



Board Direction

Ref: SU04.SU0093

The submissions on this file and the Inspector's report were considered at a Board meeting held on 17th February 2017.

This file was considered at the same meeting as QD0010, an application in respect of further development at the site.

The Board decided to grant substitute consent generally in accordance with the Inspector's recommendation, subject to the amendments shown below.

REASONS AND CONSIDERATIONS

In making its decision the Board had regard to the following:

- (a) the provisions of the Planning and Development Acts, 2000 to 2011, as amended, and in particular Part XA,
- (b) the 'Quarry and Ancillary Activities, Guidelines for Planning Authorities issued by the Department of the Environment, Heritage and Local Government in April, 2004,
- (c) the provisions of the current Cork County Development Plan,
- (d) the remedial Natura impact statement submitted with the application for substitute consent,
- (e) the report and the opinion of the planning authority under section 177I,
- (f) the submissions/observations made in accordance with regulations made under section 177N,
- (g) the report of the Board's Inspector,
- (h) the planning history of the site including, *inter alia*, the grant of permission made by the planning authority in 2002 (ref. 02/5476) as confirmed on appeal to ABP (ref. PL.203762),

- (i) the pattern of development in the area, and
- (j) the nature and scale of the development the subject of this application for substitute consent.

Having regard to the nature, scale and extent of the development, the remedial Natura impact statement submitted with the application and the mitigation measures contained therein, the submissions on file and the Inspector's assessment, the Board considered that the information before it was adequate to allow the carrying out of an appropriate assessment and completed an appropriate assessment of the impacts of the development on nearby Natura 2000 sites, specifically the Great Island Channel SAC and the Cork Harbour SPA. In completing the appropriate assessment the Board accepted and adopted the appropriate assessment carried out in the Inspector's report in respect of the potential effects the development has or had on the aforementioned Natura sites, having regard to the sites' conservation objectives.

The Board was satisfied that subject to the implementation of the identified mitigation measures and on the basis of the information available, the development, either individually or in combination with other plans or projects, would not have adversely affected and is not adversely affecting the integrity of any Natura site, having regard to the conservation objectives of those sites.

Having regard to the acceptability of the impacts as set out above, it is considered that, subject to compliance with the conditions set out below, the subject development has not seriously affected the visual or other amenities of the area, is acceptable in terms of traffic safety and convenience and is, therefore, not contrary to the proper planning and sustainable development of the area.

CONDITIONS

1. This grant of substitute consent shall be in accordance with the plans and particulars submitted to An Bord Pleanála with the application on the 8th day of April 2014 as amended by the further submission of 29th July 2014. This grant of substitute consent relates only to development undertaken as described in the application and does not authorise any future development, including excavation, on this site.

Reason: In the interest of clarity.

2. All environmental mitigation measures identified within the remedial Natura impact statement and other submissions shall be implemented in full.

Reason: To protect the environment and the amenities of the area and to ensure the proper planning and sustainable development of the area.

The Board determined provisional costs as follows:

To An Bord Pleanála:	€9,025.00
To PA:	Nil

Board Member: _____ Date: 17th Feb 2017
G.J. Dennison