



An
Bord
Pleanála

Board Direction
BD-007738-21
ABP-307561-20

The submissions on this file and the Inspector's report were considered at a Board meeting held on 23/03/2021.

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

Reasons and Considerations

1. On the basis of the information presented with the application, the Board is not satisfied that the proposed development can be served by the existing public water supply or that the proposed temporary on site water supply would not have negative impacts on existing public water supply sources in the vicinity of the site or that the proposed solution and associated level of infrastructural works and investment is proportionate to the scale of development proposed. The proposed development would therefore be premature pending the upgrading of the public water supply in the vicinity of the site and the timeline within which this constraint may reasonably be expected to cease, would 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 presented with the application, the Board is not satisfied that there is adequate capacity available in the Paulstown waste water treatment plant to cater for the scale of development proposed. The proposed development would therefore be premature having regard to these

existing deficiencies and the timeline within which this constraint may reasonably be expected to cease, would be contrary to article 5 of the European Communities Environmental Objectives (Surface Waters) Regulations, 2009, which requires that a public authority, in performance of its functions, shall not undertake those functions in a manner that knowingly causes or allows 'deterioration in the chemical or ecological status of a body of surface water', and would be prejudicial to public health.

3. On the basis of the information presented with the application and appeal, and specifically the absence of a detailed specification and layout for the proposed temporary on site waste water treatment system and information regarding site conditions, the Board is not satisfied that the option of on site treatment and disposal of effluent would be capable of being satisfactorily accommodated on the site without adversely impacting on the surface and groundwater sources in the vicinity of the site including the River Barrow. The proposed development would therefore be prejudicial to public health and contrary to the proper planning and sustainable development of the area.
4. Both the connection to the public foul drainage system and the proposed on site treatment system are such that, in the absence of mitigation, the proposed development is considered likely to have significant effects on the River Barrow and River Nore SAC (site code 002162) in light of the conservation objectives of the site. Specifically, the proposed development would result in an exceedance of the authorised discharge from the Paulstown WWTP which discharges to the SAC and, in the absence of details regarding any temporary on site wastewater treatment system, it is considered that the proposed development has the potential to give rise to pollution of the SAC such that likely significant effects on the conservation objectives of the site cannot be ruled out. In such circumstances the Board is therefore precluded from granting permission.

Board Member

Date: 24/03/2021

Terry Prendergast