



An  
Bord  
Pleanála

**Board Direction**  
**BD-014994-24**  
**ABP-318631-23**

This remitted leave to appeal was considered at a Board meeting held on 9 January 2024.

The Board noted the terms of the High Court Order perfected on the 11<sup>th</sup> December, 2023.

The Board decided to refuse leave to appeal based on the reasons and considerations set out below.

### **Reasons and Considerations**

Having regard to the submissions and documents received in connection with the application for leave to appeal and the conditions set out in planning authority's decision, it is considered that, notwithstanding the possibility that the conditions imposed may have drawn the applicant's attention to the issue of water contamination as set out in the applicant's submission; the conditions themselves, as imposed by the planning authority, do not result in a development that differs materially from the development as set out in the application for permission.

**Board Member:**

  
Stephen Brophy

**Date:** 09/01/2024