



An  
Bord  
Pleanála

**Board Direction**  
**PL17.249302**

The submissions on this file and the Inspector's report were considered at a Board meeting held on October 8<sup>th</sup> 2018.

The Board decided to refuse permission, generally in accordance with the Inspector's recommendation, for the following reasons and considerations.

### **Reasons and Considerations**

1. It is considered that insufficient information has been submitted with the planning application and appeal in relation to the water environment and the measures for the protection of ground and surface water during the restoration process. The Board is not satisfied on the basis of the information submitted that the proposed development would not give rise to a serious risk of water pollution and, therefore, be prejudicial to public health. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.
2. On the basis of the information provided with the application and appeal, the Board cannot be satisfied that the proposed development individually, or in combination with other plans and projects, including other quarry workings in the vicinity, and having regard to the existence of an open drain between the subject site and the River Blackwater, would not impact negatively on water quality, including water quality in the adjoining River Blackwater. Accordingly, the Board cannot be satisfied, beyond reasonable scientific doubt, that the proposed development would not adversely affect the integrity of the River Boyne and

River Blackwater SAC (Site Code: 002299) and the River Boyne and River Blackwater SPA (Site Code:004232), in view of the sites' conservation objectives. In such circumstances the Board is precluded from granting planning permission for the development in question.

**Note:** In arriving at its decision, the Board considered, having regard to the scale of the proposed development (which is stated to be for 24,960 tonnes per year, when the threshold for a mandatory Environmental Impact Assessment is 25,000 tonnes), and having regard to the proximity of the site to a sensitive ecological area, that is, the River Blackwater, that a "sub-threshold" Environmental Impact Assessment report should have been provided with the application in this instance (and in that regard did not concur with the view of the Inspector). However, having regard to the substantive reasons for refusal as set out in the Board Order, the Board did not consider it appropriate to seek such a report at this stage.

*[Please issue a copy of this Direction to the parties, and observer, with the Board Order.]*

**Board Member**

**Date:** 8<sup>th</sup> October 2018

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Philip Jones