



An
Bord
Pleanála

Board Direction
BD-016364-24
ABP-312543-22

The submissions on this file and the Inspector's report were considered at a Board meeting held on 07/05/2024.

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

Reasons and Considerations

Having regard to the nature and scale of the proposed development and to the proximity of the proposed development to the River Barrow and River Nore SAC (Site Code 002162), in particular, proximity to the Alluvial forest within the SAC, and also having regard to the hydrological and hydrogeological connection to the SAC, noting the natural drainage at ground level and groundwater level of the southern part of the application site towards the SAC, the Board was not satisfied beyond a reasonable scientific doubt that the proposed development would not have an adverse impact on the qualifying interests of the River Barrow and River Nore SAC (Site Code 002162) and in the circumstances the Board is precluded from granting permission.

Note:

In deciding not to accept the Inspector's recommended Reason No. 2, the Board did not agree that there was inadequate consideration of alternatives available. The Board was satisfied that there was sufficient information available to carry out a full EIA, including in relation to alternatives considered. Possible alternatives were

considered in the documentation submitted at application stage, including the EIAR, in the applicant's response to the further information request from the planning authority that provided further information on alternatives, and in the grounds of appeal that provided further material in relation to consideration of alternatives. The Board was satisfied with the applicant's submission in relation to existing sources of supply, furthermore, the Board was satisfied that there is a need/justification/demand for further supply of sand and gravel (notwithstanding possible substitution with other material). The Board noted the Inspector's reference to the potential extension into adjoining lands but noted that such development did not form part of the current application and was not subject of the EIA. The Board noted that the Inspector had no other concerns regarding EIA and concurred with Inspector in that regard.

Board Member



Tom Rabbette

Date: 21/05/2024