

An
Bord
Pleanála

Board Order

ABP-318706-23

Planning and Development Acts 2000 to 2022

Planning Authority: Carlow County Council

Planning Register Reference Number: 22/385

Appeal by Pat Finnerty of Boley, Shillelagh, County Wicklow against the decision made on the 24th day of November, 2023 by Carlow County Council to grant subject to conditions a permission to SignaCare Bunclody Limited care of Beer and Associates of Enterprise House, O'Brien Road, Carlow.

Proposed Development: Carrying out of remedial/repair works to the northern bridge support within County Carlow, including all associated site works at the entrance to premises at Carrickduff, Bunclody, County Carlow, as revised by the further public notices received by the planning authority on the 1st day of August, 2023 which consisted of revisions to drawings and specifications, revisions to the Natura Impact Statement and the Construction Environmental Management Plan (CEMP), and submission of updated and additional engineering and technical reports.

Decision

REFUSE permission for the above proposed development for the reasons and considerations set out below.

Reasons and Considerations

1. Having regard to the lack of detail in the information submitted with the planning application, the appeal documentation, and the Natura Impact Statement, as to the full nature, extent and scale of works proposed and the associated effects requiring mitigation measures to protect the integrity of the Slaney River Valley Special Area of Conservation (Site Code: 000781), the Board cannot be satisfied that the proposed development, individually or in combination with other plans or projects, would not be likely to have an adverse effect on the Slaney River Valley Special Area of Conservation (Site Code: 000781) in view of the site's Conservation Objectives. There remains significant reasonable scientific doubt that the proposed development would not adversely impact on the integrity of the Special Area of Conservation in which it is located, and these matters cannot be addressed by way of planning conditions. In such circumstances, the Board is precluded from granting permission for the proposed development.



2. On the basis of the information submitted with the planning application and the appeal, it is considered that the proposed development would be reliant on works and mitigation measures which are outside of the application site (red line) boundary and outside of the administrative boundary of the planning authority (Carlow County Council). In such circumstances the Board cannot be satisfied that the relevant works and mitigation measures can be implemented in full.



Tom Rabbette

Member of An Bord Pleanála

**duly authorised to authenticate
the seal of the Board**

Dated this  day of  2025.