



An
Bord
Pleanála

Board Direction
BD-018686-25
ABP-318706-23

The submissions on this file and the Inspector's report were considered at a Board meeting held on 17/01/2025.

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

Reasons and Considerations

1. Having regard to the lack of detail in the information submitted with the planning application, the appeal documentation and the Natura Impact Statement, as to the full nature, extent and scale of works proposed and the associated effects requiring mitigation measures to protect the integrity of the Slaney River Valley SAC (Site Code: 000781), the Board cannot be satisfied that the proposed development individually, or in combination with other plans or projects would not be likely to have an adverse effect on the Slaney River Valley SAC (Site Code: 000781) in view of the site's conservation objectives. There remains significant reasonable scientific doubt that the proposed development would not adversely impact on the integrity of the SAC in which it is located and these matters cannot be addressed by way of planning conditions. In such circumstances, the Board is precluded from granting permission.
2. On the basis of the information submitted with the planning application and appeal, it is considered that the proposed development would be reliant on works and mitigation measures which are outside of the application site (red line) boundary and outside of the administrative boundary of the planning authority (Carlow County Council). In such circumstances the Board cannot

be satisfied that the relevant works and mitigation measures can be implemented in full.

Note:

In deciding not to refuse permission as recommended in the Inspector's recommended Refusal Reason No. 1, the Board noted that the application was not for retention permission. Furthermore, the Board considered that a determination on the planning status of the existing bridge is a matter for the two relevant planning enforcement authorities (Carlow County Council and Wexford County Council) in the first instance. Given the substantive reasons for refusal the Board decided not to pursue this matter any further in this instance.

(Direction to issue with Order.)

Board Member



Tom Rabbette

Date: 17/01/2025