



An
Bord
Pleanála

Board Direction
BD-015342-24
ABP-315512-23

The submissions on this file and the Inspector's report were considered at a Board meeting held on 06/02/2024.

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 the information provided with the application for retention and first party appeal, The Board is not satisfied that the development to be retained would not have significant adverse impacts on residential amenities by way of noise. The development is therefore considered to contravene development plan Objective ZU 18-9: Existing Residential/Mixed Residential and Other Uses, which states that non-residential uses in areas subject to the ER zoning objective should protect and/or improve residential amenity. The development is therefore contrary to the proper planning and sustainable development of the area.
2. The Board was not satisfied on the basis of the information provided that the Development to be retained would not have significant effects on the Blackwater River SAC (site code 002170) by reason of noise or other anthropogenic impacts, or by reason of additional loading on the Mallow WWTP. In this regard the Board did not accept the appellant's position that the development does not represent an intensification of use of their existing premises.

Board Member


Stephen Brophy

Date: 06/02/2024