

An
Bord
Pleanála

Board Order ABP- 312172-21

Planning and Development Acts 2000 to 2022

Planning Authority: Wexford County Council

Planning Register Reference Number: 20211334

Appeal by Kilrane Concerned Residents Group on behalf of Darren Ó Ceallaigh of 48 Cúl Gréine, Cill Ruáin, Contae Loch Garman against the decision made on the 19th day of November, 2021 by Wexford County Council to grant permission subject to conditions to Tamer Metal Recycling Limited care of Millennium Design of 33 Skeffington Street, Wexford.

Proposed Development: Retention of change of use of existing storage units into a metal recycling facility unit. Planning permission is also sought for the (1) raising of the roof height and alterations to an existing unit, (2) erection of a truck unloading and storage building for use as part of the recycling facility and, (3) the erection of security fencing and gates to yard areas. This application is in relation to development which comprises an activity requiring a waste licence, waste facility permit register number WFP-WX-21-0181-01 all at Ballyknockan and Billygillane Big, E.D. Saint Helens, County Wexford.

Decision

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

05/06/2024

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Dated

Signed: Secretary

Elen Ingram

Reasons and Considerations

The appeal site is located within Kilrane Business Park on the edge of the village of Kilrane. The proposal seeks permission to retain a metal recycling facility use within Kilrane Business Park and permission for alterations to the structure. The development proposed to be retained is zoned for both Light Industrial purposes and Open Space and Amenity purposes within the Kilrane and Rosslare Harbour Settlement Plan as set out within Volume 3 of the Wexford County Development Plan 2022-2028. The proposed development falls within the definition of Waste Management Facilities as set out within the development plan. The use waste management facilities are listed as a use which is "not permitted" on both lands zoned for Light Industrial purposes and Open Space and Amenity purposes. Objective WM05 of the development plan sets out criteria to be satisfied where it is proposed to develop waste management facilities including "the proposal should comply with the zoning objective for the subject lands". The Development Management Guidance set out within Section 8.8.3 of the development plan furthermore outlines that "in general, no new waste disposal facility or Waste Transfer Station shall be located within 200 metres of a residence". The proposed development and development proposed to be retained would materially contravene the zoning objectives pertaining to the site as set out within the development plan and would be contrary to the requirements of Objective WM05 of the plan and the development management criteria for the siting of waste facilities relative to residential development. The proposed development and development proposed to be retained would, therefore, be contrary to the provisions of the development plan and to the proper planning and sustainable development of the area.

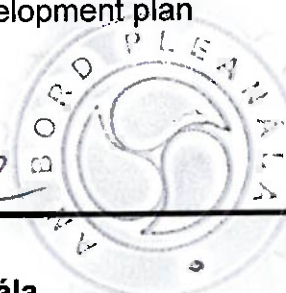


Una Crosse

Member of An Bord Pleanála

duly authorised to authenticate
the seal of the Board.

Dated this 24 day of October 2023



Board Order Quashed
By order of the High Court

Dated 05/06/2024

Signed: Secretary

