



**An
Bord
Pleanála**

**Board Direction
BD-018608-25
ABP-317167-23**

The submissions on this file and the Inspector's report were considered at a Board meeting held on 09/01/2025.

The Board decided to refuse permission, generally in accordance with the Inspector's recommendation, for the following reasons and considerations.

Reasons and Considerations

1. The development to be retained and development proposed would result in a net loss of the habitats Upland Blanket Bog and Wet Heath within the Natural Heritage Area (NHA) site Woodcock Hill Bog, (Site Code 002402) both habitats which are qualifying interests for the designated site. Furthermore, the proposals for part reinstatement do not adequately demonstrate a remediation methodology, informed by a hydrological study of the site and peatland habitats in and adjacent to the site. As such, it is considered that the proposed application for retention and permission has not clearly demonstrated that the development will not have a significant adverse effect on the Natural Heritage Area. The proposed development and development to be retained if permitted would, therefore, be contrary to objectives CDP15.5 and CDP 3.3 of the Clare County Development Plan 2023-2029 and would furthermore, be contrary to the proper planning and sustainable development of the area.
2. The Board is not satisfied on the basis of the information submitted and taking into account the conservation significance of Woodcock Hill NHA that sufficient justification has been provided for siting the telecommunications structure on this ecologically sensitive site. Furthermore, it has not been sufficiently demonstrated

that the existing masts lack capacity for multiple use, which would be in line with national policy encouraging co-location and sharing of such facilities, and that all alternatives have been exhausted at the existing mast locations. It is therefore considered that the proposed development would be contrary to objectives CDP 11.55 and CDP 3.3 of the Clare County Development Plan 2023-2029.

Board Member

Eamonn James Kelly
Eamonn James Kelly

Date: 09/01/2025

Note

1. The Board noted the two new issues raised by the Planning Inspector regarding (i) visual impact and (ii) aviation and other impacts. However, given the substantive reasons for refusal, the Board decided not to pursue these two matters further at this time.
2. The Board also noted the Inspector's expressed opinion that Schedule 7A information would be required to enable an Environmental Impact Assessment Screening Determination to be undertaken in advance of a planning decision. While the Board considered that such a determination would also be relevant in context of informing the appropriate planning procedure for the development to be retained, the Board decided not to pursue this matter further at this time given the substantive reasons for refusal.