

An
Bord
Pleanála

Board Order ABP-317300-23

Planning and Development Acts, 2000 to 2022

Planning Authority: Kildare County Council

(Associated application reference number: 09.JA0042)

REQUEST received by An Bord Pleanála on the 7th day of June, 2023 from Kildare County Council care of RPS Group Limited of West Pier Business Campus, Dún Laoghaire, County Dublin under section 146B of the Planning and Development Act, 2000, as amended, to alter the terms of a strategic infrastructure development consisting of alterations to the Morell River Flood Management Scheme, the subject of an approval under An Bord Pleanála reference number 09.JA0042.

WHEREAS the Board made a decision to grant approval, subject to conditions, for the above-mentioned development by Order dated the 26th day of April, 2018,

AND WHEREAS the Board has received a request to alter the terms of the development, the subject of the approval,

AND WHEREAS the proposed alterations are described as follows and as more particularly described in the planning report submitted to An Bord Pleanála on behalf of the local authority on the 7th day of June, 2023:

- Minor alterations affecting four of the permitted flood defences at Killeen Golf Club, known as Morr 21a, Morr 21b, Morr 22 and Morr 23,
- The alterations involve:

- At Morr 21a and Morr 21b, part of embankment converted to a wall, with a lower height and slight increase in length.
- At Morr 22, shorter length and lower height of wall.
- At Morr 23, shorter length and lower height of embankment.

AND WHEREAS the Board decided, in accordance with section 146B(2)(b) of the Planning and Development Act 2000, as amended, to invite submissions from Killeen Golf Club in relation to whether the proposed alterations would constitute the making of a material alteration to the terms of the development concerned,

AND WHEREAS the Board decided, in accordance with section 146B(2)(a) of the Planning and Development Act 2000, as amended, that the proposed alterations would not result in a material alteration to the terms of the development, the subject of the approval,

AND WHEREAS having considered all of the documents on file and the Inspector's report, the Board considered that the making of the proposed alterations would not be likely to have significant effects on the environment or on any European Site,

NOW THEREFORE in accordance with section 146B(3)(a) of the Planning and Development Act 2000, as amended, the Board hereby alters the above-mentioned decision so that the approved development, An Bord Pleanála reference number 09.JA0042, shall be altered in accordance with the plans and particulars received by An Bord Pleanála on the 7th day of June, 2023, as updated on the 21st day of June 2023.

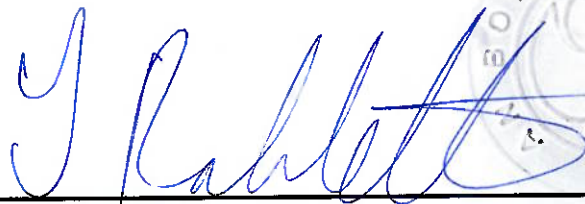
REASONS AND CONSIDERATIONS

Having regard to:

- (i) the nature and scale of the Strategic Infrastructure Development permitted under An Bord Pleanála Reference Number 09.JA0042 for this site,
- (ii) the screening for appropriate assessment and environmental impact assessment carried out in the course of that application,

- (iii) the limited nature and scale of the alterations,
- (iv) the absence of any significant new or additional environmental effects (including those in relation to European Sites) arising as a result of the proposed alterations,
- (v) the absence of any new or significant issues relating to the proper planning and sustainable development of the area arising from the proposed alterations,
- (vi) the submission received from Killeen Golf Club, and
- (vii) the report of the Board's Inspector,

it is considered that the proposed alterations would not be material. In accordance with section 146B(3)(a) of the Planning & Development Act 2000, as amended, the Board hereby makes the said alterations.



Tom Rabbette

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

Dated this 31st day of Oct 2023