

An  
Bord  
Pleanála

**Board Direction**  
**BD-009477-21**  
**ABP-310456-21**

The submissions on this file and the Inspector's report were considered at a Board meeting held on 17/11/2021.

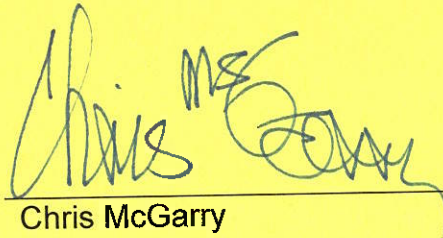
The Board decided to refuse permission for the following reasons and considerations.

### **Reasons and Considerations**

1. The Board is not satisfied, on the basis of the information provided with the application and appeal and in the absence of a Natura Impact Statement, that the proposed development individually, or in combination with other plans or projects, would not be likely to have significant effects on European Site – Lough Gill Special Area of Conservation (Site Code 001976) in view of the site's Conservation Objectives. In such circumstances, the Board is precluded from granting planning permission.
2. The Board is not satisfied, on the basis of the information provided with the application and appeal, that the proposed development would not be prejudicial to public health and would not have a significant adverse impact on the environment, by reason of potential water pollution from land spreading within the areas identified for such purposes in the application documentation. The proposed development would, therefore be prejudicial to public health and would be contrary to the proper planning and development of the area.

In deciding not to accept the Inspector's recommendation to grant permission, the Board noted the proximity of an area identified for land spreading, to the Lough Gill Special Area of Conservation (Site Code: 001976) and considered that the detail submitted with the application including the Appropriate Assessment Screening, was not sufficient to allow a conclusion of no potential significant effect on the European Site. Furthermore, the Board considered that the assessment provided by the applicant, of the spread lands at Geskanagh Glebe was not sufficiently precise to ensure that a judgement of no potential impact on the environment could be reached. In coming to this conclusion the Board noted the comment of the Inspector that the trial holes at the Ross townland were not undertaken on the spread lands identified as part of the applicant's further information response and that the two trial hold on the lands at Geskanagh Glebe area 'approaching depths of 2m'.

**Board Member**



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Chris McGarry

**Date:** 22/11/2021