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**Planning and Development Acts 2000 to 2018**

**Planning Authority: Meath County Council**

**Planning Register Reference Number: AA/181453**

**APPEAL** by Jeremy Butcher and others care of Kilbrew, Ashbourne, County Meath against the decision made on the 7<sup>th</sup> day of February, 2019 by Meath County Council to grant subject to conditions a permission to Ashbourne Visitor Centre Limited care of Declan Brassil and Company Limited of Lincoln House, Phoenix Street, Smithfield, Dublin.

**Proposed Development** The construction of a new rollercoaster attraction incorporating two separate rollercoaster rides with a combined ride length of approximately 972 metres and a maximum height of 31 metres above ground level; rollercoaster station structures; ancillary buildings including a toilet block (80 square metres gross floor area (GFA), a photo shop (eight square metres GFA), a general shop (30 square metres GFA), two number concession stands (12.8 square metres GFA each) and an ESB substation (14 square metres GFA); two number pedestrian bridges over the Hurley River; internal paths and roadways connecting to existing Tayto Park infrastructure; drainage infrastructure; landscaping; and all associated and ancillary plant and development works on a site area of 4.53 hectares. This application is accompanied by an Environmental Impact Assessment Report (EIAR), all at Tayto Park Visitor Centre, Kilbrew, Ashbourne, County Meath.

## **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 location of the proposed development in close proximity to residential dwellings, the Board is not satisfied, on the basis of the information submitted with the application and in response to the appeal, that the proposed development, notwithstanding the mitigation measures proposed in the Environmental Impact Statement submitted at application stage, would not seriously injure the amenities of property in the vicinity by reason of noise. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

2. The Board is not satisfied, on the basis of the information submitted with the planning application and in response to the appeal, that the proposed development would not be at risk of flooding. The proposed development would, therefore, contravene the provisions of “The Planning System and Flood Risk Management Guidelines for Planning Authorities” issued by the Department of the Environment, Heritage and Local Government and by the Office of Public Works in November 2009, and would pose an unacceptable risk of environmental pollution. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.
  
3. The Board is not satisfied, on the basis of the information submitted with the application and in response to the appeal, that the proposed development, either individually or in combination with other plans or projects would not be likely to have a significant adverse effect on European Site Number 004158 - River Nanny Estuary and Shore Special Protected Area, in view of the site’s Conservation Objectives. In such circumstances the Board is precluded from granting permission.

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

**Dated this            day of            2019.**