

## Board Order PL 19.248069

# Planning and Development Acts 2000 to 2016 Planning Authority: Offaly County Council Planning Register Reference Number: PL 2/16/102

**Appeal** by Ciarán Guinan of Ballyhearth, Clonfinlough, Athlone, County Westmeath against the decision made on the 31<sup>st</sup> day of January, 2017 by Offaly County Council to grant subject to conditions a permission to Dermot Nally Stone Limited of Lower Warren, Ballyfin, Athlone, County Westmeath.

**Proposed Development:** Winning and working of aggregates from an area of 0.54 hectares, retention and continuation of the winning and working of aggregates from an area of 0.43 hectares, retention and planning permission for quarrying operations on site of 10.15 hectares, continuation of use of an existing aggregate washing plant and processing area consisting of 1.11 hectares, vehicle and plant storage area consisting of 1.31 hectares, phased restoration of the entire site (13.54 hectares) on completion of extraction, all associated ancillary facilities/works, at Clonfinlough, County Offaly.

#### Decision

REFUSE permission for the above proposed development in accordance with 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**

It is considered that the subject application includes retention of development for the winning and working of aggregates, retention and planning permission for quarrying operations, and the continuation of an existing aggregate washing plant and all associated works, and that the development the subject of the application would have a requirement for an Environmental Impact Assessment and an Appropriate Assessment if it had been made in respect of development, before it was commenced.

Accordingly, by reason of section 34 (12) of the Planning and Development Act 2000, as amended, the Board is precluded from granting planning permission.

Member of An Bord Pleanála duly authorised to authenticate the seal of the Board.

Dated this day of 2017