

An  
Bord  
Pleanála

**Board Direction**  
**BD-019033-25**  
**ABP-320235-24**

The submissions on this file and the Inspector's report were considered at a Board meeting held on 26/02/2025.

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 subject site is located within the boundary of the Thurles Local Area Plan 2024-2030 where it has been zoned under 'Objective SR – Strategic Reserve'. The objective of the Strategic Reserve seeks to deliver housing within the subsequent plan period (unless a review of the current plan identifies a need for additional lands). Under the current Local Area Plan residential development is defined as not normally permitted under the Strategic Reserve Objective. Therefore, having regard to the proposed development, which is seeking to deliver 86 no. residential units, and the requirements of Policy 1.1 and Section 2.4.3 of the Thurles Local Area Plan 2024-2030, it is considered that the proposed development would be contrary to the land use zoning pertaining to the subject site, contrary to Policy 1.1 and conflict with the provision of Section 2.4.3 of the Thurles Local Area Plan 2024-2030. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.
2. Having regard to the lack of clarity in the Natura Impact Assessment and in the plans and particulars submitted with the application, relating to a number of issues in the proposed development, specifically:

- a. whether works are required to the existing surface water drain serving the site and outfall to the River Suir;
- b. whether works in (a) above would require mitigation for the purposes of protection of a Natura 2000 site;
- c. whether works in (a) above and associated mitigation works in (b) above can be executed by the applicant as they are potentially outside of the application site boundary, and
- d. failure to consider an existing ditch which is located adjacent the western boundary of the application site,


it considered that it cannot be clearly ascertained that the proposed development, individually or in combination with other plans or projects, would not adversely affect the integrity of the Lower River Suir SAC (Site Code 002137) in view of the sites Conservation Objectives.

Note:

The Board agreed with the Inspector's concerns regarding the density proposed, being below the density range as provided for the in the 'Sustainable Residential Development and Compact Settlement Guidelines for Planning Authorities' (2024) however, given that this may be considered a new issue in the context of the appeal and also given the substantive reasons for refusal, decided not to pursue this matter in this instance.

(Direction to issue with Order.)

**Board Member**

  
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Tom Rabbette

**Date:** 26/02/2025