



An
Bord
Pleanála

Board Order 17.JP0045

Planning and Development Acts, 2000 to 2017

Planning Authority: Meath County Council

Application by Meath County Council for approval under section 177AE of the Planning and Development Act 2000, as amended, in accordance with plans and particulars, including a Natura impact statement, lodged with An Bord Pleanála on the 3rd day of May, 2017.

Proposed Development: The removal of 75 metres of the existing damaged coastal protection infrastructure of gabion baskets and to replace it with a rock armour revetment/stone-faced retaining wall/railings/removal of one pedestrian access and the upgrading of two number pedestrian accesses at Ninch, Laytown, County Meath.

Decision

Approve the above proposed development based on the reasons and considerations set out below.

Matters Considered

In making its decision, the Board had regard to those matters to which, by virtue of the Planning and Development Acts and Regulations made thereunder, it was required to have regard. Such matters included any submissions and observations received by it in accordance with statutory provisions.

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:

- (a) 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 Sites.

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 North East 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 impacts.

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.

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.

