

Board Order **PL 16.246323**

Planning and Development Acts 2000 to 2017

Planning Authority: Mayo County Council

Planning Register Reference Number: P15/92

Appeal by Niall Kelly of Greenwood, Bekan, Ballyhaunis, County Mayo against the decision made on the 25th day of February, 2016 by Mayo County Council to grant subject to conditions a permission to Eugene Lannon care of Waldron and Associates of The Square, Claremorris, County Mayo.

Proposed Development: Construction of a new Poultry House with a total of 38,000 places for broiler chickens and a new silo, together with all ancillary site works and services at Greenwood, Bekan, County Mayo, as amended by the further public notice received by the planning authority on the 2nd day of February, 2016 and as amended by the further public notices received by An Bord Pleanála on the 7th day of June, 2016 and on the 11th day of April, 2017.

Decision

REFUSE permission for the above proposed development in accordance with 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

Having regard to the nature and scale of the proposed development, its location and proximity to dwellings in the vicinity, the Board is not satisfied on the basis of the information on the file that the noise and odour resulting from the proposed development would not seriously injure the amenities of property in the vicinity and would, therefore, be contrary to the proper planning and sustainable development of the area.

On the basis of the appropriate assessment screening report submitted and the information contained on file, the Board is not satisfied that adequate information has been provided to conclude that a Stage 2 Appropriate Assessment of potential impacts on the River Moy Special Area of Conservation (Site Code 002298) was not warranted. It is, therefore, considered that the Board is unable to ascertain, as required by section 27(3) of the European Communities (Natural Habitats)

Regulations, 1997, that the proposed development would not adversely affect the integrity of the European site and it is considered that the proposed development would be contrary to the proper planning and sustainable development of the area.

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

Dated this day of 2017

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