



**An
Bord
Pleanála**

**Board Direction
BD-015412-24
ABP-315359-22**

The submissions on this file and the Inspector's report were considered at a Board meeting held on 12/02/2024.

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 information submitted with the application, it appears to the Board that the description of the development in the associated public notices is inaccurate as works have been undertaken for which permission is sought. Accordingly, it is considered that it would be inappropriate for the Board to consider the grant of a permission for the proposed development in such circumstances.
2. Having regard to the information provided with the application, including the Natura Impact Statement, a description of the proposed development and works completed to date, the Board noted that the AA screening report (and the NIS) does not consider or assess works already completed as part of the overall project i.e., site clearance, laying of hardcore in new road footprint, extension of surface water drainage system, and installation of silt fencing. The Board cannot be satisfied beyond reasonable scientific doubt that the proposed development, either individually or in combination with other plans and projects, would not adversely affect the integrity of Bandon River SAC (site code 002171), in view of the site's conservation objectives and qualifying interests. In such circumstances the Board cannot grant planning permission for the proposed development.

Board Member



Stephen Brophy

Date: 13/02/2024