

An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2015

Kilkenny County

Planning Register Reference Number: 15/306

An Bord Pleanála Reference Number: PL 10.245770

APPEAL by Irish Water of Colvill House, 24-26 Talbot Street, Dublin against the decision made on the 19th day of October, 2015 by Kilkenny County Council to grant subject to conditions a permission in accordance with plans and particulars lodged with the said Council.

PROPOSED DEVELOPMENT: Works as part of an upgrade to the Inistioge Water Supply Scheme and consisting of construction of 17.62 kilometres of watermain from Grennan in Thomastown to the existing reservoir site at Ballygub, Inistioge, as well as the following developments; (A) Grennan, Thomastown; construction of a new treated water reservoir, ultraviolet treatment facility and associated site works including site drainage, fencing and site access - all within the existing reservoir site. (B) Ballyduff, Inistioge: construction of a watermain within a concrete surround, and air valve kiosk - on Ballyduff Bridge, a Protected Structure. (C) Kilmacshane, Inistioge: construction of a new treated water reservoir, instrumentation kiosk and associated site works, including site drainage, fencing and site access - all on a greenfield site. (D) Kilcross, Inistioge - installation of booster pumps within a proposed over ground kiosk with retaining walls, fencing and associated site works. (E) Ballygub, Inistioge: Infill of existing tanks and removal of existing mechanical equipment - all within the existing treated reservoir site, all at Grennan, Thomastown; Ballyduff, Inistioge; Kilmacshane, Inistioge; Kilcross, Inistioge, and Ballygub, Inistioge, County Kilkenny.

DECISION

Having regard to the nature of the conditions the subject of the appeal, the Board is satisfied that the determination by the Board of the relevant application as if it had been made to it in the first instance would not be warranted and, based on the reasons and considerations set out below, directs the said Council under subsection (1) of section 139 of the Planning and Development Act, 2000 to REMOVE condition number 12 and the reason therefor and to AMEND condition number 13(k) so that it shall be as follows for the reason set out.

13. (k) (i) The total residual chlorine levels in any discharges to waters from the Grennan reservoir and associated pipe work shall not exceed 0.5mg/l and shall only discharge during periods when water levels in the River Nore exceed 75 percentile flows.
- (ii) The total residual chlorine levels in any discharge to waters associated with the Inistioge reservoir and associated pipe work shall not exceed 0.5mg/l and shall only discharge during periods when water flows in the River Nore exceed 50 percentile flows.
- (iii) The cleansing/scouring of the Grennan reservoir and associated pipe works and the cleansing/scouring of the Inistioge reservoir and associated pipe work should not take place within the same 24 hour period.

Reason: In the Interest of protecting the environment.

REASONS AND CONSIDERATIONS

Having regard to the proposed operational arrangements to be employed for the flushing of pipes on completion of the works and during operation, including limits on chlorine discharges of 0.05 mg/l and the limiting of discharges from pipes and reservoirs to periods when the river flow is higher than the 75 percentile flow rate and 50 percentile flow rate respectively, the Board considered that condition number 12 was not necessary to ensure that the quality of receiving waters was safeguarded.

Having regard to the application of these same operational arrangements in the context of condition number 13(k), to the infrequency of the scouring activity and to the assimilative capacity of the receiving waters with respect to

chlorine the Board considered that the proposed amendments to the condition were appropriate and would ensure the safeguarding of the quality of the waters.

MATTERS CONSIDERED

In making its decision, the Board had regard to those matters to which, by virtue of the Planning and Development Acts and Regulations made thereunder, it was required to have regard. Such matters included any submissions and observations received by it in accordance with statutory provisions.

**Member of An Bord Pleanála
duly authorised to authenticate
the seal of the Board.**

Dated this day of 2016.