

An  
Bord  
Pleanála

**Board Direction**  
**BD-016788-24**  
**ABP-317454-23**

The submissions on this file and the Inspector's report were considered at a Board meeting held on 21/06/2024.

The Board decided to refuse permission, generally in accordance with the Inspector's recommendation, for the following reasons and considerations.

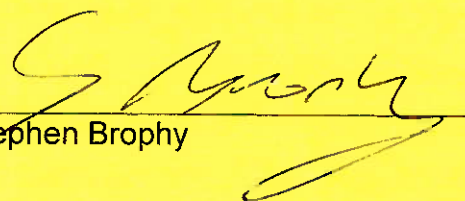
### **Reasons and Considerations**

1. Based on the information submitted with the planning application, the Board is not satisfied in relation to the adequacy of the mitigation measures proposed to ensure the proposed development, in particular the proposed lighting scheme, would not adversely affect the foraging and/or commuting routes of the Lesser Horseshoe Bat in the environs of the proposed development site. Therefore, adverse effects on the integrity of a European Site, namely the Killarney National Park, Macgillycuddy's Reeks and Caragh River Catchment SAC cannot be excluded. In addition, the proposal is considered not to be in compliance with Objective KA 22 of the operative County Development Plan which seeks to ensure that there is no significant increase in artificial light intensity adjacent to Lesser Horseshoe Bat roosts named in the Conservation Objective Report for the Killarney National Park, Macgillycuddy's Reeks and Caragh River Catchment SAC (Oct 2017) or along commuting routes within 2.5km of those roosts. Having regard to the above, the proposed development is considered to be contrary to the proper planning and sustainable development of the area.

2. Having regard to the location of the site in an area which is prone to flooding, and on the basis of the submissions made in connection with the planning application and appeal, the Board is not satisfied that the proposed development would not give rise to an increased risk of flooding of the site or of property in the vicinity. Furthermore, arising from the historical raising of ground levels on site through the infilling of land, the Board is not satisfied that the development carried out to date has not adversely affected the flood storage regime of the surrounding area, which would give rise to the risk of exacerbation of flooding elsewhere. The proposed development would, therefore, be prejudicial to public health and would be contrary to the proper planning and sustainable development of the area.

Note: The Board shared the inspector's concerns in relation to the compliance of the proposed development with the zoning objective for the site, and also in relation to the design and siting of the development, which could be considered detrimental to the high scenic amenity value of the area and unduly visually obtrusive, interfering with the character of the surrounding rural landscape. However given the above substantive reasons for refusal, the Board did not consider these issues further at this time.

**Board Member**

  
Stephen Brophy

**Date:** 21/06/2024