



Planning and Development Acts 2000 to 2019

Planning Authority: Mayo County Council

Planning Register Reference Number: P18/369

APPEAL by Pollution and Construction Solutions Limited trading as The Japanese Knotweed Company care of Planning Consultancy Services of Suite 3, Third Floor, Ross House, Victoria Place, Eyre Square, Galway against the decision made on the 17th day of April, 2019 by Mayo County Council to refuse permission.

Proposed Development: (a) Development of a recovery facility for soil and stone waste (24,000 tonnes per annum, including soils containing Japanese Knotweed), (b) the subsequent infilling of a disused quarry, (c) construction of two number storage sheds, hardstand area and car parking area, (d) erection of welfare and office buildings, wheelwash, weighbridge and inspection gantry, (e) drainage including a water well and (f) all associated site works, at Hazelhill/Drumbaun, Ballyhaunis, County Mayo as amended by the revised public notices received by the planning authority on the 21st day of December 2018.

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

1. Having regard to the location of the proposed development in close proximity to residential dwellings, the Board is not satisfied on the basis of the information submitted with the application, the Environmental Impact Assessment Report and the appeal, that the proposed development would not seriously injure the amenities of properties in the vicinity by reason of noise, dust and general disturbance arising from the proposed filling of land close to these properties. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.
2. The Board is not satisfied on the basis of the information provided with the application and appeal that the proposed development would not result in contamination of ground waters or pollution of surface waters within the vicinity of the site. Accordingly, it is considered that the proposed development would pose an unacceptable risk of environmental pollution and would, therefore, be contrary to the proper planning and sustainable development of the area.

3. The Board is not satisfied on the basis of the information provided with the application and appeal that the proposed development individually, or in combination with other plans or projects would adversely affect the integrity of European Sites Lough Corrib Special Area of Conservation (Site Code: 000297) and Lough Corrib Special Protection Area (Site Code: 004042), in view of the sites' Conservation Objectives. In such circumstances the Board is precluded from granting permission.

John Connolly

Member of An Bord Pleanála

duly authorised to authenticate

the seal of the Board

Dated this day of 2019