

Board Order ABP-306803-20

Planning and Development Acts 2000 to 2020

Planning Authority: Cavan County Council

Planning Register Reference Number: 19/227

APPEAL by R. Lee of 21 Grove Park, Rathmines, Dublin against the decision made on the 6th day of February, 2020 by Cavan County Council to grant subject to conditions a permission to John Nulty care of Michael Fitzpatrick Architects Limited of Main Street, Butlersbridge, County Cavan.

Proposed Development Extend existing quarrying facility on a site of circa 10.25 hectares (existing quarry permitted under Cavan County Council register reference 051801, 1162 and Quarry Registration Number QY7). The development will consist of the inclusion of an additional extraction of 1.04 hectares to the south-east boundary. The quarry extension is sought to a maximum depth of circa 40 metres O.D. and will be extracted at a rate of circa 50,000 tonnes per annum. The proposed development includes all ancillary site development, areas of stockpiling, landscaping and boundary treatment works above and below ground, including the progressive restoration of the site. An Environmental Impact Assessment Report (EIAR) will be submitted to the planning authority with the application, all at Ardkill More, Carrickaboy, County Cavan, as revised by the further public notice received by the planning authority on the 16th day of December, 2019.

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

On the basis of the information submitted with the application and the appeal, the Board is not satisfied that the applicant has demonstrated that the arrangements for the management and discharge of water are adequate to cater for the proposed development without giving rise to the risk of environmental pollution. In this regard, it is considered that the proposed development would be prejudicial to public health and would, therefore, be contrary to the proper planning and sustainable development of the area.

 Having regard to the proximity of the subject site to features of archaeological interest, it is considered that, in the absence of a

ABP-306803-20 An Bord Pleanála Page 2 of 3

comprehensive archaeological survey and assessment carried out to the requirements of the appropriate authorities, the proposed development would be premature and would, therefore, be contrary to the proper planning and sustainable development of the area.

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

Dated this day of 2020.

ABP-306803-20 An Bord Pleanála Page 3 of 3