

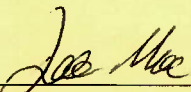
An
Coimisiún
Pleanála

Direction
CD-022335-26
ACP-323218-25

The submissions on this file and the Inspector's report were considered at a meeting held on 17/07/2026.

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

Planning Commissioner:


Declan Moore

Date: 21/07/2026

DRAFT WORDING FOR ORDER

Reasons and Considerations

1. Having regard to the submissions made in connection with the application and the appeal, together with the further information submitted to An Coimisiún Pleanála in response to a notice issued under Section 132 of the Planning and Development Act 2000, as amended, including an Appropriate Assessment Screening Report, the Commission is not satisfied that it has been demonstrated that the proposed development either individually, or in combination with other plans or projects, would not be likely to have significant effects on the Ballysadare Bay Special Area of Conservation (Site Code: 000622) or the Ballysadare Bay Special Protection Area (Site Code: 004129), in view of the sites' Conservation Objectives. With regard to Battery Energy Storage Systems, a key environmental consideration during a fire

event is the run-off of firewater. Whilst the proposed development makes provision for on-site water storage to meet firefighting requirements, the Commission is not satisfied that the applicant has provided sufficient technical information to demonstrate that the drainage strategy accounts for firewater runoff, including technical information to demonstrate that the protection measures are sufficient to contain and manage firewater run-off. By association with the above, based on the information submitted and having regard to potential surface and ground water hydrological connections between the site and Ballysadare Bay, the Commission is not satisfied that the applicant has adequately considered the potential contamination by firewater runoff of surface and ground water; therefore, there is uncertainty as to the likely significant effects on Ballysadare Bay Special Area of Conservation and Ballysadare Bay Special Protection Area. In the absence of more detailed information, or a Natura Impact Statement, adverse effects on the integrity of Ballysadare Bay Special Area of Conservation or Ballysadare Bay Special Protection Area cannot be excluded.

2. Having regard to the nature and location of the proposed development, including the site's location within the Carrowmore West ground waterbody, which is designated as a good status water body under the Water Framework Directive, and on the basis of the information provided with respect to the management of firewater runoff, the Commission is not satisfied that the proposed development would not give rise to a risk of deterioration in the ecological and/or chemical status of the said water body. The proposed development would be, therefore, contrary to the requirements of Article 4 of the EU Water Framework Directive (2000/60/EC), as transposed into Irish law by the European Communities (Water Policy) Regulations 2003 (S.I. No. 722 of 2003), as amended and would not comply with the objectives of the Water Action Plan 2024. The proposed development would be contrary to the proper planning and sustainable development of the area.