

## **Board Order PL 17.249302**

Planning and Development Acts 2000 to 2017

**Planning Authority: Meath County Council** 

Planning Register Reference Number: KA/160923

**Appeal** by Pauric and Irene White of The Forge Restaurant, Pottlereagh, Carnaross, Kells, County Meath against the decision made on the 5<sup>th</sup> day of September, 2017 by Meath County Council to grant subject to conditions a permission to Bernard Harton, Carnaross Sand and Gravel care of Sean Boyle of Unit 3, Second Floor, Donohoe Building, Kennedy Centre, Kennedy Road, Navan, County Meath.

**Proposed Development:** Importation of clay only for land reclamation and reinstatement purposes; all at Clonasillagh and Pottlereagh, Carnaross, Kells, County Meath as amended by the revised public notice received by the planning authority on the 11<sup>th</sup> day of August, 2017.

## **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. It is considered that insufficient information has been submitted with the planning application and appeal in relation to the water environment and the measures for the protection of ground and surface water during the restoration process. The Board is not satisfied, on the basis of the submissions made in connection with the planning application and the appeal, that the proposed development would not give rise to a serious risk of water pollution and, therefore, be prejudicial to public health. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.
- 2. On the basis of the submissions made in connection with the planning application and the appeal, the Board cannot be satisfied that the proposed development, either individually or in combination with other plans and projects, including other quarry workings in the vicinity, and having regard to the existence of an open drain between the subject site and the River Blackwater, would not impact negatively on water quality, including water quality in the adjoining River Blackwater. Accordingly, the Board cannot be satisfied, beyond reasonable scientific doubt, that the proposed development would not adversely affect the integrity of the River Boyne and River Blackwater Special Area of Conservation (Site Code: 002299) and the River Boyne and River Blackwater Special Protection Area (Site Code:004232), in view of the sites' conservation objectives. In such circumstances the Board is precluded from granting planning permission for the development in question.

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

Dated this day of

2018