



An
Bord
Pleanála

Board Direction
BD-018526-24
ABP-318703-23

The submissions on this file and the Inspector's report were considered at a Board meeting held on 18/12/2024.

The Board decided to refuse permission for the following reasons and considerations.

Reasons and Considerations

On the basis of the information provided with the application and appeal, having regard to the Screening Determination undertaken by the Inspector, and in the absence of a Natura Impact Statement, the Board cannot be satisfied that the proposed development individually, or in combination with other plans or projects would not adversely affect the integrity of the River Barrow and River Nore Special Area of Conservation, in view of the site's conservation objectives. In such circumstances, the Board is not satisfied to grant permission for the proposed development.

In deciding not to accept the Inspector's recommendation to raise a new issue with the parties pursuant to Section 137 of the Planning and Development Act 2000, the Board noted the requirements in relation to appropriate assessment screening and/or appropriate assessment are not considered a new issue.

Board Member

Eamonn James Kelly
Eamonn James Kelly

Date: 19/12/2024

Notes

1. The Board shared the concerns of the Inspector with respect to the layout of the development that would have warranted closer examination and possibly further information, at the least. However, given the substantive reasons for refusal, the Board decided not to pursue this issue further at this time.

2. The Board noted that the proposed development provisioned for a new discharge for the eastern half of the estate to be directed towards a drainage ditch connected to the River Barrow and River Nore Special Area of Conservation and an area located in Flood Zone A. This raised further considerations concerning appropriate assessment as well as the likely effectiveness of the surface water management plan. However, given the substantive reasons for refusal, the Board decided not to pursue these matters further at this time.