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## **Planning and Development Acts 2000 to 2019**

**Planning Authority: Laois County Council**

**Planning Register Reference Number: 19/328**

**Appeal** by Irish Water of PO Box 6000, Dublin against the decision made on the 9<sup>th</sup> day of March, 2020 by Laois County Council to grant subject to conditions a permission in accordance with plans and particulars lodged with the said Council.

**Proposed Development:** The upgrade the existing wastewater treatment plant to a capacity of 900 PE incorporating: selector tank, twin aeration tanks, three final settlement tanks, flow splitting chambers, sludge return and wastage pumps, air blowers, sludge storage tank, interconnecting pipework and ducting, welfare facilities and internal access road extensions, at Ballyroan, County Laois. A Natura Impact Statement (NIS) has been prepared in respect of the proposed development.

## **Decision**

Having regard to the nature of the condition 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 7 and the reasons therefor.

## **Reasons and Considerations**

Having regard to the nature and scale of the proposed development, which relates to the upgrading of the existing wastewater treatment plant accessed by way of an existing and established vehicular entrance, where the vehicular entrance did not form part of the planning application and where no intensification of use of the entrance will occur, it is considered that the modifications and alterations required by condition number 7 of the planning authority's decision is not justified or warranted in this instance.

## **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.

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**Dave Walsh**

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

**Dated this            day of            2020**