

An
Bord
Pleanála

Board Direction
BD-009174-21
ABP-310305-21

At a meeting held on 01/10/2021, the Board considered the documents and submissions on file generally, and the report of the Inspector.

The Board decided to direct the local authority not to prepare a Natura Impact Statement in respect of the proposed Loughmacask Link Road and all associated site development works at Lousybush, County Kilkenny, based on the reasons and considerations set out below.

Reasons and Considerations

Having regard to:

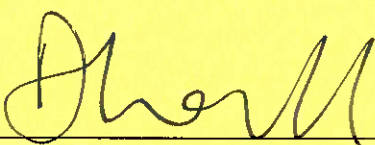
- (a) the nature and limited scale of the proposed development which entails modifications and extension to an existing roadway,
- (b) the marginal decrease in the net discharge to the River Nore through installation of a new soakaway system as part of the detailed design of the scheme,
- (c) the separation distance between the proposed development and European Sites and the limited potential for significant impacts arising from the proposed development,
- (d) the submission made on behalf of the local authority, including the Appropriate Assessment Screening Report dated January 2020, and the additional documentation received in response to the request for additional information, and

(e) the report and recommendation of the person appointed by the Board to make a report and recommendation on the matter,

it is considered reasonable to conclude that, on the basis of the information available which is considered adequate to issue a screening determination, that the proposed development, either individually or in combination with other plans or projects, would not be likely to have a significant effect on the River Barrow and River Nore SAC (Site code: 002162) or the River Nore SPA (Site code: 004233), in view of the conservation objectives of these sites and that a Stage 2 Appropriate Assessment and the submission of a Natura Impact Statement for the proposed development is, therefore, not required.

In not accepting the Inspector's recommendation, the Board considered that the additional information provided by the local authority, including the technical note and ecological survey report, provided sufficient clarity in relation to the management of surface water run-off during construction, to the details and location of the proposed soakaways and to the ecological survey report to conclude that the proposed development would not be likely to have a significant effect on those European Sites.

Board Member:



Dave Walsh

Date: 01/10/2021