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**Planning and Development Acts 2000 to 2021**

**Planning Authority: Sligo County Council**

**Planning Register Reference Number: 21/334**

**APPEAL** by Carbon Sole Group Limited care of Jennings O'Donovan and Partners Limited of Finisklin Business Park, Sligo against the decision made on the 20<sup>th</sup> day of October, 2021 by Sligo County Council to refuse permission for the proposed development.

**Proposed Development:** Construction of a Biomass processing and storage area utilising forestry products. Construction of a Gasification and Methanation Plant including buildings for the production of advanced biofuels. Construction of a Gasification and Combined Heat Power Plant including building for the production of electricity and heating. Construction of Containerised Battery Storage Facility (20 megawatts). Construction of a Thermal Energy recovery and storage facility including buildings for district heating distribution. Construction of two on-site 38kV substations. Creation of a new access from Finisklin Road. All ancillary development, including the provision of site office, car parking, internal access roads, perimeter landscaping, fencing, lighting, and on-site drainage all on a 3.9 hectare site, in the townland of Finisklin, Finisklin Road, County Sligo.

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## Decision

**REFUSE permission for the above proposed development in accordance with the reasons and considerations set out below.**

## Reasons and Considerations

1. Having regard to the information provided with the application and appeal, including the Natura Impact Statement, the Board is not satisfied that it has been demonstrated that the proposed development individually or in combination with other plans or projects would not adversely affect the integrity of the Cummeen Strand /Drumcliff Bay (Sligo Bay) Special Area of Conservation (Site Code: 000627) and Cummeen Strand Special Protection Area (Site Code: 004035) in view of the sites' Conservation Objectives. In such circumstances the Board is precluded from granting permission.
2. Under the Waste Management (Certification of Historic Unlicensed Waste Disposal and Recovery Activity) Regulations 2008, Sligo County Council were required to carry out a risk assessment of environmental pollution associated with the closed Finisklin Landfill. Having completed the risk assessment, a site remediation plan has been prepared and authorised by the Environmental Protection Agency. These remediation measures are required to be implemented before any new buildings can be constructed within the site of the former landfill. It is considered, therefore, that the proposed development is premature pending the **completion** of these remediation measures required to address the environmental contamination risks associated with the closed landfill.

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3. The Board is not satisfied, based on documentation submitted with the application and appeal, that the proposals for management of surface water during construction and operational phases of development are adequate. It is considered that the proposed development would pose an unacceptable risk of environmental pollution having regard to the potential of contaminated leachate discharging to surface waters, groundwater and marine waters. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

*Patricia Calleary*

**Patricia Calleary**

**Member of An Bord Pleanála**

**duly authorised to authenticate**

**the seal of the Board**



Dated this *30* day of *January* 2023