

Planning and Development Acts 2000 to 2022

Planning Authority: Mayo County Council

Planning Register Reference Number: P22/160

APPEAL by Funshinagh/Cross Group Water Scheme care of John Diskin of Stradbally North, Clarinbridge, County Galway against the decision made on the 26th day of April, 2022 by Mayo County Council to refuse permission for the proposed development.

Proposed Development: Retention of recently drilled borehole plus permission for a new single storey treatment plant building at Castletown Townland, Cross, Cong, County Mayo.

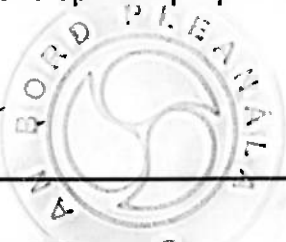
Decision

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

Reasons and Considerations

1. It is considered that the applicant has not demonstrated that the proposed development can supply a viable and sustainable supply to meet the requirements of the Funshinagh/Cross Group Water Scheme or that the proposed development would not impact negatively on the groundwater resource. In the absence of such information and having regard to Article 5 of the European Communities Environmental Objectives (Groundwater) Regulations 2010 which requires that a public authority, in the performance of its functions, shall not undertake those functions in a manner that knowingly causes or allows deterioration in the quantitative or chemical status of a body of groundwater, it is considered that the proposed development would constitute a threat to the quantitative status of a ground water body and would, therefore, be contrary to the proper planning and sustainable development of the area.
2. On the basis of the information provided with the application and appeal and in the absence of a Natura Impact Statement, the Board is not satisfied that the proposed development individually, or in combination with other plans or projects would not be likely to have a significant effect on the Lough Corrib Special Protection Area (site code 004042) and Lough Corrib Special Area of Conservation (site code 000297) in view of the sites' conservation objectives. In such circumstances, the Board is precluded from granting permission for the development proposed.


Mary Cregg


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

Dated this 9th day of October 2023.