

An
Bord
Pleanála

Board Direction
BD-009113-21
ABP-309601-21

The submissions on this file and the Inspector's report were considered at a Board meeting held on 20/09/2021.

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

Reasons and Considerations

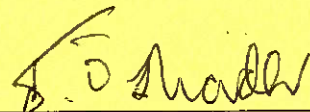
1. Planning Authority Reason 1
2. The proposed development is located over a major aquifer of regional importance and high vulnerability and in close proximity to the Owenshee River which flows into the nearby Peterswell Turlough, a designated Special Area of Conservation. Having regard to the planning history associated with the site, the siting of the proposed wastewater treatment system within a confined and restricted area, the high water table at this location and the poor natural soil characteristics, the deficit of adequate information or assessment provided to address the Boards previous concerns relating to site suitability, the Board is not satisfied that the site appears capable of accommodating the proposed development in the context of wastewater treatment and disposal. The proposed development would, thereby, constitute an unacceptable risk of pollution of both ground and surface waters in the vicinity, which would be prejudicial to public health and to the proper conservation of the environment. Accordingly, and notwithstanding the existing established use of the site, it is

considered that the proposed development would be contrary to the proper planning and sustainable development of the area.

3. On the basis of the information provided with the application and appeal, particularly in relation to the deficit of adequate information on the wastewater treatment system and notwithstanding the submission of the NIS, the Board cannot be satisfied that the proposed development individually, or in combination with other plans or projects, would not result in adverse effects on the integrity of Peterswell Turlough SAC (Site Code: 000318) and the Lough Coy SAC (Site Code: 002117) in view of the sites' Conservation Objectives for the reasons set out in condition 2 above.

In such circumstances the Board is precluded from granting permission

Board Member



Terry Ó Niadh

Date: 20/09/2021