



Planning and Development Acts 2000 to 2018

Planning Authority: Meath County Council

Planning Register Reference Number: KA/171148

APPEAL by Evelyn Carroll and Family of Balgree, Carnacross, Kells, County Meath against the decision made on the 20th day of June, 2018 by Meath County Council to grant subject to conditions a permission to Bernard Harton and Julian McDonnell care of Sean Boyle Architect of Unit 3, Second Floor, Donohoe Building, Kennedy Centre, Kennedy Road, Navan, County Meath in accordance with plans and particulars lodged with the said Council.

Proposed Development: Extraction of sand and gravel, construction of enlarged entrance gate and wheel wash and haul by road approximately 830 metres to existing Plant for processing. Construction of a new domestic entrance and driveway to existing residence. Extraction will be for a period of 5 years on a site with an area of 3.1 hectares at Balgree and Pottlereagh, Carnacross, Kells, County Meath, as amended by the further public notice received by the planning authority on the 25th day of May, 2018.

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. The proposed development is dependent on the operation of an existing quarry (the Plantations) to the west of the site for materials processing. Having regard to the limited information in relation to the existing quarry particularly in relation to the treatment of wash water and the environmental controls on the site in proximity to the River Blackwater, the Board could not determine whether the proposed development would be likely to have significant effects on the Environment and whether there was a requirement for an Environmental Impact Assessment. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

2. Having regard to the location of the site in close proximity to the River Boyne and River Blackwater candidate Special Area of Conservation and Special Protection Area, the observed site conditions and the absence of information on the capacity of the processing plant to the west of the site, to accommodate the materials generated on site, the Board is not satisfied, on the basis of the submissions made in connection with the planning application and the appeal, that adequate information has been provided on the impact of the proposed development on the hydrological and hydrogeological environment of appeal site and on water quality in the River Boyne. It is, therefore, considered that the Board is unable to ascertain, as required by Regulation 27(3) of the European Communities (Natural Habitats) Regulations, 1997, that the proposed development will not adversely affect the integrity of a European Site and it is considered that the proposed development would be contrary to the proper planning and sustainable development of the area.

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

Dated this day of 2019.