



Planning and Development Acts 2000 to 2018

Planning Authority: Carlow County Council

Planning Register Reference Number: QY12/33.

Application for Leave To Apply For Substitute Consent, by Noel Aughney care of William Smyth of 114 Wesbury, Stillorgan, County Dublin.

Development: Quarry at Kilcarrig, Bagenalstown, County Carlow.

Decision

REFUSE leave to apply for substitute consent under section 177D of the Planning and Development Act 2000, as amended, 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. Such matters included any submissions and observations received by it in accordance with statutory provisions.

Reasons and Considerations

Having regard to the limited size and scale of the extraction area outside of the permitted quarry area (An Bord Pleanála appeal reference number PL 01.130045) which was carried out subsequent to the 1st day of February 1990 and which is significantly below the mandatory threshold for Environmental Impact Assessment, together with the nature of the receiving environment, it is considered that an environmental impact assessment, or determination for same, would not have been necessary or warranted in this instance. Furthermore, having regard to the separation distance between the quarry operation and the River Barrow and River Nore candidate Special Area of Conservation (Site Code: 002162), the lack of direct effects thereon resulting from the quarry operations, and the lack of any known pathways linking potential pollutants arising from the quarry operations that could indirectly effect the cSAC, it is considered that an appropriate assessment arising from development that was carried out on this quarry site subsequent to the 26th day of February 1997 would not have been necessary or warranted in this instance. In these circumstances, a need for substitute consent does not apply.

Eugene Nixon
Member of An Bord Pleanála
duly authorised to authenticate
the seal of the Board.

Dated this day of 2018