



An  
Bord  
Pleanála

**Board Direction**  
**BD-006561-20**  
**ABP-306680-20**

The submissions on this file and the Inspector's report were considered at a Board meeting held on 28/09/2020.

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

### **Reasons and Considerations**

1. It is considered that the proposed development would be premature by reference to the existing deficiencies in the Newmarket-on-Fergus wastewater 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 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, the Board cannot be satisfied that the proposed development, individually or in combination with other plans or projects, would not adversely affect the integrity of European Site: Lough Gash Turlough Special Area of Conservation (Site Code: 000051), or any other European site, in view of the sites' Conservation Objectives. In such circumstances the Board is precluded from granting permission.

### **Note:**

The Board noted the Inspector's concerns regarding failure of the development as proposed to adequately address the natural topography of the site, and potential for

manipulation of the existing site levels, to accommodate the proposed development, to seriously injure the visual amenities of the area, the character of the landscape and the quality of the development layout. However, the Board considered this to be a new issue and, having regard to the substantive reasons for refusal, decided not to pursue this matter further.

**Board Member**

**Date:** 28/09/2020

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John Connolly