

An
Bord
Pleanála

Board Direction
BD-011704-23
ABP-311963-21

The submissions on this file and the Inspector's report were considered at a Board meeting held on 27/01/2023.

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

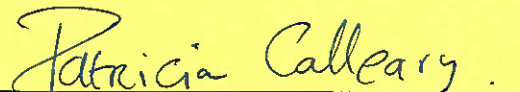
Reasons and Considerations

1. Having regard to the information provided with the application and appeal, including the Natura Impact Statement, the Board is not satisfied that it has been demonstrated that the proposed development individually or in combination with other plans or projects would not adversely affect the integrity of the Cummeen Strand /Drumcliff Bay (Sligo Bay) Special Area of Conservation (SAC) and Cummeen Strand Special Protection Area SPA in view of the sites' Conservation Objectives. In such circumstances the Board is precluded from granting permission.
2. Under the Waste Management (Certification of Historic Unlicensed Waste Disposal and Recovery Activity) Regulations 2008, Sligo County Council were required to carry out a risk assessment of environmental pollution associated with the closed Finisklin Landfill. Having completed the risk assessment, a site remediation plan has been prepared and authorised by the Environmental Protection Agency. These remediation measures are required to be implemented before any new buildings can be constructed within the site of the former landfill. It is considered, therefore, that the proposed development is premature pending the **completion** of these remediation measures

required to address the environmental contamination risks associated with the closed landfill.

3. The Board is not satisfied, based on documentation submitted with the application and appeal, that the proposals for management of surface water during construction and operational phases of development are adequate. It is considered that the proposed development would pose an unacceptable risk of environmental pollution having regard to the potential of contaminated leachate discharging to surface waters, groundwater and marine waters. The proposed development would therefore be contrary to the proper planning and sustainable development of the area.

Board Member


Patricia Calleary

Date: 27/01/2023