



An  
Bord  
Pleanála

**Board Direction**  
**BD-006657-20**  
**ABP-307587-20**

The submissions on this file and the Inspector's report were considered at a Board meeting held on 07/10/2020.

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

### **Reasons and Considerations**

1. On the basis of the information provided with the application and appeal and in the absence of an Appropriate Assessment Screening Report or a Natura Impact Statement, 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 adverse effect on the following European Sites, River Boyne and River Blackwater Special Area of Conservation (Site Number: 002299) and River Boyne and River Blackwater Special Protection Area (Site Number: 004232) in view of the sites' Conservation Objectives. In such circumstances, the Board is precluded from granting permission.
2. The proposed development would be connected to the Virginia Wastewater Treatment Plant, which in turn discharges into Lough Ramor. Having regard to:
  - (a) the existing constraints at the Virginia Wastewater Treatment Plant, which is currently operating beyond its design capacity,

(b) the lack of planning certainty in respect of future capacity improvements to the Wastewater Treatment Plant,

(c) the existing biological status of Louth Ramor, which has been classed by the Environmental Protection Agency as of bad ecological status,

(d) 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

(e) article 28(2) of the said Regulations, which states that a surface water body whose status is determined to be less than good shall be restored to at least good status not later than the end of 2015,

it is considered that the proposed development would be premature by reference to the existing deficiencies in the provision of sewerage facilities and the period within which this constraint may reasonably be expected to cease, would be prejudicial to human health and would therefore be contrary to the proper planning and sustainable development of the area.

**Board Member**

**Date:** 07/10/2020

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Dave Walsh