

An
Bord
Pleanála

Board Direction
BD-010114-22
ABP-310724-21

The submissions on this file and the Inspector's report were considered at a Board meeting held on 24/02/2022.

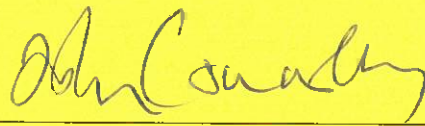
The Board decided to refuse permission, generally in accordance with the Inspector's recommendation, for the following reasons and considerations.

Reasons and Considerations

1. On the basis of the information provided with the application and the appeal, and particularly having regard to the dearth of information with regard to historic infilling of the site, the level of detail provided with regard to surface water management during the operational phase, and the limited survey data with regard to the significance of the site for the lesser horseshoe bat, the Board cannot be satisfied that the proposed development individually, or in combination with other plans or projects would not result in adverse effects on the integrity of the Killarney National Park, Macgillicuddy's Reeks and Caragh River Catchment SAC (000365) in view of the site's Conservation Objectives. In such circumstances, the Board is precluded from considering a grant of permission for the proposed development.
2. Having regard to the configuration of the appeal site, and based on submissions in relation to the appeal, the Board is not satisfied that the applicant has demonstrated sufficient legal interest to carry out the necessary road improvement measures to provide adequate access the site or has the approval of the person who has sufficient legal estate or interest to enable such works.

3. Having regard to the location and configuration of the appeal site in the context of the adjoining undeveloped lands to the east, the riparian corridor within the northern part of the site and the layout and design of the proposed development, the Board is not satisfied that the proposed development responds appropriately to the unique characteristics of the site context, and considers that the proposal would lead to a disjointed and piecemeal form of development which would be detrimental to residential and environmental amenity. The proposed development would seriously injure amenities of the area and would, therefore, be contrary to the proper planning and sustainable development of the area.

Board Member



John Connolly

Date: 26/02/2022