



Board Direction

Ref: 05E.SU0100

The submissions on this file and the Inspector's report were considered at a Board meeting held on 5th May 2017.

The Board decided to refuse permission generally in accordance with the Inspector's recommendation, subject to the amendments shown below.

REASONS AND CONSIDERATIONS

1. Having regard to the nature and extent of the development, the remedial Natura impact statement submitted with the application as amended consequent to the section 132 notice issued by the Board, the submissions on file and the Inspector's report, the Board completed an Appropriate Assessment of the impacts of the development on nearby European sites. On the basis of the documentation submitted, in particular the lack of evidence submitted by the applicant regarding the characteristics and extent of the habitats on the site, located within the Slieve Tooey/Tormore Island/Loughros Beg Bay SAC (site code 00190) and the extent of the habitats removed and/or infilled as a result of the quarrying activity that is the subject of the application, the Board decided that it was not possible to conclude, beyond all reasonable scientific doubt, that the subject development would not adversely affect, or has not had an adverse effect on, the integrity of a European site, specifically the Slieve Tooey/Tormore Island/Loughros Beg Bay SAC (site code 00190), having regard to the Conservation Objectives of that site. In such circumstances, the Board is precluded from granting substitute consent for the subject development.
2. Having regard to the nature and extent of the development, the remedial environmental impact statement submitted with the application, as amended consequent to the section 132 notice issued by the Board, the submissions on file and the Inspector's report, the Board completed an Environmental Impact Assessment of the development. It is considered that the development which was undertaken at this site gave rise to significant adverse impacts on the landscape and visual amenities of the area post the 1st day of February 1990. The mitigation measures

proposed in the remedial environmental impact statement are not considered adequate or reasonable and would not reduce the impact of the development on the landscape. The development which has been undertaken is thus contrary to the proper planning and sustainable development of the area.

Board Member: _____ Date: 5th May 2017
G.J. Dennison