

An
Bord
Pleanála

Board Direction
BD-018088-24
ABP-316264-23

The submissions on this file and the Inspector's report were considered at Board meetings held on 20/2/2024 and 04/11/2024.

No response was received to the request for additional information dated 6th March 2024 under Section 132 of the Planning and Development Act 2000 (as amended).

The Board decided to refuse permission for the following reasons and considerations.

Reasons and Considerations

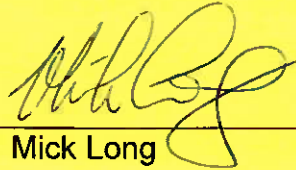
The Board is not satisfied, on the basis of the information provided with the application and appeal, and in the absence of a response to the request, including a request for a Natura Impact Statement, under Section 132 of the Planning and Development Act 2000 (as amended) on 6th March 2024, that the proposed development individually, or in combination with other plans or projects, would not be likely to have significant effects on European Site – River Barrow and River Nore SAC (Site Code 002162) and Lisbigney Bog SAC (Site Code 000869) in view of the site's Conservation Objectives. In such circumstances, the proposed development would be contrary to proper planning and sustainable development.

Note:

Given the above reason for refusal, the Board did not consider further the suitability of landspreading areas which is regulated by the Good Agricultural Practice for

Protection of Waters Regulations. This is enforced by local authorities and the EPA. The Department of Agriculture, Food and Marine oversee the implementation of the Regulations, which form part of the Fifth Nitrates Action Programme.

Board Member


Mick Long

Date: 06/11/2024