



The submissions on this file and the Senior Planning Inspector's report were considered at a Board meeting held on 16th August 2018.

The Board agreed with the inspector's conclusion in paragraph 8.2.4 of his report and decided that:-

- (a) An Environmental Impact Assessment, or determination for same, was not required, and
- (b) an Appropriate Assessment was not required.

Accordingly, the Board decided to refuse leave to apply for substitute consent under section 177D (4) of the Planning and Development Act, 2000, as inserted by section 57 of the Planning and Development (Amendment) Act 2010 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

Having regard to the limited size and scale of the extraction area outside of the permitted quarry area (Appeal Ref. PL 01.130045) which was carried out subsequent to 1st February 1990 and which is significantly below the mandatory threshold for Environmental Impact Assessment, together with the nature of the receiving environment, it is considered that an environmental impact assessment, or determination for same, would not have been necessary or warranted in this instance. Furthermore, having regard to the separation distance between the quarry operation and the River Barrow and River Nore candidate Special Area of Conservation, the lack of direct effects thereon resulting from the quarry operations, and the lack of any known pathways linking potential pollutants arising from the quarry operations that could indirectly effect the cSAC, it is considered that an appropriate assessment arising from development that was carried out on this quarry site subsequent to 26th February 1997 would not have been necessary or warranted in this instance. In these circumstances a need for substitute consent does not apply.

Board Member

Date: 17th August 2018

Eugene Nixon