

An
Coimisiún
Pleanála

Direction
CD-021743-26
ABP-322055-25

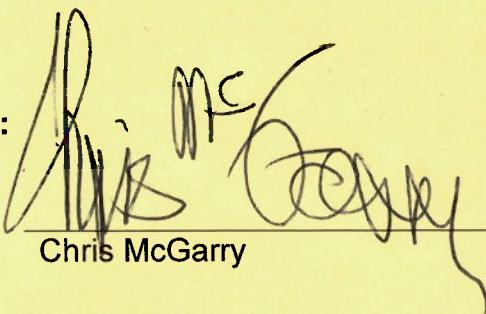
The submissions on this file and the Inspector's report were considered at a meeting held on 16/01/2026.

The Commission decided to refuse permission for the discharge licence for the following reasons and considerations.

Planning

Commissioner:

Date: 16/01/2026



Chris McGarry

DRAFT WORDING FOR ORDER

Reasons and Considerations

Having regard to the specific facts of the case, including that no planning consent exists for a wastewater treatment plant of the precise form and nature which is described in the licence application documentation as being the plant from which the proposed discharge the subject of this licence is intended to be sourced, and noting the provisions of Section 8(2) of the Local Government (Water Pollution) Act 1977, as amended, which state that An Bord Pleanala (now An Coimisiún Pleanála), after consideration of an appeal under this section, shall as it thinks proper allow or refuse the appeal, it is considered that it would not be appropriate to grant a licence in this context and that a grant of permission for the licence at this time would not be in accordance with the proper sustainable development of the site.

In deciding not to accept the Inspector's recommendation to grant permission, the Commission noted and shared the detailed technical opinion of the Inspector that '*...the proposed wastewater treatment system has been designed appropriately, will be installed in a suitable setting and location, can be operated within the required parameters and conditions and will have no lasting adverse impacts on groundwater, surface waters and downstream Natura sites*'. However, the conditions of the licence specifically relate to a particular wastewater treatment plant from which discharge is intended to issue. No consent exists for such a plant and in this regard allowing a licence for discharge in the absence of a confirmed wastewater source consistent with the detail set out in the licence application would not be in accordance with the sustainable development of the area. For this reason the Commission decided not to accept the recommendation of the inspector, though The Commission fully accepted the technical assessment of the inspector.