



An  
Bord  
Pleanála

**Board Order**

**PL 08.248070**

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## **Planning and Development Acts 2000 to 2017**

**Planning Authority: Kerry County Council**

**Planning Register Reference Number: 16/1165**

**Appeal** by Rainpower Limited care of OES Consulting of Anfield House, Baldonnell Business Park, Naas Road, Dublin against the decision made on the 27<sup>th</sup> day of January, 2017 by Kerry County Council to refuse permission for the proposed development.

**Proposed Development:** Development consisting of a small hydroelectric scheme on the Owbeg River. Water is to be abstracted upstream of Meelick Bridge at Meelick Falls and diverted through 1.2 kilometres of pipe to the proposed turbine house from where the water will gradually be reintroduced into the river at Slaght, Kilgarvan, County Kerry.

## **Decision**

**REFUSE** permission for the above proposed development in accordance with the reasons and considerations set out below.

## **Matters Considered**

In making its decision, the Board had regard to those matters to which, by virtue of the Planning and Development Acts and Regulations made thereunder, it was required to have regard. Such matters included any submissions and observations received by it in accordance with statutory provisions.

## **Reasons and Considerations**

It is considered that the information submitted during the consideration of the application including the Ecological Impact Assessment report (EIA), lacks clarity in relation to baseline information on flow, rate of extraction and impact upon the river channel hydrology and hydrography, in particular whether there would be a 30 per cent change in the maximum, minimum or mean flows in the main river channel. The Board is therefore not satisfied, on the basis of the information provided that the proposed development would not be likely to have significant adverse impacts on the environment, and that the potential environmental impact is such that an Environmental Impact Assessment is warranted. The Board requested an Environment Impact Statement and no Environmental Impact Statement was submitted to address the concerns of the Board in this regard. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

