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At a meeting held on 29<sup>th</sup> September 2017, the Board considered

- the submissions made in relation to the proposed development,
- the report of the Inspector, and
- the documents and submissions on file.

The Board decided to approve the proposed development in accordance with the following reasons, considerations and conditions.

### REASONS AND CONSIDERATIONS

In coming to its decision, the Board had regard to the following:

- (a) the EU Habitats Directive (92/43/EEC),
- (b) the European Union (Birds and Natural Habitats) Regulations 2011-2015,
- (c) the conservation objectives, qualifying interests and special conservation interests of the River Nanny Estuary and Shore Special Protection Area (site code: 004158), the Boyne Estuary Special Protection Area (site code: 004080) and the Boyne Coast and Estuary Special Area of Conservation (site code: 001957),

- (d) the policies and objectives of the Meath County Development Plan 2013 – 2019,
- (e) the nature and extent of the proposed coastal defence works as set out in the application for approval and the supporting documentation submitted with the application,
- (f) the information submitted in relation to the potential impacts on habitats, flora and fauna, including the Natura impact statement,
- (g) the submissions and observations received in relation to the likely effects on the environment, and on the likely significant effects of the proposed development on European Sites,
- (h) the likely consequences for the environment and the proper planning and sustainable development of the area in which it is proposed to carry out the proposed development and the likely significant effects of the proposed development on European Sites, and
- (i) the report and recommendation of the person appointed by the Board to make a report and recommendation on the matter.

**Appropriate Assessment:**

The Board agreed with the screening assessment and conclusion carried out in the Inspector's report that the River Nanny Estuary and Shore Special Protection Area (site code: 004158), the Boyne Estuary Special Protection Area (site code: 004080) and the Boyne Coast and Estuary Special Area of Conservation (site code: 001957) are the only European Sites in respect of which the proposed development has the potential to have a significant effect.

The Board considered the Natura impact statement and associated documentation submitted with the application for approval, the mitigation measures contained therein, the submissions and observations on file, and the Inspector's assessment. The Board completed an appropriate assessment of the implications of the proposed development for the affected European Sites, namely the River Nanny Estuary and Shore Special Protection Area (site code: 004158), the Boyne Estuary Special Protection Area (site code: 004080) and the Boyne Coast and Estuary Special Area of Conservation (site code: 001957), in view of the sites' conservation objectives. The Board considered that the information before it was adequate to allow the carrying out of an appropriate assessment.

In completing the appropriate assessment, the Board considered, in particular, the following:

- i) the likely direct and indirect impacts arising from the proposed development both individually or in combination with other plans or projects,
- ii) the mitigation measures which are included as part of the current proposal, and
- iii) the conservation objectives for the European Site.

In completing the appropriate assessment, the Board accepted and adopted the appropriate assessment carried out in the Inspector's report in respect of the potential effects of the proposed development on the aforementioned European Sites.

### **Conclusion**

The Board was satisfied that the proposed development, by itself or in combination with other plans or projects, would not adversely affect the integrity of the European Sites, in view of the sites' conservation objectives.

### **Effects on the Environment**

Having regard to the pattern of coastal erosion along the NE coastline and, in particular, the section located between Laytown and Bettystown, the nature, scale and duration of the proposed development and subject to the implementation in full of all mitigation measures outlined in the application and supporting documentation and the conditions set out below.

The Board is satisfied that the proposed development would not give rise to pollution and is unlikely to give rise to unacceptable negative environmental effects.

**Proper Planning and Sustainable Development:**

It is considered that, subject to compliance with the conditions set out below, the proposed development would provide an improved coastal defence system and would not have significant negative environmental effects or give rise to a risk of pollution, would not adversely impact the cultural, archaeological or built heritage of the area and would not adversely affect the amenity of the area.

The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

**CONDITIONS**

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application, except as may otherwise be required in order to comply with the following conditions.

**Reason:** In the interest of clarity.

2. The mitigation measures identified in the Natura impact statement submitted with the planning application shall be implemented in full by the local authority, in particular, no works shall be undertaken outside the period from 1<sup>st</sup> April to 31<sup>st</sup> August.

**Reason:** To ensure the protection of the European Sites.

3. A suitably qualified archaeologist shall be appointed by the local authority to oversee the site set-up and construction of the proposed development and the archaeologist shall be present on site to undertake archaeological monitoring, including a metal detecting survey of arisings during the initial ground disturbance works.

**Reason:** In order to conserve the archaeological heritage of the site and to secure the preservation and protection of any remains that may exist within the site.

**Board Member:**

**Date:** 02<sup>nd</sup> October 2017

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Eugene Nixon