the following:

- Need for the development/ Compliance with Policies of the County Development Plan
- Traffic safety.
- Impact on residential amenity.

7.2. In addition, the applicant refers to a number of other matters which I deal with briefly below:

- Unauthorised development. The applicant argues that conditions of the permission granted under the parent permission, PL17.244408 have not been implemented, including the existing farm access to the R125 (condition no. 6 of the permission). This is a matter for the planning authority under their enforcement powers set out under section 151 to 164A of the Planning and Development Act, 2000 (as amended). I note that no enforcement action has been concluded and that the applicant is not precluded, in law, from bringing forward the application for the development. I also note that the planning authority have stated that if the planning application is unsuccessful, enforcement should be progressed.
- Legal interest – The appellant argues that the applicant does not have the consent of all landowners to widen the L6215. However, I note from the information on file and inspection of the site that the proposed works are confined to the lands which are within the applicant’s landholding, the public road or roadside verge and that the consent of the third parties referred to by the appellant is not required.
- Impact on planning unit of dwelling granted under PA ref. DA/40522 – This property lies to the east of the appeal site and comprises a detached property on a large site. The proposed internal access road will be routed through lands originally associated with the property. Land take represents a small proportion of the overall landholding. Further, the proposed access road is removed from the dwelling and will be separated from it by fencing and landscaping. The development will, therefore, have no adverse effect on this planning unit. Furthermore, there is no legal requirement to apply for a separate permission to sub-divide the site as potential impacts on the property are addressed through the current planning application.

- Inclusion of dwellings on application drawings and impact on associated wells and sewage treatment systems – The proposed development comprises the provision of a new access road and upgrading of the public road. No lands extend beyond the ownership/interest of the applicant i.e. on to third party lands to have any direct impact on wells or effluent treatment systems. Further, subject to appropriate arrangement for the management of surface water, the development is unlikely to interfere with either a well or a sewerage treatment system. This matter can be dealt with by condition.
- Risk of diesel and effluent/sludge spills and consequential pollution – The carriage of goods on the public road is not a planning matter.
- Non-compliance with Industrial Emissions licence – This is a matter for the EPA.
- Operating hours – The appeal before the Board refers to an alternative means by which to access the appeal site. There is no permission sought to change the operating hours of the composting facility. Conditions governing its operation remain as per the parent permission, which include in condition no. 12 that waste shall be accepted into the proposed facility and outputs shall depart from the proposed facility between 0730 and 1800 hours Monday to Friday inclusive.

### **7.3. Need for the Development/Compliance with Policies of the County Development Plan**

7.3.1. Under PL17.244408 permission was granted for physical infrastructure to increase the capacity of the existing composting facility at Larch Hill from 25,000 tonnes per annum to 50,000 tonnes per annum. The application site related to the main composting facility and access roads to this from the north (L6215) and the south east, R125. The board's decision to grant permission was based on:

- The construction of a new internal access road, with a width of 4m, to the south of the composting facility, routed through forestry in the ownership of the applicant, to the R125.
- A new junction with the R125 with 160m sightlines in each direction.

- An increase in HGVs inbound and outbound to 16 each way per day, with most (75%) routed onto the R125, to avoid use of local roads (see section 3 of EIA).
- The existing access to the site was to be retained and would also be used by cars and employees.

7.3.2. Condition no. 6 of the permission requires the existing vehicular access onto the R125 to be permanently closed, within one month of the opening of the new internal road and new entrance onto the same road. My understanding is that this relates to an existing farm entrance on the west side of the R125, to the south of the site boundary with Larch Hill House.

7.3.3. Policies of the County Development Plan generally support the development of rural based enterprises and waste reduction, subject to environmental safeguards. The proposed development which is a rural based activity, providing for the re-use of materials is in principle consistent with these policies. Environmental safeguards are discussed below.

7.3.4. The proposed development seeks to provide an alternative access to the permitted development from the L6215, with all HGV traffic from the development routed via the short section of local road to the R125. In principle, the revised access arrangements will provide a shorter and more direct route to a regional road and will therefore provide a more efficient means of access (e.g. fuel costs and building materials). It is not, therefore, unacceptable in principle.

