



An  
Bord  
Pleanála

**Board Direction**  
**BD-014504-23**  
**ABP-313922-22**

The submissions on this file and the Inspector's report were considered at a Board meeting held on 08/11/2023.

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 lack of capacity within the Oldtown Wastewater Treatment Plant to accommodate the additional loading generated by this development and notwithstanding the indication from Fingal County Council that a project to provide additional wastewater capacity in Oldtown is to be delivered as part of Uisce Éireann's Towns and Villages Growth Programme, it is considered that pending clarity and certainty on the timelines to progress the necessary upgrade works through design, planning and all relevant consents, the proposed development would be premature by reason of the existing deficiency in sewerage facilities. The proposed development would therefore be prejudicial to public health and would be contrary to the proper planning and sustainable development of the area.
2. Having regard to the existing deficiencies in the Oldtown Wastewater Treatment Plant, the lack of certainty in respect of future capacity improvements to the Oldtown WWTP, the appropriate assessment documentation including Natura Impact Statement submitted with the application on 24<sup>th</sup> March 2022, and the absence of any assessment of the

potential for effects from the deficiencies in the existing sewerage infrastructure, the Board is not satisfied that the proposed development individually, or in combination with other plans or projects would not adversely affect the integrity of European site(s) including the Rogerstown Estuary SAC (Site code 000208) and Rogerstown Estuary SPA ( Site Code 004015) Malahide Estuary SPA (Site Code 004025) Malahide Estuary SAC (Site Code 00205) in light of their conservation objectives. In such circumstances the Board is precluded from granting permission.

**Board Member**

Patricia Calleary,  
Patricia Calleary

**Date:** 08/11/2023