

**An  
Bord  
Pleanála**

**Board Direction  
BD-012920-23  
ABP-310090-21**

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**Re: Amending Board Order  
S146A of the Planning and Development Act, 2000, as amended**

The submissions on this file were considered at a Board meeting held on 17/07/2023.

The Board decided to exercise its powers under section 146A(1)(b) of the Planning and Development Act 2000, as amended, to amend its Order of 26<sup>th</sup> May 2022

The Board decided that;

- (1) condition no. 8 was not necessary for the purposes of the grant of permission, having regard to the totality of the documentation submitted with the application and appeal, including the relevant sections of the Environmental Impact Assessment Report addressing operational noise and the consequent attachment of condition no. 2 which requires all mitigation measures set out in the EIAR to be implemented in full. References to tonal component in condition no. 8 are effectively described in the overall application documentation and the attachment of condition no. 8 relating to operational noise mitigation, which is already contemplated and provided for in the overall application documentation and the provisions of condition no. 2, is not therefore warranted. In this regard the omission of condition no. 8, will facilitate the operation of the development as can be reasonable regarded as having been contemplated by the provisions

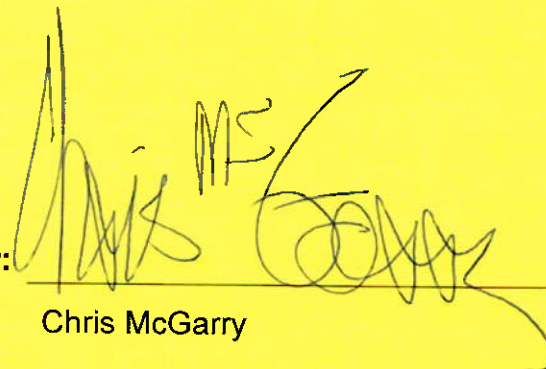
of the permission taken as a whole, with specific reference to the relevant sections of the EIAR and condition no. 2.

It is considered that amendment of the Board Order would not result in a material alteration of the terms of the development, the subject of the permission or decision.

Having regard to the nature of the issue involved, the Board decided not to invite submissions in relation to the matter from any person who had made submissions or observations to the Board in relation to the permission/other matter.

Accordingly the Board hereby amends the above-mentioned decision by the omission of condition no. 8 in accordance with the provisions of section 146A(1) of the Planning and Development Act, 2000, as amended, as follows:

Board Member:



Chris McGarry

Date: 14/12/2023