

An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2016

Sligo County

Planning Register Reference Number: 15/227

An Bord Pleanála Reference Number: PL 21.246218

APPEAL by Irish Water of Colvill House, 24-26 Talbot Street, Dublin against the decision made on the 1st day of February 2016 by Sligo County Council to refuse permission.

PROPOSED DEVELOPMENT: Construction of an interim Water Treatment Plant (WTP) consisting of a new WTP building (gross floor area 1,095 square metres approximately), tank structures, underground water mains, construction of a new entrance/egress onto the R294 road, landscaping and site development works at this interim WTP site, construction of water mains at the site of the existing Lough Talt WTP and also interconnecting water main pipework laid along the R294 road all at Gortersluin, Lough Talt, County Sligo.

DECISION

REFUSE permission for the above proposed development based on the reasons and considerations set out below.

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.

REASONS AND CONSIDERATIONS

The proposed development of an upgraded water treatment plant is functionally dependent on the water supply from Lough Talt, which are integral elements of the overall Lough Talt Regional Water Supply Scheme. On the basis of the submissions and documentation on file, including the submissions of the Department of Arts, Heritage, Regional, Rural and Gaeltacht Affairs, the report of the Heritage Officer, the reason for the determination of the planning authority, the report and recommendation of the Inspector, and in particular the revised Natura impact statement submitted in response to the request from An Bord Pleanála, the Board is not satisfied that the proposed development, in combination with the water abstraction on which it relies, would not adversely affect the integrity of the Lough Hoe Bog Special Area of Conservation (Site Code 000633) or of the River Moy Special Area of Conservation (Site Code 002298) in view of the conservation objectives for those Sites. Possible adverse effects on qualifying interests for these European Sites have been identified, which effects are linked to or may be exacerbated by water abstraction from the lake. Neither was the Board satisfied that the proposed mitigation measures would adequately protect against exacerbation of the effects of natural events. The conclusion of the revised Natura Impact Statement in Chapter 9, which is that adverse effects on the integrity of these European Sites cannot be excluded, is notable. Without certainty as to the absence of adverse effects on the integrity of these Sites, the Board is precluded from giving further consideration to a grant of planning permission in this instance.

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

Dated this day of 2017.