



An
Bord
Pleanála

Board Direction
BD-006385-20
ABP-307012-20

The submissions on this file and the Inspector's report were considered at a Board meeting held on 01/09/2020.

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 deficiencies in the information provided in the submitted Natura Impact Statement, in particular having regard to the lack of information in the NIS in relation to potential increased anthropogenic pressures, with potential impacts on Qualifying Species, otter and kingfisher; to potential impacts on Qualifying Habitat 'Hydrophilous tall herb fringe communities of plains and of the montane to alpine levels'; to the omission of key information within the NIS, as relates to the Qualifying Habitat 'Petrifying springs with tufa formation (Cratoneurion)', the Board is not satisfied that the proposed development would not adversely affect the integrity of the River Barrow and Nore SAC (002162) and the River Nore SPA (004233), in view of the sites' conservation objectives. In such circumstances, the Board is precluded from granting permission.
2. Having regard to the location of the site on the periphery of Kilkenny City, on the eastern side of the N10 ring road, the deficiencies in the pedestrian and cycle infrastructure and safety concerns in relation to same; the creation of a significant number of additional accesses/egresses along the Sion Road; the

location of these access points relative to a point in the road where the horizontal alignment is sub-standard; the need for reversing movements for vehicles exiting a number of these egresses; the safety concerns raised by the proposals for pedestrians and cyclists, the proposed development would endanger public safety by reason of traffic hazard.

Note:

The applicant should note that the Board considers that there is inadequate information submitted with the application in relation to the impact on architectural heritage, the general ecology of the site, and in relation to universal access to the apartment/duplex units, which should be addressed in any subsequent application. The deficiencies in the Traffic Assessment should also be addressed in any subsequent application.

Board Member

Date: 01/09/2020

Michelle Fagan