

An
Bord
Pleanála

Board Direction
BD-018019-24
ABP-318100-23

The submissions on this file were considered at a Board meeting held on 30/10/2024.

The Board previously decided to grant a development under application reference number ABP 307433-20, subject to conditions, by Order dated the 30th day of March, 2022.

The Board decided, in accordance with section 146B(2)(a) of the Planning and Development Act 2000, as amended, that the proposed alterations to the above permission would result in a material alteration to the terms of the development.

Having considered all the documents on file and the Inspector's report, the Board considered that the making of the proposed alteration would not be likely to have significant effects on the environment or on any European Site, and in accordance with section 146B(3)(b)(ii)(I) of the Planning and Development Act, 2000, as amended, the Board agreed to alter the abovementioned decision so that the approved development shall be altered in accordance with the plans and particulars received by An Bord Pleanála on the 22nd day of September 2023, for the reasons and considerations set out below.

REASONS AND CONSIDERATIONS

In coming to its decision, the Board had regard to the following:

- (a) the nature and scale of the proposed alteration,
- (b) the documentation and submissions on file, including submissions in response to the public notices, and,

- (c) the report of the Inspector.

The Board was satisfied that the information before it was adequate to undertake a screening for appropriate assessment and a screening for environmental impact assessment in respect of the proposed alteration.

Appropriate Assessment Screening:

In conducting a screening exercise for appropriate assessment, the Board considered the nature, scale and context of the proposed alteration, the documentation on file including the Report in Support of Appropriate Assessment Screening submitted with the application, the submissions on file, and the assessment of the Inspector in relation to the potential for effects on European Sites. In undertaking the screening exercise, the Board accepted the analysis and conclusions of the Inspector. The Board concluded that, by itself and in combination with other development in the vicinity, the proposed alteration would not be likely to have significant effects on any other European Site in view of their conservation objectives. A Stage 2 Appropriate Assessment (and submission of a Natura Impact Statement) is not, therefore, required. In reaching this conclusion, the Board took no account of mitigation measures intending to avoid or reduce the potentially harmful effects of the development on any European Site.

Environmental Impact Assessment Screening:

The Board considered the potential environmental impacts that might arise due to the proposed alteration, both by itself and in combination with other development in the vicinity. Having regard to the characteristics of the receiving environment, the characteristics of the proposed alteration, and the submissions on file, the Board is satisfied that the proposed alteration would not be likely to have significant effects on the environment. The Board concurred with the analysis and conclusions of the Inspector in this matter. The Board, therefore, concluded that the preparation of an Environmental Impact Assessment Report is not required, either by means of any mandatory requirement or following sub-threshold analysis.

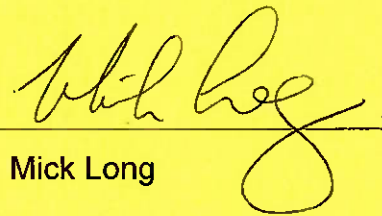
Conclusions on Proper Planning and Sustainable Development:

Having regard to:

- the nature and details of the parent permission, subject to conditions, ABP-307433-20,
- the character of the alterations, including their scale and form,
- the location of the proposed alterations, within the footprint of the existing industrial site,
- the additional capacity locally for the acceptance and treatment of bottom ash,
- the limited visibility of the relocated structures outside the confines of the site,
- the operation of the parent permission, and proposed alterations, under the existing Industrial Emissions licence (IE W0167-03),
- the absence of any significant new or additional environmental impacts arising as a result of the proposed alterations, including landscape or visual effects or effects on archaeology, and
- the report of the Board's Inspector, which is adopted,

the Board concluded that the making of the proposed alteration would be in accordance with the proper planning and sustainable development of the area.

Board Member:


Mick Long

Date: 30/10/2024