



An  
Bord  
Pleanála

**Board Direction**  
**BD-001625-18**  
**ABP-301213-18**

The submissions on this file and the Inspector's report were considered at a Board meeting held on 14/11/2018.

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

### **Reasons and Considerations**

1. Having regard to the nature and scale of the development and to the location of the site partly on steeply sloping lands adjoining the River Owenalondrig, at a location where the watercourse provides suitable habitat for salmon and trout, and to the fact that a substantial element of the proposed works have been carried out on site prior to the determination of the application and appeal, the Board is not satisfied, notwithstanding the proposed buffer zone, that the proposed development would not give rise to an unacceptable risk of water pollution and sedimentation, due to run-off of soils and other material, which would be likely to have a detrimental effect on the water quality of the river. The proposed development would, therefore, be injurious to the amenities of the river and its environs and would be contrary to the proper planning and sustainable development of the area.
2. The Board considers, having regard to the nature of the development, that a mandatory EIA would have been required for this development as it exceeds the threshold of 25,000 tonnes per annum under Class 11(b) of Schedule 5 of the Planning and Development Regulations 2001 (as amended).

**Board Member**

**Date:** 14/11/2018

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Eugene Nixon