



**An
Bord
Pleanála**

**Board Direction
BD-015467-24
ABP-319010-24**

The submissions on this file were considered at a Board meeting held on 16/02/2024.

The Board decided to grant leave to appeal based on the reasons and considerations set out below.

Reasons and Considerations

It is considered that it has been shown that -

- (i) the development, in respect of which a decision to grant permission has been made, will differ materially from the development as set out in the application for permission by reason of condition number 3 imposed by the planning authority to which the grant is subject, and
- (ii) the imposition of condition number 3 will materially affect the applicant's enjoyment of the land adjoining the land in respect of which it has been decided to grant permission or reduce the value of the land.

The Board noted by reason of condition number 3 imposed by the planning authority the development will differ materially from the development as set out in the application as it is not clear what the extent and scope of any remedial actions that

will be required in the event that the quarry activities impact existing wells and will materially affect the applicant's enjoyment of the land adjoining the land in respect of which it has been decided to grant permission.

Board Member: *Peter Mullan* **Date:** 16/02/2024
Peter Mullan