



Board Direction

Ref: 17.SU0078

The submissions on this file and the Inspector's report were considered at a Board meeting held on August 9th 2016

The Board decided to grant substitute consent generally in accordance with the Inspector's recommendation, for the reasons and considerations, and subject to the conditions, set out below.

Note: The Board considered this application for substitute consent at the same meeting as the application for permission for further quarrying development under file ref no. 17.QD0002.

REASONS AND CONSIDERATIONS

In making its decision the Board had regard, inter alia, to the following:

- the provisions of the Planning and Development Acts, 2000 to 2014, and in particular Part XA,
- the 'Quarry and Ancillary Activities, Guidelines for Planning Authorities', April 2004,
- the provisions of the Meath County Development Plan 2013 - 2019,
- the remedial Environmental Impact Statement submitted with the application for substitute consent,
- the report and the opinion of the planning authority under section 177I,
- the report of the Board's inspector, including in relation to potential significant effects on the environment,
- the submissions on file,
- the site's planning history,
- the pattern of development in the area, and
- the nature and scale of the development the subject of this application for substitute consent.

Environmental Impact Assessment

The Board considered the nature, scale and location of the development, the remedial environmental impact statement submitted by the applicant, the documentation submitted with the application generally, the submissions on file, the history of the subject site, and the Inspector's report. The Board completed an Environmental Impact Assessment in relation to the development in question and concluded that the remedial Environmental Impact Statement submitted identified and described adequately the direct and indirect effects on the environment of the development that had taken place. The Board considered that the Inspector's report was satisfactory in addressing the environmental effects of the development, and adopted her analysis and conclusions in this regard. The Board was therefore satisfied that the subject development, subject to compliance with the mitigation measures proposed, would not be likely to have had or have a significant effect on the environment.

Conclusion

Having regard to the acceptability of the environmental impacts, as set out above, it is considered that the subject development would not be likely to have had or have significant effects on the environment. The subject development would, therefore, not be contrary to the proper planning and sustainable development of the area.

Conditions

1. (a) This grant of substitute consent shall be in accordance with the plans and particulars submitted to An Bord Pleanála with the application for substitute consent, as amended by revised plans and particulars submitted on the 30th day of April 2014 and on the 17th day of June 2014, except as may otherwise be required in order to comply with the following conditions.
- (b) This grant of substitute consent relates only to development that had taken place up to the date of lodgement of the application within the area shown in red on the site layout plan, drawing number 6985-2001C, as submitted on the 30th day of April 2014, and as described in the application and revised remedial Environmental Impact Statement submitted on the 17th day of June 2014, and does not authorise any future development, including any further quarrying or excavation, on the subject site.

Reason: In the interest of clarity.

2. A revised plan for the restoration of the quarry as authorised by this order shall be submitted to, and agreed in writing with, the planning authority within six months of the date of this order, unless the development permitted under ABP reg. ref. QD0002 has been commenced. The plan shall include timelines and any proposals for phased implementation, an aftercare programme for a period of not less than five years, and security provisions within and bounding the quarry site.

Reason: In the interest of public amenity and public safety

3. Unless the development permitted under ABP reg. ref. QD0002 has been commenced, the developer shall lodge with the planning authority, within six months of the date of this order, a cash deposit, a bond of an insurance company, or other security to secure the provision and satisfactory restoration of the site, coupled with an agreement empowering the local authority to apply such security or part thereof to the satisfactory restoration of any part of the development. The form and amount of the security shall be as agreed between the planning authority and the developer or, in default of agreement, shall be referred to An Bord Pleanála for determination.

Reason: To ensure the satisfactory restoration of the site.

COSTS

The Board determined the costs required to be paid under section 177 (k) (2) in accordance with the Board's standard policy in this regard, as follows:

To be paid to An Bord Pleanála as a contribution towards the costs of consideration of the application.	€2,400
To be paid to the Planning Authority as a contribution towards the costs of consideration of the application.	€2,164

Board Member: _____ Date: 5th September 2016
Philip Jones

