

Planning and Development Acts 2000 to 2022

Planning Authority: Carlow County Council

Planning Register Reference Number: 21/334

APPEAL by Smith Groundworks and Civil Engineering Works Limited care of HRA Planning of 3 Hartstonge Street, Limerick City, Limerick against the decision made on the 28th day of October, 2021 by Carlow County Council to refuse a permission for the proposed development..

Proposed Development: Restoration of a 6.1 hectare abandoned sand and gravel quarry to agricultural grassland. The development consists of (1) backfilling, using imported inert soil and stone; (2) temporary ancillary development including (a) one number site office, (b) one number portable toilet, (c) one number wheelwash, and (d) improvement works to the site entrance, access gates and access road and internal access tracks; and (3) ancillary site works, all at Tinnaclash, Hacketstown, County Carlow.

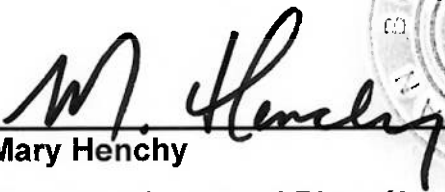
Decision

REFUSE permission for the above proposed development in accordance with the reasons and considerations set out below.

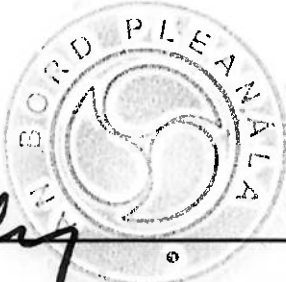
Reasons and Considerations

The Board had regard to the planning history on this site, in particular the determination by the planning authority under Section 261 A of the Planning and Development Act 2000, as amended, that the quarry would have required Environmental Impact Assessment and Appropriate Assessment and therefore substitute consent was required. From the information on file, the Board is not satisfied that the requirement for substitute consent has been addressed. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

In deciding not to accept the Inspector's recommendation to grant permission, the Board was not satisfied from the information on file that substitute consent was not required and therefore considered that the proposed development was premature until this was addressed. The proposed development is, therefore, contrary to the proper planning and sustainable development of the area.



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



Dated this 8th day of January 2024.