

An
Coimisiún
Pleanála

Direction
CD-020480-25
ABP-322394-25

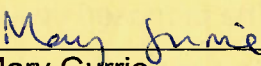
The submissions on this file and the Inspector's report were considered at a meeting held on 13/08/2025.

The Commission decided to refuse permission for the following reasons and considerations.

Planning

Commissioner:

Date: 25/08/2025



Mary Gurrie

DRAFT WORDING FOR ORDER

Reasons and Considerations

1. Having regard to the entirety of the information on file it is evident that there is a waste facility on the landholding, however the Commission is not satisfied that the existing site layout is that which was permitted under planning permission reference 17/196 and the Commission considered therefore that the applicant has not demonstrated that permission ref. 17/196 has been implemented. As the development the subject of this permission is ancillary to the permitted development under Ref. 17/196, and as it is not evident the permitted

development 17/196 has been implemented, it would not therefore be in accordance with the orderly development of the area to permit the development as proposed. The Commission also considered that the proposed development does not accord with Policy Objective EDO 54 of the Mayo County Development Plan 2022-2028 as the proposed use is not dependent on this location. The proposed development therefore is not in accordance with the proper planning and sustainable development of the area.

2. Having regard to the Landscape Proposal, received by the Planning Authority on 08 October 2024, which proposes the reinstatement of the site back to agricultural farmland it is considered that the applicant has not demonstrated that the proposed development and associated activities would be adequately screened or landscaped. The Commission considered that the scale, design and use of the proposed development would consolidate the existing negative impacts on visual and residential amenity of the entire site on the surrounding area, contrary to Policy Objective EDO 54 of the Mayo County Development Plan 2022-2028 which aims to facilitate rural enterprises in rural locations that are dependent on their location and which do not have significant adverse impacts on residential or visual amenity. The proposed development would therefore be contrary to the proper planning and sustainable development of the area.

In deciding not to accept the Inspector's recommendation to grant permission, the Commission considered that given the proposed development is to be ancillary to a permitted development 17/196, the implementation of that development is pertinent to the current decision. The matter of enforcement falls under the jurisdiction of the Planning Authority.

Note: The Commission considered that the Natura Impact Statement submitted with the application had not adequately considered the potential impact of the proposed development on the Clew Bay Complex Special Area of Conservation (Site Code 001482) and in particular had not adequately considered the cumulative impact of

the activities on site including land reclamation, waste storage activities, and cut and fill works, given the proximity to the Mayour_010 river waterbody which bounds the site to the east and which flows to Clew Bay. While ordinarily this would warrant further consideration and a request for further information, in this instance given the substantive reasons for refusal above, it was decided not to pursue these matters under the current appeal.