



An
Bord
Pleanála

Board Direction
BD-003466-19
ABP-303869-19

The submissions on this file and the Inspector's report were considered at a Board meeting held on 7/4/2019.

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 location of the proposed development in close proximity to residential dwellings, the Board is not satisfied on the basis of the information submitted with the application and in response to the appeal, that the proposed development, notwithstanding the mitigation measures proposed in the Environmental Impact Statement submitted at application stage, would not seriously injure the amenities of properties in the vicinity by reason of noise. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.
2. The Board is not satisfied, on the basis of the information submitted with the planning application and in response to the appeal, that the proposed development would not be at risk of flooding. The proposed development would, therefore, contravene the provisions of the Planning System and Flood Risk Management Guidelines for Planning Authorities, (DECLG and OPW) 2009, and would pose and unacceptable risk of environmental pollution. The

development would, therefore, be contrary to the proper planning and sustainable development of the area.

3. The Board is not satisfied on the basis of the information provided with the application and appeal that the proposed development individually, or in combination with other plans or projects would not be likely to have a significant adverse effect on European Site No. 004158 River Nanny Estuary and Shore SPA, in view of the site's Conservation Objectives. In such circumstances the Board is precluded from granting permission.

Board Member

Date: 04/07/2019

Terry Prendergast