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Bord  
Pleanála

**Board Direction**  
**BD-015280-24**  
**ABP-313162-22**

The submissions on this file and the Inspector's report were considered at Board meetings held on 12/07/2023, 29/08/2023 and 30/01/2024.

The Board decided to refuse permission per Section 34(12) of the Planning and Development Act 2000, as amended, for the following reasons and considerations.

### **Reasons and Considerations**

The Board noted the following:

- (a) This refers to an application which includes the seeking of permission to retain an existing short term stay camping site as well as the retention of renovation works to the existing toilets and site as constructed.
- (b) An extensive area of the subject site lies within the boundaries of the Dingle Peninsula SPA (Site Code: 004153) and also borders both the Castlemaine Harbour SAC (000343) and SPA (004029).
- (c) A Natura Impact Statement has been submitted with the application.

Accordingly, having regard to the provisions of Sections 34(12) and 37(7) of the Planning and Development Act 2000, as amended, and as the development the subject of the current application is for, inter alia, retention of unauthorised development, the Board is precluded from granting permission in this instance, as to do so would frustrate the requirements of both the Habitats and Birds Directives.

In addition, it is not considered appropriate to extract the elements of the proposed development from the associated retention elements in order to issue a grant of permission.

Therefore, the Board decided to refuse permission on appeal.

**Board Member:**

  
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Joe Boland

**Date:** 14/02/2024