

An
Bord
Pleanála

Board Order ABP-315359-22

Planning and Development Acts, 2000 to 2022

Planning Authority: Cork County Council

Application by Cork County Council for approval under section 177AE of the Planning and Development Act 2000, as amended, in accordance with plans and particulars, including a Natura Impact Statement, lodged with An Bord Pleanála on the 16th day of December, 2022.

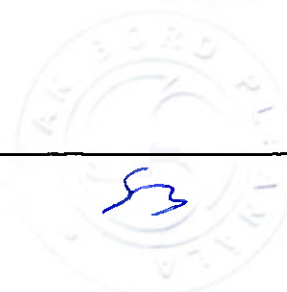
Proposed Development: Road realignment and improvement scheme consisting of the following:

- Alteration to existing road alignment to improve road safety.
- Site clearance.
- Road construction, resurfacing, road lining, signage and road studs.
- Relocation of overhead line.
- Construction of earth berms and fencing.

All within the townlands of Dromdeegy and Cooranig, Dunmanway, County Cork.

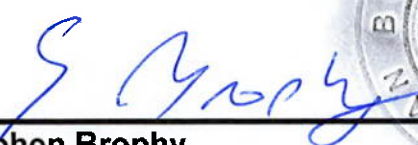

Decision

Refuse to approve the above proposed development based on the reasons and considerations set out below.



Reasons and Considerations

1. On the basis of information submitted with the application, it appears to the Board that the description of the development in the associated public notices is inaccurate as works have been undertaken for which permission is sought. Accordingly, it is considered that it would be inappropriate for the Board to consider the grant of a permission for the proposed development in such circumstances.
2. Having regard to the information provided with the application, including the Natura Impact Statement, a description of the proposed development and works completed to date, the Board noted that the appropriate assessment screening report and the Natura Impact Statement, does not consider or assess works already completed as part of the overall project i.e., site clearance, laying of hardcore in new road footprint, extension of surface water drainage system, and installation of silt fencing. The Board cannot be satisfied beyond reasonable scientific doubt that the proposed development, either individually or in combination with other plans and projects, would not adversely affect the integrity of Bandon River Special Area Conservation (Site Code: 002171), in view of the Site's conservation objectives and qualifying interests. In such circumstances the Board cannot approve the proposed development.



Stephen Brophy
Member of An Bord Pleanála
duly authorised to authenticate
the seal of the Board.

Dated this 27th day of February 2024