

Addendum

LA01/2018/0570/F

1.0 Update

- 1.1 The agent has made a further submission regarding some of the points raised in the Committee Report.
- 1.2 The agent considers that the fallback position of quarrying the area approved in March 1979 (Ref: B/1978/0124/F) is a realistic option for the applicant in the event of refusal of the subject application. This is relevant as if the fallback position were demonstrated, this would involve use of the public road junction at Keady Road/ Ringsend Road by vehicles from the quarry. They request the opportunity to demonstrate this based on the comments of the Committee Report.
- 1.3 Some initial technical details have been provided about obtaining the remaining reserves within the 1979 approved quarry. These need to be explored to determine what weight should be attributed to those details and whether submission of a Proposed Certificate of Lawful Use or Development (CLUD) is required.
- 1.4 The agent has provided additional case law regarding the fallback position which needs to be considered in detail and applied to the specifics of the application.
- 1.5 The agent disagrees with the application of policy AMP 2 of PPS 3 Access Movement and Parking. They contend that Dfl Roads cannot require upgrades beyond the point of access to Keady Road, when no direct access or intensification occurs. However, as set out in the Planning Committee Report, Policy AMP 2 of PPS

3 allows for consideration of the standard of the existing road network together with the speed and volume of traffic using the adjacent public road and any expected increase. The proposal does involve intensification of the use of an existing access onto a public road i.e. the existing quarry access onto Keady Road.

1.6 The matter of the interpretation of this policy is further challenged with the submission of a reference to an additional planning appeal. The details of this appeal need to be provided and considered in light of the submission made.

1.7 Deferral of the application would allow the Planning Department to consider the further issues raised and in turn, to advise the Planning Committee accordingly.

2.0 Recommendation

2.1 That the Committee note the contents of this Addendum and agree with a new recommendation to **defer the application** to enable the Planning Department to further consider the points raised by the agent in support of the application.