



An  
Bord  
Pleanála

**Board Order**  
**06S.QD.0003**

**Planning and Development Acts 2000 to 2018**

**Planning Authority: South Dublin County Council**

**Planning Register Reference Number: SDQU05A/4**

**Associated Substitute Consent Reference Number: 06S.SU.0068**

**WHEREAS** Laurence Behan care of Cross Architect and Building Surveyor of 11 An Crois, Allenwood Cross, Allenwood, Naas, County Kildare made an application to An Bord Pleanála on the 25<sup>th</sup> day of November, 2015, pursuant to section 37L of the Planning and Development Act, 2000 as amended, to further develop a quarry having a total site area of 40.875 hectares including reinstatement of worked out quarry to agricultural use by the means of importation of inert subsoil and top soil amounting to a total of 11,151,570 cubic metres at Windmillhill, Rathcoole, County Dublin in accordance with plans and particulars lodged with the Board.

**NOW THEREFORE**, the Board, in accordance with section 37N of the said Act, decided to **REFUSE** permission to further develop the quarry based on the **Reasons and Considerations** set out below.

## Reasons and Considerations

1. The proposed development relates to a site in respect of which an application for substitute consent has been refused under the provisions of Section 261A of the Planning and Development Act 2000, as amended, and accordingly is unauthorised for the carrying on of quarry operations by operation of law under Section 177O (5) of the Act. The proposed development would constitute an intensification of this unauthorised development, and it is considered inappropriate that the Board should consider the grant of a permission for the proposed development in such circumstances.
2. It is considered that the Environmental Impact Statement submitted with the application is significantly and materially deficient, and does not comply with the minimum requirements for such a document, as set out in Article 94 and Schedule 6 to the Planning and Development Regulations, 2001, as amended, by reason of:-
  - (a) The failure to adequately describe the proposed development, inclusive of the physical characteristics of the proposal, the relevant extraction processes, the nature and quantity of extracted materials, the land-use requirements during the construction and operational phases, phasing and methodology of previous extraction, residues and emissions from the relevant development, monitoring, decommissioning and rehabilitation.
  - (b) The inadequacy of data required to identify and assess the main effects which the proposed development would be likely to have on the environment, either directly or indirectly, in terms of their character, magnitude, duration and consequences.

- (c) The lack of details of material significance and substance in regard to considerations on the overall development relating to the application with regard to impacts on human beings, flora, fauna, soil, water, air, the landscape, material assets, cultural heritage and the inter-relationship between these factors.

Accordingly, the Board is not in a position to carry out an Environmental Impact Assessment of the proposed development and cannot be satisfied that the development would not have significant adverse effects on the environment. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

3. On the basis of the documentation submitted with the application, and having regard to the lack of data provided in relation to the traffic movements directly associated with the further development of this quarry, the Board cannot be satisfied that the proposed development would not lead to significant intensification of traffic movements directly onto a National Primary Road, the N7, and, therefore, cannot be satisfied that the proposed development would not endanger public safety by reason of traffic hazard, and would not adversely affect the use of a national road by traffic. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

