

Planning and Development Acts 2000 to 2020

Planning Authority: Leitrim County Council

Planning Register Reference Number: P.20/229

APPEAL by Sean McMorrow of Clooneen, Manorhamilton, County Leitrim against the decision made on the 12th day of May, 2021 by Leitrim County Council to refuse permission.

Proposed Development: 1) Construct a six bay double slatted sheep shed, 2) construct a four bay double lambing shed with adjoining dipping pond to service a mobile sheep handling unit, 3) demolish two existing sheds along with an already decommissioned septic tank and all ancillary site works at Ross Townland, Manorhamilton, County Leitrim.

Decision

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

Matters Considered

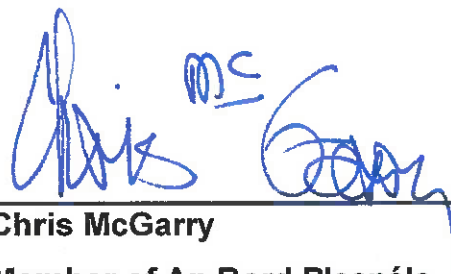
In making its decision, the Board had regard to those matters to which, by virtue of the Planning and Development Acts and Regulations made thereunder, it was required to have regard. Such matters included any submissions and observations received by it in accordance with statutory provisions.

Reasons and Considerations

1. The Board is not satisfied, on the basis of the information provided with the application and appeal and in the absence of a Natura Impact Statement, that the proposed development individually, or in combination with other plans or projects, would not be likely to have significant effects on European Site – Lough Gill Special Area of Conservation (Site Code: 001976) in view of the site's Conservation Objectives. In such circumstances, the Board is precluded from granting planning permission.
2. The Board is not satisfied, on the basis of the information provided with the application and appeal, that the proposed development would not be prejudicial to public health and would not have a significant adverse impact on the environment, by reason of potential water pollution from land spreading within the areas identified for such purposes in the application documentation. The proposed development would, therefore, be prejudicial to public health and would be contrary to the proper planning and sustainable development of the area.

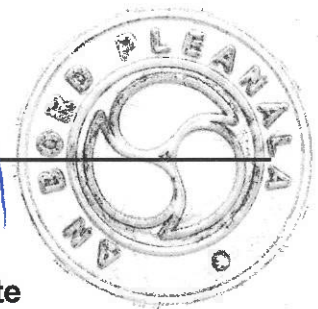


In deciding not to accept the Inspector's recommendation to grant permission, the Board noted the proximity of an area identified for land spreading, to the Lough Gill Special Area of Conservation (Site Code: 001976) and considered that the detail submitted with the application including the Appropriate Assessment Screening, was not sufficient to allow a conclusion of no potential significant effect on the European Site. Furthermore, the Board considered that the assessment provided by the applicant, of the spread lands at Geskanagh Glebe was not sufficiently precise to ensure that a judgement of no potential impact on the environment could be reached. In coming to this conclusion, the Board noted the comment of the Inspector that the trial holes at the Ross Townland were not undertaken on the spread lands identified as part of the applicant's further information response and that the two trial holes on the lands at Geskanagh Glebe area 'approaching depths of two metres'.



Chris McGarry

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



Dated this 24th day of November 2021