#### 7.4. **Traffic safety.**

7.4.1. **Principle.** The proposed development will provide a new access from the composting facility onto the L6215 and upgrading of the L6215 between this new entrance and the R125. Further, as stated by the applicant in response to the appeal, it will result in all HGV traffic being routed via the R125, and short length of the L6215, and therefore remove HGVs from the L6215 to the west of the appeal site. In principle, this will be an improvement in the existing permitted development for the L6215 to the west of the site, where 25% of the HGVs will still be routed.

7.4.2. **Junction and road design.** The applicant refers to TII design standards for the design of the proposed priority junction onto the L6215 from the internal access road



and L6215 and R125. These include Rural Road Link Design (DN-GEO-03031), Geometric Design of Junctions (DN-GEO-03060) and Cross Sections and Headroom (DN-GEO-030036). Having regard to these standards I comment on the matters raised by the appellant:

- The proposed sightlines and forward visibility at the junction of the L6215 and R125 are consistent with a Design Speed of 60km/h i.e. 90m (see attachments). Further, this would be appropriate for the observed speeds of 50km/h in the 24- hour survey (85<sup>th</sup> percentile traffic speeds) and driver behaviour observed during site inspection i.e. that traffic on the R125 typically slows significantly as it approaches the junction of L6215 due to the bend in the regional road (I do not accept that the speeds referred to by the applicant to reflect typical speeds on this stretch of road or an appropriate basis for technical design). The applicant's drawing of the visibility splay at the junction of the R125/L6215 (drawing no. 2018 C405-5 v2.11) and forward visibility (drawing no. 2018 C405-C v2.11) show how the bend in the regional road and associated vegetation has the potential to obscure the sightline to the north on the regional road and visibility of the junction. However, when leaving the local road, a HGV will not proceed at the location drawn, but in the left-hand lane of the road, where the sight line is more open (see photograph 2). When approaching the junction from the north, on the R125, drivers will have sight of the junction at c.90m (see signpost in photograph 5 and 2) and reduce speeds. Further, any HGV turning into the local road should become visible at this distance, or possibly slightly less for vehicles with a shorter axle length. Whilst these conditions are not ideal, I do consider that they meet TII standards and given the recorded and observed traffic speeds, should not give rise to traffic hazard.
- The applicant states that the design speed for the site access road and L6215 junction (60km/h to the east and 42km/h to the west) have been derived from the site context and professional experience. Having visited the site and inspected this short stretch of road, the significant bends on it to the west of the proposed junction and observed driver behaviour on it, I would accept that traffic does not travel at speed on this short stretch of road and is slowed significantly by the bends in the road to the west (when leaving these

bends and approaching them). I consider that the proposed sightlines for the proposed site access junction are adequate and consistent with TII guidelines (see Table 9.3 Design Speed for local roads, stopping distances).

- The applicant proposes a verge along the southern side of the L6215 that varies in width from 1.6m, to the east and west of the proposed site access, to as little as 0.5m alongside the adjoining landholding, with retention of the existing roadside hedgerow and trees.

TII's publication Cross Section and Headroom (DN-GEO-03036) refers to the importance of a verge and the opportunity it provides to mitigate against hazards, including in the event of loss of control. The design guidelines also refer to the need to integrate facilities for non-motorised users (see attachments). Whilst I would accept the principles and objectives of the standards referred to I also draw the Board's attention to section 1.5 of the publication which states that '*At some locations on new roads or major improvements, however, it may not be possible to justify even the lowest levels of design parameters in economic or environmental terms, due to high costs, low traffic levels, and environmental damage, etc. In such cases, sufficient advantages might justify either a Relaxation within the standards or, in more constrained locations, a Departure from the standards*'. Further, the guidelines state, '*Relaxations and Departures should be assessed in terms of their effects on the economic worth of the scheme, the environment, and the safety of the road user*'. In this instance the road upgrading works are proposed in a rural area where there is relatively little vehicular traffic, speeds are modest, where there are no facilities for pedestrians, cyclists or the disabled or evidence of substantial non-motorised users. The proposed development will facilitate the passage of 16 HGVs each way per day i.e. 4 trips/hour over an 8-hour day (or 6-7/hour if they are concentrated in the morning). I do not consider, therefore, that within this context an increase in verge width is essential. (I also note that there is also potential for a greater verge width to the east of the application site if the planning permission for the dwelling on the adjoining land holding is implemented).

