



An
Bord
Pleanála

Board Direction
BD-004905-20
ABP-301385-18

The submissions on this file and the Inspector's report were considered at a Board meeting held on January 13th, 2020.

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

REASONS AND CONSIDERATIONS:

1. Having regard to the information provided in the Environmental Impact Statement submitted with the planning application in relation to hydrogeology and hydrology in the vicinity of the proposed quarry, and the submissions made in connection with the application and appeal, the Board is not satisfied that the proposed development, either individually or cumulatively with the adjacent operational quarry, would not give rise to the pollution of surface water bodies, adversely impact on water supplies in the vicinity of the site or reduce base flows in nearby surface water bodies. The proposed development would, therefore, be contrary to policies of the Meath County Development Plan 2013 to 2019 and to the proper planning and sustainable development of the area.

2. On the basis of the information provided with the application and appeal, and in particular in relation to hydrogeology and hydrology, and in the light of the proximity of the subject development to the adjacent watercourses, and the lack of adequate examination of in-combination effects with the adjacent operational quarry, and in the absence of a Natura Impact Statement, the Board cannot be satisfied that the proposed development individually, or in combination with other plans or projects, would not be likely to have a significant effect on the River Boyne and River Blackwater Special Area of Conservation (site code 002299) and the River Boyne and River Blackwater Special Protection Area (site code 004232), or any other European site, in view of the sites' Conservation Objectives. In such circumstances the Board is precluded from granting permission.

COSTS

The Board also considered the requests by the third party appellant, seeking an Order for costs against the planning authority pursuant to Section 145 of the Planning and Development Act 2000, as amended, received on April 10th, 2018, and on May 8th, 2018. The Board also gave consideration to the circumstances of the subject planning application and appeal, and the eventual outcome.

The Board decided to direct, under section 145 of the Act, the payment of expenses by the planning authority to the third party appellant, in the amount of €1,920, being the cost of the hydrogeological report submitted by the third party appellant as part of the appeal, but not the remainder of the appellant's expenses, for the following reasons and considerations.

REASONS AND CONSIDERATIONS:

Having regard to the nature of this planning application and appeal, and the content of the hydrogeological report submitted by the third party appellants, which provided information in relation to the hydrogeology of the subject site and expert commentary on the hydrogeological report submitted by the applicant in the case, which issue was

significant in relation to the Board's consideration to the appeal, it is considered that it would be appropriate in this instance to direct the payment of these specific expenses occasioned by the third party in relation to this aspect of the appeal, but not the other expenses, having regard to the outcome of the case.

Board Member

Date: 14th January 2020

Philip Jones