

An  
Bord  
Pleanála

**Board Direction**  
**BD-010124-22**  
**ABP-309070-21**

The submissions on this file and the Inspector's report were considered at a Board meeting held on 28/02/2022.

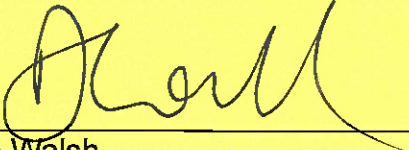
The Board decided to refuse permission, generally in accordance with the Inspector's recommendation, for the following reasons and considerations.

#### **Reasons and Considerations**

Having regard to the lack of capacity in the Derrinturn Waste Water Treatment Plant, which is operating over its design capacity and which has the potential to impact on the water quality of the Cushaling River, a tributary of the River Barrow, and notwithstanding the indication from Irish Water of their intention to upgrade the Derrinturn WWTP as part of a programme of works to provide additional capacity for the development of new homes, while ensuring that wastewater continues to be treated to an appropriate standard, it is considered that, pending clarity and certainty on the timelines to progress the upgrade through design, planning and all relevant consents, the proposed development would be premature by reference to the existing deficiency in the provision of sewerage facilities in the area, would lead to further overloading of the wastewater treatment plant, with potential risks to the River Cushaling and other water bodies in the vicinity, would not be in accordance with Article 5 of the European Communities Environmental Objectives (Surface Waters) Regulations 2009, as amended, which requires that a public authority shall not, in the performance of its functions, undertake those functions in a manner that knowingly causes or allows deterioration in the chemical status or ecological status

(or ecological potential as the case may be) of a body of surface water, and would, therefore, be contrary to the proper planning and development of the area.

**Board Member**



**Date:** 28/02/2022

Dave Walsh