

Planning and Development Acts 2000 to 2022

Planning Authority: Meath County Council

Planning Register Reference Number: 24/60038

Appeal by Breedon Materials Limited (formerly Lagan Materials Limited) trading as Breedon Ireland care of JSPE of 31 Athlumney Castle, Navan, County Meath in relation to the application by Meath County Council of the terms of the Development Contribution Scheme made for the area in respect of conditions numbers 12, 13 and 14 of its decision made on the 16th day of August, 2024.

Proposed Development: Continuance of operation of the existing permitted quarry and associated infrastructure (An Bord Pleanála reference number 17.QD.0017, planning authority reference LB200106 and An Bord Pleanála reference number 309101-21), deepening of the quarry extraction area by one number 15 metres bench from 50 metres to 35 metres OD, a lateral extension to the quarry over an area of circa 4.8 hectares to a depth of 35 metres OD, provision for aggregates and overburden storage and restoration of the site to natural habitat after uses following completion of extraction, within an overall application area of circa 18.5 hectares. An extraction capacity of up to 300,000 tonnes per annum is sought to provide the applicant with the ability to respond to demand for aggregates in the region. Permission is sought for a period of 20 years in order to extract a known resource with a further two

years to fully restore the site, all at Heronstown, Navan, County Meath. The proposed development was revised by further public notices received by the planning authority on the 26th day of June, 2024.

Decision

The Board, in accordance with section 48 of the Planning and Development Act, 2000, as amended, considered, based on the reasons and considerations set out below, that the terms of the Development Contribution Scheme for the area had not been properly applied in respect of conditions numbers 12, 13 and 14 and directs the said Council to REMOVE conditions numbers 12, 13 and 14 and the reasons therefor and to ATTACH a further condition number 12 so that it shall be as follows for the reason stated.

12. The developer shall pay to the planning authority a financial contribution of €455,100 (four hundred and fifty-five thousand, one hundred euro) in respect of public infrastructure and facilities benefiting development in the area of the planning authority that is provided or intended to be provided by or on behalf of the authority in accordance with the terms of the Development Contribution Scheme made under section 48 of the Planning and Development Act 2000, as amended.

The contribution shall be applicable to the net additional reserves, extraction of which is permitted pursuant to this Order, that being 4,551,000 tonnes, and which were not the subject of financial contribution conditions under previous grants of planning permission at the application site.

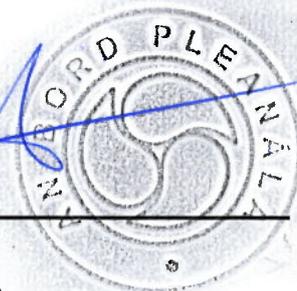
The contribution shall be paid each year based on the volume of material extracted in the previous calendar year, having regard to the application of this condition to the net additional reserves only as indicated above and demonstrated as such to the written satisfaction of the planning authority. The contribution shall be subject to any applicable indexation provisions of the Scheme at the time of payment.

Reason: It is a requirement of the Planning and Development Act 2000, as amended, that a condition requiring a contribution in accordance with the Development Contribution Scheme made under section 48 of the Act be applied to the permission.

Reasons and Considerations

Having regard to the provisions of the Meath County Council Development Contribution Scheme 2024-2029, the grounds of appeal and the planning authority's response to the grounds of appeal, the Board considered that the terms of the Contribution Scheme were not properly applied in respect of condition numbers 12, 13 and 14 of the planning authority's decision and that these conditions should be removed and replaced with a new condition number 12. The financial contribution to be applied is €455,100 calculated at 4,551,000 tonnes by €0.10 per tonne in accordance with section 6 'Schedule of Charges' – 'Quarry/Extractive Industry' of the said Contribution Scheme. The contribution shall be applicable to the net additional reserves, that being 4,551,000 tonnes, that were not subject of previous permissions pertaining to the quarry in the interests of avoiding 'double charging'. The Board also considered it reasonable for the applicant to demonstrate to the satisfaction of the planning authority, the provenance of the extracted material, that is, demonstrate whether it forms part/all of the 4,551,000 tonne or not.

Furthermore, the Board considered the payment of the contribution should not be made prior to commencement of development but paid each year based on the volume of material extracted in the previous calendar year as allowed for under footnote number 5 .to section 6 'Schedule of Charges' in the Contribution Scheme.



Tom Rabbette

Member of An Bord Pleanála

**duly authorised to authenticate
the seal of the Board.**

Dated this 17th day of April 2025.