

An
Bord
Pleanála

Board Direction
BD-017475-24
ABP-318566-23

The submissions on this file and the Inspector's report were considered at a Board meeting held on 16/09/2024.

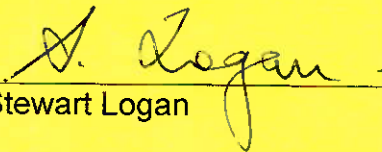
The Board decided to refuse permission, generally in accordance with the Inspector's recommendation, for the following reasons and considerations.

Reasons and Considerations

1. On the basis of the information provided with the application and appeal, including the Natura Impact Statement, and in light of the assessment carried out above, the Board is not satisfied that the proposed development individually, or in combination with other plans or projects would not adversely affect the integrity of European sites No. 004232 and 002299 in view of the sites' Conservation Objectives. In such circumstances the Board is precluded from granting permission. This conclusion is based on the lack of certainty in relation to the use of water for firefighting and its containment/disposal, and the inadequacy of proposed monitoring of surface water discharges, such that reasonable doubt remains as to the actual effects of the proposed development on the conservation objectives and site integrity of the Protected Sites.
2. The proposed development is to be accessed via a narrow rural road which provides vehicular access for substantial existing commercial development adjoining to the subject site and exiting to the R400 Regional Road that is specifically identified in Table 8.4 'Restricted Regional Routes in County Offaly' in the Offaly County Development Plan 2021-27 for restricted carrying capacity reasons. The Board was not satisfied that the proposed development, in conjunction with substantial existing commercial development adjoining to the subject site, would not be likely to create a

traffic hazard and endanger public safety from conflict of vehicles on a substandard rural road and be in conflict with the Development Plan policy for Regional Route R400 through the creation of additional vehicular traffic on an identified restricted regional route. The Board noted that the nature of the proposed development was distinct from the pig farm, quarry and wind farm developments adjoining/proximate to the subject appeal site which by their nature are location specific in the rural area.

Board Member


Stewart Logan

Date: 17/09/2024

Note:

The Board noted the publication of the *National Waste Management Plan for a Circular Economy 2024-2030* on 1st March 2024 subsequent to the submission and responses received in relation to the subject appeal. This national policy includes *Guidance for Siting Waste Management Facilities* (Appendix 9) which the Board considered may be relevant to the consideration of the subject appeal. However, the Board considered that this would be a new issue requiring further investigation and, given the two substantial reasons for refusal above, decided not to pursue the issue further in the context of this appeal.