

An
Bord
Pleanála

Board Direction
BD-018557-24
ABP-319947-24

The submissions on this file and the Inspector's report were considered at a Board meeting held on 23/12/2024.

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

Reasons and Considerations

The Board made its decision consistent with the Climate Action Plan 2024.

Having regard to the provisions of the Laois County Development Plan 2021 - 2027, it is considered that, subject to compliance with the conditions set out below, the proposed development, would not seriously injure the amenities of the area, would not be prejudicial to public health, would be consistent with the Climate Act and would be in accordance with the proper planning and sustainable development of the area.

Appropriate Assessment Screening Stage 1

The Board completed an Appropriate Assessment screening exercise in relation to the potential effects of the proposed development on designated European sites, taking into account the nature, scale and location of the proposed development, the Appropriate Assessment Screening Report submitted with the application, the Inspector's Report, and submissions on file.

In completing the screening exercise, the Board adopted the report of the Inspector and concluded that, by itself or in combination with other development in the vicinity, the proposed development would not be likely to have a significant effect on any European site in view of the conservation objectives of such sites, other than the River Barrow and Nore SAC (Site Code 002162) which is the European Site for which likelihood of significant effects could not be ruled out.

Appropriate Assessment-Stage 2

The Board considered the Natura Impact Statement and all other relevant submissions including expert submissions received and carried out an Appropriate Assessment of the implications of the proposed development on the River Barrow and Nore SAC (Site Code 002162) in view of the site's Conservation Objectives. The Board considered that the information before it was sufficient to undertake a complete assessment of all aspects of the proposed development in relation to the site's Conservation Objectives using the best available scientific knowledge in the field.

In completing the assessment, the Board considered, in particular, the following:

- (a) the likely direct and indirect impacts arising from the proposed development both individually or in combination with other plans or projects,
- (b) the mitigation measures which are included as part of the current proposal,
- (c) the conservation objectives for the European sites, and
- (d) the report of the Planning Inspector.

In completing the Appropriate Assessment, the Board accepted and adopted the Appropriate Assessment carried out in the Inspector's report in respect of the potential effects of the proposed development on the aforementioned European Site, having regard to the site's conservation objectives.

In overall conclusion, the Board was satisfied that the proposed development, by itself or in combination with other plans or projects, would not adversely affect the

integrity of the European Site in view of the conservation objectives of the site. This conclusion is based on a complete assessment of all aspects of the proposed project and there is no reasonable scientific doubt as to the absence of adverse effects.

Conditions

1 The development shall be carried out and completed in accordance with the plans and particulars lodged with the application, as amended by the further plans and particulars received by the planning authority on the 27th day of March 2024, except as may otherwise be required in order to comply with the following conditions. Where such conditions require details to be agreed with the planning authority, the developer shall agree such details in writing with the planning authority prior to commencement of development and the development shall be carried out and completed in accordance with the agreed particulars.

Reason: In the interest of clarity.

2 Save for the changes authorised by this permission, the proposed development shall comply with all relevant conditions of previous planning permission granted under PL Ref 17/532. This permission shall not extend the expiry date of that permission.

Reason: In the interest of the proper planning and sustainable development of the area.

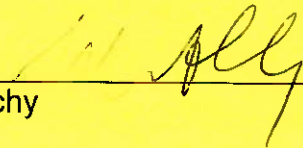
3 The mitigation measures contained in the submitted Natura Impact Statement (NIS), shall be implemented.

Reason: To protect the integrity of European Sites.

4 Prior to commencement of development, details including a layout plan of the site drainage system, to include the location of the proposed class 1 full retention separator, shall be submitted for the written agreement of the planning authority.

Reason: To protect surface waters.

Board Member



Mary Henchy

Date: 23/12/2024