7.4.3. **Condition.** The appellant refers to the poor condition of the L6215 and argues that the road cannot be upgraded by an increase in width alone. This is not an unreasonable point and could be addressed by condition, requiring the detailed

design of all road improvement works to be agreed in advance with the planning authority, as per condition no. 2 of the planning authority's grant of permission.

7.4.4. **Preliminary Design.** The appellant argues that the preliminary design of the road upgrading works are inadequate. However, having regard to my inspection of the appeal site and the details on file including the Traffic Technical Note, 2018, Traffic Response Note, 2019 and response to the appeal, I consider that the design of the road has been sufficiently detailed to demonstrate that in principle the proposed development can be accommodated within the local road network without giving rise to traffic hazard and that outstanding details (i.e. detailed design), can be dealt with by condition.

#### 7.5. **Impact on residential amenity.**

7.5.1. The appellant's raise a number of concerns regarding the impact of the development on their residential amenity. A number of the matters referred to lie outside the scope of this appeal which relates to the provision of an alternative access only (e.g. odour).

7.5.2. For the remaining issues, I would accept that the increase in HGV traffic along the L6215 will increase from existing levels to c.32 vehicle movements/day, with the potential to detract from the amenity and character of the rural road and to adversely affect residential amenity. However, I would comment that

- The applicant proposes retention of the hedgerow and hedgerow trees alongside the public road, except where the new site access road will join the L6215. In the vicinity of this junction, a new hedgerow will be planted behind the sightline.
- Whilst works may affect tree/hedge roots, these are already affected by the existing carriageway and further works will not take place a significant depth.
- The junction of the site access and the L6215 is substantially offset from the existing dwelling houses and this, together with proposed planting, will prevent vehicle lights from impacting on local residences,
- The number of truck movements proposed (4/hour over an eight-hour day) is not of itself excessive or likely to give rise to significant pollution,

- Both residential properties are substantially set back from the public road and are unlikely to be affected by significant noise from vehicles. Further, dwellings are in large sites with potential for additional screen planting with the sites themselves.

7.5.3. Whilst use of the public road may change (e.g. by young children), having regard to the above, I do not consider that the proposed development would seriously impact on the amenity or character of the rural road or on the residential amenity of properties alongside the road, or, therefore, property values.

## 8.0 **Appropriate Assessment**

8.1. Having regard to location of the proposed development, substantially removed from European sites and the modest nature of the proposed development, no Appropriate Assessment issues arise, and it is not considered that the proposed development would be likely to have a significant effect individually or in combination with other plans or projects on a European site.

## 9.0 **Recommendation**

9.1. Having regard to the above, I recommend that permission for the proposed development be granted.

## 10.0 **Reasons and Considerations**

Having regard to the location, nature, scale and detailed design of the proposed development, it is considered that, subject to compliance with the conditions set out below, the proposal would not seriously injure the amenities of properties in the vicinity of the site, would not be prejudicial to public health and would be acceptable in terms of traffic safety. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

## 11.0 **Conditions**

1.	The development shall be carried out and completed in accordance with
----	-----------------------------------------------------------------------

	<p>the plans and particulars lodged with the application as amended by the further plans and particulars submitted on the 4<sup>th</sup> day of July 2019, 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.</p> <p><b>Reason:</b> In the interest of clarity.</p>
2.	<p>All conditions pertaining to the parent permission, register reference no. RA/140777 (PL17.244408), shall continue to apply, except as may be required in order to comply with the following conditions.</p> <p><b>Reason:</b> In the interest of clarity.</p>
3.	<p>Prior to the commencement of development detailed design of all road improvement works shall be submitted to the planning authority for written agreement. These shall include details of roadside drainage.</p> <p><b>Reason:</b> In the interest of traffic safety.</p>
4.	<p>Prior to the commencement of development, a construction and operational traffic management plan shall be submitted to the planning authority for written agreement.</p> <p><b>Reason:</b> In the interest of traffic safety and residential amenity</p>
5.	<p>The construction of the development shall be managed in accordance with a Construction Management Plan, which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This plan shall provide details of intended construction practice for the development, including hours of working, noise and dust management measures and off-site disposal of construction/demolition waste.</p> <p><b>Reason:</b> In the interests of public safety and residential amenity.</p>
6.	<p>All service cables in the public road shall be located underground.</p>

	<b>Reason:</b> In the interests of visual and residential amenity.
--	--------------------------------------------------------------------

---

Deirdre MacGabhann

18<sup>th</sup> November 2019