



An
Bord
Pleanála

Board Order
PL 11.248088

Planning and Development Acts 2000 to 2018

Planning Authority: Laois County Council

Planning Register Reference Number: 16/219

Appeal by Tom McEvoy of Grallow Lodge, Ballymullen, Abbeyleix, County Laois and by Ashvale Haulage Limited care of Jason Redmond and Associates of 31 Jessop Street, Portlaoise, County Laois against the decision made on the 1st day of February, 2017 by Laois County Council to refuse permission to the said Ashvale Haulage Limited.

Proposed Development: An extension to an existing registered sand and gravel pit (QY05/38). The development will involve the dry screening and extraction of sand and gravel from the site, all necessary ancillary works and re-instatement of lands afterwards on 5.64 hectares of land, all at Lower Grennan, Attanagh, County Laois.

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

1. Having regard to the scale, nature and extent of the development, and having regard to the documentation submitted as part of the application and appeal, and in particular the lack of a detailed water impact appraisal and assessment, the Board cannot be satisfied that the proposed development, by itself and in combination with other plans and projects, including the existing quarry to the south of the subject site, for which the proposed development would be an extension, would not adversely affect the integrity of the River Barrow and River Nore Special Area of Conservation (Site Code: 002162), in the light of the conservation objectives and qualifying interests of this European site. The Board is, therefore, precluded from considering a grant of planning permission for the proposed development and the development would be contrary to the proper planning and sustainable development of the area.

2. Having regard to the nature of the road network serving the proposed development, in particular the substandard nature of the L17511 in relation to pavement width and alignment, and also sections of the L17511, which are deficient in relation to pavement width and alignment, together with the absence of a sufficient level of passing lay-byes, and the nature and extent of the traffic anticipated to travel to and from the site, including significant levels of Heavy Goods Vehicle traffic, it is considered that the local road network would not be capable of accommodating the additional heavy traffic that the proposed development would generate, and would suffer rapid deterioration as a result. The proposed development would, therefore, endanger public safety by reason of traffic hazard and obstruction of road users, and would be contrary to the proper planning and sustainable development of the area.

