



An  
Bord  
Pleanála

**Board Order  
06S.SU.0061**

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## **Planning and Development Acts 2000 to 2018**

**Planning Authority: South Dublin County Council**

**Planning Register Reference Number: SDQU05A/2**

**Application for Substitute Consent** by Roadstone Wood Limited care of SLR Consulting Ireland of 7 Dundrum Business Park, Windy Arbour, Dublin in accordance with section 177E of the Planning and Development Act, 2000, as amended by the insertion on section 57 of the Planning and Development (Amendment) Act, 2010, as amended.

**Location of Quarry:** Bedleshill, Belgard, Brownsbarn, Cheeverstown, Buckandhounds, Kingswood and Whitehall townlands, Fortunestown, Tallaght, Dublin

## **Decision**

The Board, in accordance with section 177K of the Planning and Development Act, 2000, as amended, and based on the Reasons and Considerations set out below, decided to **GRANT** substitute consent in accordance with the following conditions.

## **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**

In making its decision the Board had regard, inter alia, to the following:

- (a) the provisions of the Planning and Development Act, 2000, as amended, and in particular Part XA,
- (b) the 'Quarry and Ancillary Activities, Guidelines for Planning Authorities issued by the Department of the Environment, Heritage and Local Government in April, 2004,
- (c) the provisions of the South Dublin County Development Plan 2016-2022,
- (d) the revised remedial Environmental Impact Statement and revised remedial Natura Impact Statement submitted on the 14<sup>th</sup> day of August 2015,
- (f) the report and the opinion of the planning authority under section 177I of the Planning and Development Act, 2000, as amended,
- (g) the submissions/observations made in accordance with regulations made under section 177N of the Planning and Development Act 2000, as amended,
- (h) the pattern of development in the area and the planning history of the subject site and adjoining lands,

- (k) the nature and scale of the development the subject of this application for substitute consent, and
- (l) the Inspector's Report, including in relation to potential significant effects on the environment and on the integrity of European sites in the area.

### **Environmental Impact Assessment**

The Board completed an Environmental Impact Assessment in relation to the development in question, and also in relation to the cumulative impacts with the adjoining quarry, and concluded that the revised remedial Environmental Impact Statement submitted on the 14<sup>th</sup> day of August 2015 identified and described adequately the direct, cumulative and indirect effects on the environment of the development that had taken place. The Board considered that the Inspector's report was satisfactory in addressing the environmental effects of the development, agreed with the Inspector's conclusions in relation to the acceptability of mitigation measures and residual effects, and adopted his analysis and conclusions in this regard. The Board was therefore satisfied that, subject to compliance with the mitigation measures proposed, and subject to the conditions of this Order, the effects of the development that has taken place on the environment has been, and would be, acceptable.

### **Appropriate Assessment Screening**

The Board was satisfied that the information before it was adequate to undertake an Appropriate Assessment screening in respect of the subject development. The Board concurred with the analysis and conclusions of the Inspector and adopted his report. The Board was satisfied that, by itself and in combination with other development in the vicinity, the development did not have, and would not be likely to have had, significant effects on any other European sites, other than the South Dublin Bay Special Area of Conservation (Site Code:000210) and the South Dublin Bay and Tolka Estuary Special Protection Area (Site Code:004024), arising from the

significant separation distances involved, and otherwise an absence of potential for connectivity.

### **Appropriate Assessment**

Having regard to the nature, scale and location of the development, the revised remedial Natura Impact Statement, the documentation on file generally, the planning history of the site, the submissions on file, and the Inspector's report, the Board undertook an Appropriate Assessment in relation to the effects of the development on the South Dublin Bay Special Area of Conservation (Site Code:000210) or on the South Dublin Bay and Tolka Estuary Special Protection Area (Site Code:004024). The Board concurred with the analysis and conclusions of the Inspector in relation to this matter and adopted his report. The Board therefore concluded that, either individually or in combination with other plans or projects, the subject quarry has not adversely affected and would not adversely affect the integrity of the South Dublin Bay Special Area of Conservation (Site Code:000210) and the South Dublin Bay and Tolka Estuary Special Protection Area (Site Code:004024), in view of the qualifying interests and conservation objectives of these sites.

### **Conclusion**

Having regard to the acceptability of the environmental impacts, and the lack of adverse impacts on Natura sites, as set out above, it is considered that the subject development that has taken place was and would be in accordance with the proper planning and sustainable development of the area.

## Conditions

1. (a) This grant of substitute consent shall be in accordance with the plans and particulars submitted to An Bord Pleanála on the 14<sup>th</sup> day of August 2015, and relates solely to the area of 18.2 hectares, as outlined in red on the drawings submitted on that date (and not those in the original submission with the application on the 18<sup>th</sup> day of September 2013), except as may otherwise be required in order to comply with the following conditions.
  - (b) This grant of substitute consent relates only to past quarrying that has been undertaken as described in the application, and does not authorise any structures or any future development, including any further quarrying or any further excavation below the levels shown on the submitted drawings.

**Reason:** In the interest of clarity.

2. A detailed plan for the restoration of the subject site, based solely on the extent of quarry extraction that has taken place to date, and without reference to any further quarrying outside the subject site, as defined in condition number 1 of this Order, shall be submitted to, and agreed in writing with, the planning authority within six months of the date of this Order, unless the further development of the quarry permitted under An Bord Pleanála reference number 06S.QD.0026 has been commenced prior to that date.

**Reason:** In the interest of visual amenity and in order to enhance ecological value and to ensure public safety.

