



An
Bord
Pleanála

Board Direction
BD-010384-22
ABP-311514-21

The submissions on this file and the Inspector's report were considered at a Board meeting held on 29/03/2022.

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

Reasons and Considerations

The proposed development is located partly within Lough Swilly Special Area of Conservation (Site Code 002287) and is in close proximity to Lough Swilly Special Protection Area (Site Code 004075) to the east. On the basis of the information provided with the application and appeal, and in light of the Stage 2 Appropriate Assessment undertaken, the Board cannot be satisfied that the development, individually, or in combination with other plans or projects, would not be likely to have a significant effect on Lough Swilly Special Area of Conservation or Lough Swilly Special Protection Area, in view of the sites' conservation objectives, by reason of the open nature of the east site boundary that allows for direct discharge of surface waters containing suspended solids and/or pollutants to the SAC. In such circumstances, the Board is precluded from granting permission.

Board Member

John Connolly

Date: 29/03/2022