



An  
Bord  
Pleanála

**Board Direction**  
**BD-000070-18**  
**ABP-300140-17**

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The submissions on this file and the memo from the Senior Administrative Officer dated February 19<sup>th</sup> 2018 were considered at a Board meeting held on March 7<sup>th</sup> 2018.

The Board decided, in the circumstances, that it was not necessary to refer the case for a report and recommendation from an Inspector.

The Board decided to refuse permission for the following reasons and considerations.

### **Reasons and Considerations**

Having regard to the fact that the planning application in this instance was, following the submission of further information and revised public notices, accompanied by a Natura Impact Statement, and that the application was for retention of unauthorised development, it is considered that the provisions of Section 34 (12) of the Planning and Development Act, 2000, as amended, apply, in that an appropriate assessment would have been required to be carried out if an application for permission had been made in respect of the development concerned before it was commenced. In such circumstances, the Board is therefore precluded from further considering the case.

**Note:** in making this decision, the Board did not adjudicate on the other matters raised in the appeal, and has not therefore made any decision as to the acceptability,

or otherwise, of the subject development in relation to these matters or other matters relating to the proper planning and sustainable development of the area generally, other than the statutory implications relating to appropriate assessment and the provisions of Section 34 (12) of the Act.

*[Please issue a copy of this Direction with the Board Order to the parties.]*

**Board Member**

**Date:** 7<sup>th</sup> March 2018

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Philip Jones