



An
Bord
Pleanála

Board Direction
BD-016305-24
ABP-314381-22

The submissions on this file and the Inspector's report were considered at a Board meeting held on 09/05/2024.

The Board decided to grant permission, not in accordance with the Inspector's recommendation, for the following reasons and considerations.

Reasons and Considerations

Having regard to the proximity of the site to the mussel farm, the nature scale and use of the proposed development for a storage shed and area for a mussel farm and not for the processing or storing of mussels, the nature of the receiving environment, the pattern of development in the vicinity and the relevant provisions of Cork County Development Plan 2022-2028 including Section 7.2.6, Section 9.2 and County Development Plan Objective EC:8-18 it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the amenities of the area or of property in the vicinity, would not be prejudicial to public health, nor endanger public safety by reason of traffic hazard or obstruction of road users and would constitute an acceptable use at this location. The proposed development would therefore be in accordance with the proper planning and sustainable development of the area.

In not agreeing with the Inspector, the Board considered:

- a. there to be sufficient policy support within the Cork County Development Plan,
- b. that the proposed development by virtue of its scale, siting setback and screening would not constitute a visually obtrusive feature,

- c. that the site is sufficiently close to the pier to be considered sufficiently connected,
- d. that the scenic view and Objective GI14-13 would not be sufficiently impacted to warrant refusal,
- e. that the nature and quantum of traffic on the local road and the proximity of the development to the pier would be such that it would endanger public safety by reason of traffic hazard and obstruction of road users.

Conditions:

1.	<p>The development shall be carried out in accordance with the Plans and Particulars lodged with the application on the 16th of June 2022, except as may otherwise be required in order to comply with the following conditions. Where such conditions require details to be agreed with the planning authority, the developer shall agree such details in writing with the planning authority and the development shall be retained in accordance with the agreed particulars.</p> <p>Reason: In the interests of clarity</p>
2	<p>Water from the roof shall be directed to a soakway. Hydrocarbon interceptors shall be installed where surface water shall be discharged to a watercourse.</p> <p>Reason: To ensure adequate servicing of the development and to prevent pollution.</p>
3.	<p>Only clean, dry aquaculture equipment shall be stored at the site. No shellfish, shells or other similar organic material shall be stored.</p> <p>Reason: In the interests of clarity</p>
4.	<p>The proposed shed shall be used for storage only and not for the storage or processing of mussels.</p>

	Reason: In the interests of traffic safety, clarity and orderly development.
5.	No external lighting is approved in this decision. Reason: In the interests of traffic safety, clarity and orderly development.
6.	NIS mitigation measures will be implemented in full as per 7.1 to 7.6 of "Natura Impact Statement for the storage area and shed at Ardgroom Inward, Pallas Harbour, Castletownbere, Co Cork" submitted to PA on the 16 th of June 2022. Reason: In the interests of protection of the environment and orderly development.

Board Member


Liam Bergin

Date: 15/05/2024