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**Planning and Development Acts 2000 to 2018**

**Planning Authority: Cavan County Council**

**Planning Register Reference Number: 17/112**

**APPEAL** by Joseph Moynagh of Lakeview House, Tonagh, Mountnugent, County Cavan and by John Lovatt of 9 Fairways, Donabate, County Dublin against the decision made on the 26<sup>th</sup> day of January, 2018 by Cavan County Council to grant subject to conditions permission to The Cavan Centre care of Kelliher Miller Architects of 10 Blessington Court, Dublin.

**Proposed Development** Erection of a single storey detached boathouse facility with associated training and changing rooms together with Oakstown waste water treatment system and associated site works. This application relates to a proposed development adjoining a Special Protection Area. A Natura Impact Statement was submitted to the planning authority with the application, all at Lough Sheelin, Tonagh, Mountnugent, County Cavan, as revised by the further public notice received by the planning authority on the 28<sup>th</sup> day of November, 2017.

**Decision**

**REFUSE** permission for the above proposed development in accordance with 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**

Having regard to the location of the site, adjoining the Lough Sheelin Special Protection Area (Site Code 004065), and to the location of the proposed waste water treatment system within close proximity to the lake shore and within a location which is prone to flooding, the Board is not satisfied, on the basis of the submissions made in connection with the planning application and appeal, that effluent from the development can be satisfactorily treated on site. The proposed development would, therefore, be prejudicial to public health and likely to have a significant effect, both individually and in combination with other plans or projects on the conservation objectives of the Lough Sheelin Special Protection Area. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

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**Paul Hyde**

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

**Dated this            day of            2018.**