



An
Bord
Pleanála

Board Order ABP-309480-21

Planning and Development Acts, 2000 to 2020

Planning Authority: Meath County Council

Application by Carol Geraghty and others requesting An Bord Pleanála to exercise its powers under article 250(3)(b) of the Planning and Development Regulations, 2001, as amended, whether Meath County Council should be directed to prepare a Natura impact statement in respect of proposed development to construct 22 housing units, including all site development works, with access from the existing Blackwater Heights Estate at Archdeaconry Glebe, Kells, County Meath.

Decision

Direct the local authority to prepare a Natura impact statement in respect of the proposed development based on 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.

Reasons and Considerations

Having regard to:

- (a) the nature and scale of the proposed development,
- (b) the location of the proposed development and the separation distance from the River Blackwater, which is within 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),
- (c) the creation of a hydrological connection from the proposed development site to the River Blackwater due to the design of the surface water and foul sewer drainage networks,
- (d) the existing issues with the Kells Wastewater Treatment Plant in terms of both capacity and treatment efficacy and the Storm Water Overflow SW3, as identified in the 2019 Annual Environmental Report for the plant, and the uncertain timeframe for the implementation of upgrade works,
- (e) the 'moderate' water quality status of the River Blackwater in the Kells area,
- (f) the uncertainty with regards to in-combination effects with other permitted development projects which will also utilise the Kells Wastewater Treatment Plant,
- (g) the submission made by the local authority, including the Appropriate Assessment Screening Report, received by the Board on the 15th day of March, 2021,
- (h) the submissions made by the applicants requesting a determination,



- (i) the submissions made by Irish Water and Inland Fisheries Ireland in relation to the current Part 8 application (Planning Register Reference Number: P8/21002), and
- (j) the report and recommendation of the Inspector,

it is considered reasonable to conclude that, on the basis of the information available, which is considered adequate to issue a screening determination, it cannot be ruled out that the proposed development, either individually or in combination with other plans or projects, would not be likely to have a significant effect on the River Boyne and River Blackwater Special Area of Conservation (Site Code: 002299) or on the River Boyne and River Blackwater Special Protection Area (Site Code: 004232) in view of the Conservation Objectives of these sites and that a Stage 2 Appropriate Assessment and the submission of a Natura impact statement for the proposed development is, therefore, required.



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

Dated this 17th day of August 2021

