

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. On the basis of the information provided with the application and the appeal, including the Natura Impact Statement, and having regard to the potential for in-combination effects from sediment run-off and nutrient additions during the construction phase and from subsequent felling operations to the Owenbrin River, which has a hydrological pathway to the Lough Carra/Mask Complex Special Area of Conservation (site code 001774) and the Lough Mask Special Protection Area (site code 004062), the Board is not satisfied that the proposed development either individually, or in combination with felling and replanting operations, would not adversely affect the integrity of these European Sites, in view of the sites' conservation objectives. In such circumstances, the Board is precluded from granting permission for the proposed development.

2. On the basis of the information contained in the planning application, the Environmental Impact Statement/Environmental Impact Assessment Report (EIS/EIAR), and the submissions on file, the Board is not satisfied that a full and adequate assessment of the potential impacts of the proposed development on the environment has been carried out and that the submitted Environmental Impact Statement/Environmental Impact Assessment Report meets the requirements of Article 94 of the Planning and Development Regulations, 2001 (as amended). In particular, the potential adverse cumulative impacts from the proposed road construction and subsequent felling and replanting operations in terms of sediment run-off and nutrient additions to surface water, have not been adequately addressed in the Environmental Impact Statement/Environmental Impact Assessment Report. In the absence of such a full and adequate assessment, it is not considered that it has been demonstrated that the proposed development would not have significant negative impacts on the environment. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

3. It is an objective of the Mayo County Development Plan 2014-2020 (Objective VP-01) to ensure that development does not adversely interfere with views and prospects worthy of preservation and protection. This objective is considered reasonable. The proposed development, extending along the floor of a scenic valley, would appear as an intrusive feature from an elevated viewing point illustrated on Map 4 of the Development Plan as being worthy of preservation and protection. The proposed development would seriously injure the visual amenities of the area, would interfere with the character of the scenic mountainous landscape, and would be contrary to Objective LP-01 of the Mayo County Development Plan 2014-2020. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

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

Dated this day of 2019.