



An
Bord
Pleanála

Board Direction
BD-002766-19
ABP-303152-18

The submissions on this file and the Inspector's report were considered at a Board meeting held on 05/04/2019.

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 proposed development includes a connection to Killaloe/Ballina Waste Water Treatment Plant and relies on the upgrade of this treatment plants' capacity in order to cater for the proposed development as set in Irish Water Capital Investment programme. Policy 8.24 (c) of Clare County Development Plan 2017-2023 states "*... that adequate water services will be available to service development prior to the granting of planning permission and to require developers to consult Irish Water regarding available capacity prior to applying for planning permission*". Therefore, it is considered that the proposed development would be premature by reference to the existing deficiencies in the Killaloe/Ballina Waste Water Treatment Plant to which connection is proposed and the period within which this constraint may reasonably be expected to cease. The proposed development would, therefore, be contrary to the policy of the development plan and be prejudicial to public health and would be contrary to the proper planning and sustainable development of the area.

2. On the basis of the information provided with the application and appeal and in the absence of a Natura Impact Statement and the current ecological status of the Grange River, a tributary of the Lower River Shannon SAC (site code 002165), the Board cannot be satisfied that the proposed development individually, or in combination with other plans or projects would not be likely to have a significant effect on the Lower River Shannon SAC (site code 00265), or any other European site, in view of the sites' Conservation Objectives. In such circumstances, the Board is precluded from granting permission.

Board Member

Date: 05/04/2019

Terry Ó Niadh