



Board Direction

Ref: PL07.246241

The submissions on this file and the Inspector's report were considered at a Board meeting held on 13th October 2016.

The Board decided to refuse permission generally in accordance with the Inspector's recommendation, subject to the amendments shown below.

REASONS AND CONSIDERATIONS

1. The information contained in the environmental impact statement together with the drawings submitted with the application are deficient and are insufficient to enable the Board to complete an environmental impact assessment of the proposed development in particular in respect of the likely significant impacts on human beings (arising from noise, vibration, dust and safety), water, soils, cultural heritage (archaeology) and on material assets (traffic network).
2. On the basis of the information submitted with the application the Board is not satisfied that the proposed development would not have significant effects on the integrity of the Lough Derg Northeast Shore SAC (site ref. 002241), a Natura site, either individually or in combination with other plans and projects, in view of that site's Conservation Objectives. In these circumstances the Board is precluded from granting permission.

Note: The Board noted the inclusion by the Inspector of the site entrance as a reason for refusal. The Board considered this matter to be a new issue and it was therefore not cited a ground for refusal of permission.

The Board made a determination not to award costs.

REASONS AND CONSIDERATIONS

Having regard to the nature of the application and of the appeal, the submissions made on file, the request made for costs, the provisions of section 145 of the P+D Act 2000, as amended, and to the discretion afforded the Board in this matter, it is considered that no particular circumstances apply in this case that would justify the award of costs against the planning authority in this instance.

Please issue a copy of the Direction with the Order.

Board Member: _____ Date: 13th October 2016
G.J. Dennison