

Planning and Development Acts 2000 to 2020

Planning Authority: Kerry County Council

Planning Register Reference Number: 20/673

APPEAL by Roy Dineen of Dromkeen West, Causeway, County Kerry and by others against the decision made on the 16th day of December, 2020 by Kerry County Council to grant subject to conditions a permission to Sandford Energy Limited care of Philip O'Dwyer of Foxfort, Causeway, County Kerry in accordance with plans and particulars lodged with the said Council.

Proposed Development: (1) Two digestion tanks, (2) a storage silo with associated sump tank, (3) Biogas flare, (4) an ESB substation for the completion of an agricultural anaerobic digestion facility, (5) a concrete underground covered soiled water tank, (6) to construct a water attenuation tank or storm/rain water on site, (7) a percolation area for the soiled yard rainwater complete with Class 1 oil interceptor/separator and silt traps, (8) to retain and complete building containing pasteurisation pump room, offices combined heat and power engine (CHP), (9) retain machinery shed, (10) retain underground concrete tank, (11) retain new entrance road onto public road and (12) all ancillary site works at Dromkeen West, Causeway, Tralee, County Kerry, as amended by the further public notices received by the planning authority on the 19th day of November, 2020.

MP

Decision

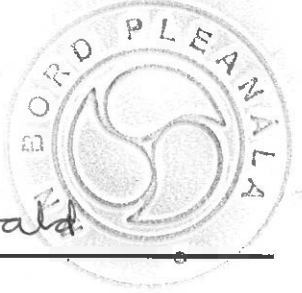
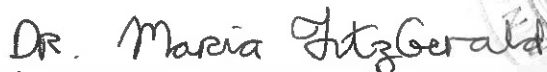
REFUSE permission for the above proposed development in accordance with the reasons and considerations set out below.

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

On the basis of the information provided with the application and appeal and in the absence of a Natura Impact Statement, the Board cannot be satisfied that the proposed development individually, or in combination with other plans or projects would not adversely affect the integrity of the Lower River Shannon Special Area of Conservation (Site Code: 002165) in view of the site's conservation objectives. In such circumstances, the Board is precluded from granting permission.



Maria FitzGerald

Member of An Bord Pleanála

**duly authorised to authenticate
the seal of the Board.**

Dated this 25th day of June 2021.