



An
Bord
Pleanála

Board Direction
BD-001009-18
ABP-300639-18

The submissions on this file and the Inspector's report were considered at a Board meeting held on 28/08/2018.

The Board decided to grant permission generally in accordance with the Inspector's recommendation, for the following reasons and considerations, and subject to the following conditions.

AA Screening

The nearest Natura sites is the River Barrow and River Nore SAC, (Site Code 002162) which contains conservation objectives to maintain or restore the favourable conservation condition of habitats and species of community interest including freshwater pearl mussels, Atlantic salmon, otter, Nore freshwater pearl mussel and European dry heaths.

The appeal site is located approx. 100m from the River Barrow and the River Barrow and River Nore SAC extends to within approx. 20m of the northern boundary of the site. There is a stream which runs through the northern part of the site which forms a hydrological link to the river and surface water in the area also drains to the river.

The Board is satisfied that, in light of the flood mitigation works proposed in the Flood Risk Assessment, the capacity of the existing Kilnacourt Waste Water Treatment Pumping Station and Portarlinton Waste Water Treatment Works, the construction works already carried out on site and the requirements of Irish Water, the proposed development would not give rise to appropriate assessment issues. It

is also satisfied that standard construction management practices would be sufficient to avoid any direct or indirect effects on the SAC at construction stage.

It is reasonable to conclude that on the basis of the information on file, which the Board considers to be adequate in order to issue a screening determination, that the proposed development, individually or in combination with other plans or projects would not be likely to have a significant effect on European Site No. 002162 (River Barrow and River Nore SAC) or any other European site in view of the sites conservation objectives, and that a Stage 2 Appropriate Assessment (and submission of a NIS) is not required.

Reasons and Considerations

Having regard to the location of the site on residential zoned lands in the Portarlinton Local Area Plan 2012-2018, and the planning history of the site, it is considered that subject to compliance with the conditions set out below, that the proposed development would not increase the risk of flooding on lands in the vicinity and would be acceptable in terms of residential amenity, traffic safety and public health. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

Conditions

As per Inspector's report.

Add additional condition No 2

2. All works to complete, rectify, replace as necessary the water supply, foul sewer network, surface water network, public lighting, footpaths, pumping station, landscaping and cycle track /path forming part of and serving the existing development as outlined in the Planning authority's letter dated 23rd February 2017 shall be carried out in full to the written satisfaction of the Planning Authority within a timescale to be agreed with the Planning Authority.

A full set of as constructed drawings to be submitted to the Planning Authority on completion of the works.

Reason: In the interests of existing residential amenities and orderly development.

Board Member

Date: 28/08/2018

Terry Prendergast