



An
Bord
Pleanála

Board Direction
BD-002851-19
ABP-302483-18

The submissions on this file and the Inspector's report were considered at a Board meeting held on 16/04/2019.

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.

Reasons and Considerations

Having regard to the limited nature and extent of the proposed development within a managed demesne landscape associated with Muckross House (Protected Structure RPS 74-2) and visitor centre which are served by the coach and overflow car parks, and to the provisions of the current Kerry County Development Plan, it is considered that, subject to compliance with the conditions set out below, the proposed development would be acceptable in terms of location at this part of the Killarney National Park, would be acceptable in terms of traffic safety and convenience, would not seriously injure the amenities of the area or the setting of protected structures in the vicinity and would not result in any significant effects on the trees and ecology of the area. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

Appropriate Assessment

The Board agreed with the screening assessment and conclusion carried out in the Inspector's report that the Killarney National Park, Macgillycuddy's Reeks and

Caragh River Catchment Special Area of Conservation (Site Code: 000365) is the European sites for which there is a likelihood of significant effects.

The Board considered the Natura Impact Statement and all other relevant submissions and carried out an appropriate assessment of the implications of the proposed development for this European Sites in view of the site's Detailed Conservation Objectives (Killarney National Park, Macgillicuddy;s Reeks and Caragh River Catchment Special Area of Conservation (Site Code: 000365)). The Board considered that the information before it was adequate to allow the carrying out of an Appropriate Assessment.

In completing the assessment, the Board considered, in particular,

- i) likely direct and indirect impacts arising from the proposed development both individually or in combination with other plans or projects, specifically waste water treatment plants that drain to Lough Leane,
- ii) mitigation measures during the construction and operational phases which are included as part of the current proposal, and
- iii) Detailed Conservation Objectives for the European Site.

In completing the Appropriate Assessment, the Board accepted and adopted the Appropriate Assessment carried out in the Inspector's report in respect of the potential effects of the proposed development on the aforementioned European Sites, having regard to the site's Conservation Objectives.

In overall conclusion, the Board was satisfied that the proposed development would not adversely affect the integrity of the European site in view of the site's Conservation Objectives.

Conditions

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application, as amended by the further plans and particulars submitted to the planning authority on the 17th

day of July, 2018, except as may otherwise be required in order to comply with the following conditions. Where such conditions require details to be agreed with the planning authority, the developer shall agree such details in writing with the planning authority prior to commencement of development and the development shall be carried out and completed in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. All of the construction and operational mitigation measures set out in the Natura Impact Statement submitted to the planning authority on the 17th day of July, 2018 shall be implemented in full. The applicant shall appoint a person with appropriate ecological and construction expertise to ensure that the mitigation measures identified in the Natura Impact Statement are implemented in full.

Reason: in the interest of orderly development and to protect the environment during the construction and operational phases of the development.

3. The recommendations of the Tree Survey and Arboricultural Impact Assessment lodged with the application shall be implemented in full.

Reason: In the interest of orderly development.

Board Member

Date: 18/04/2019

Maria FitzGerald