

An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2015

Meath County

Planning Register Reference Number: KA/150093

An Bord Pleanála Reference Number: PL 17.245707

APPEAL by Fyanstown Community Group care of Bob Duignan of Fyanstown, Kells, County Meath against the decision made on the 6th day of October, 2015 by Meath County Council to grant subject to conditions a permission to Eugene Reilly care of Biocore Environmental Limited of Clarity House, First Floor, Belgard Road, Tallaght, Dublin in accordance with plans and particulars lodged with the said Council.

PROPOSED DEVELOPMENT: Retention of use of two agricultural storage sheds for storage of sludge/biosolids at Fyanstown, Kells, County Meath.

DECISION

REFUSE permission for the above proposed development based on 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

1. It is considered that the agricultural sheds on site are not suitable for the handling, storage and treatment of sludge/biosolids on the grounds that the structures and boundary walls around the subject site do not appear to incorporate sufficient structural integrity to ensure that all effluent can be sufficiently contained within the site. The use of the structures and site for the storage of sludge/biosolids would, therefore, be prejudicial to public health and would give rise to a serious risk of environmental pollution.
2. It is considered that insufficient information has been submitted with the planning application detailing the methods involved in the treatment of sludge. The Board is not satisfied that the applicant has adequately demonstrated that there will be no requirement to store hydrated lime on site for use in the treatment process having regard to the number of deliveries of waste to the site on a weekly basis and the requirement to treat sludge on a weekly basis. In the absence of such details, it is considered that the use of the site for the storage and treatment of sludge/biosolids would be prejudicial to public health and would give rise to a serious risk of environmental pollution.
3. Having regard to the number of houses in the area, to the traffic and odours arising from the development to be retained, and to the proximity of the subject application site to the current proposal for a similar type facility under planning application planning register reference number KA15/1141, it is considered that in evaluating the proposed development, the applicant has failed to take into consideration potential cumulative impacts arising from both developments. In the absence of such an assessment, the Board is not satisfied that the proposed development to be retained would not seriously injure the amenities of the area and of property in the vicinity.

4. On the basis of the information provided with the application and appeal and the absence of a Natura impact statement, the Board cannot be satisfied that the proposed development individually, or in combination with other plans and projects would not be likely to have a significant effect on the River Boyne and Blackwater Special Area of Conservation (Site Code 002299) in view of the site's conservation objectives.

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

Dated this day of 2016.