

An
Bord
Pleanála

Board Direction
BD-014884-23
ABP-318163-23

The submissions on this file and the Inspector's report were considered at a Board meeting held on 18/12/2023.

The Board decided to treat this case under section 139 of the Planning and Development Act, 2000. The Board also decided, based on the Reasons and Considerations set out below, that the planning authority be directed, as follows:

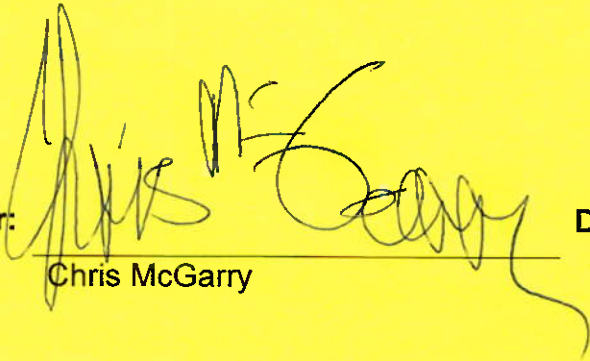
Attach condition number 6(b)

Reasons and Considerations

Having regard to the totality of the obligations set out in Condition No. 6 overall, including the requirement to carry out a detailed archaeological impact assessment, including consultation with the Department and written agreement of the Planning Authority, and incorporating further archaeological test trenching as recommended in accordance with Condition No. 6 (a), it is considered that the wording of Condition 6 (b) as set out by the planning authority in its decision to grant permission, is clear, usable and relevant to the exercise of impact assessment, all to ensure the definition of a buffer area of 20 metres around the extent of the recorded monument LH017-012001.

In deciding not to accept the recommendation of the Inspector to amend the wording, the Board that the substance of the issues raised in the appeal by all parties, was

satisfactorily provided for in the original wording of the full Condition No. 6.
Furthermore, it was considered that the suggested amendment did not materially alter the obligations already set for the developer under Condition No. 6.

Board Member:  **Date:** 18/12/2023
Chris McGarry