



Board Direction

Ref: SU19.SU0102

The submissions on this file and the Inspector's report were considered at a Board meeting held on January 26th 2016.

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

REASONS AND CONSIDERATIONS

1. It is considered that the quarrying development that has been carried out after the 1st day of February 1990 has resulted in significant adverse effects on archaeological heritage and cultural heritage through the removal and destruction of substantial archaeological remains (ASI / RMP reference numbers OF034-008001 burial ground, OF0034-8002 enclosure) that were of national importance. These effects were not adequately mitigated over the course of the development and cannot be remediated through the implemented of remedial measures. The development which has taken place would, therefore, be contrary to the proper planning and sustainable development of the area.
2. It is considered that the remedial Environmental Impact Statement submitted with the application for substitute consent does not comply with the requirements of Section 177F of the Planning and Development 2000, as amended, in that it does not include 'a *statement of the significant effects*' that have occurred on archaeological and cultural heritage of national importance. Furthermore, the remedial Environmental Impact Statement is inadequate in terms of the assessment of the impacts on hydrology, hydrogeology, soils and geology, and flora and fauna that have occurred, are occurring or that may occur resulting from the

development that has been carried out after the 1st day of February 1990 and the application site boundary does not encompass the full extent of extraction activity that has occurred over the period concerned, and the Board considers that it was not possible, in the absence of this information, for it to be satisfied that the development that has taken place has not had significant and adverse effects on the environment as a result of these impacts.

The Board decided not to invoke its powers under section 177J in relation to this development.

Please issue a copy of this Direction with the Order.

Board Member: _____ Date: 26th January 2016
Philip Jones