

Planning and Development Acts 2000 to 2022

Planning Authority: Mayo County Council

Planning Register Reference Number: P23/338

APPEAL by Moy Valley Biogas Limited care of Earth Science Partnership of Tonranny, Westport, County Mayo against the decision made on the 9th day of August, 2023 by Mayo County Council to refuse permission for the proposed development.

Proposed Development: Construction and continuous operation of an agricultural biogas renewable energy facility consisting of: two number primary digester tanks, two number post digester tanks with pump room, pasteurisation unit with auxiliary tanks, emergency flare with base and security fencing, two number agricultural solid feeders with associated concrete bases, two number underground pre-reception tanks, two number covered agricultural digestate storage tanks, gas combined heat and power (CHP) unit with concrete base, site office/control building with associated staff car parking area and wastewater treatment system and percolating area, biogas upgrading treatment and compression system, electric transformer and sub-station with security fence, agricultural feedstock storage clamp building, nutrient recovery system building with ancillary tanks and equipment, four number Ammonium Sulphate Solution (ASS) storage tanks with concrete bases, digestate drying and pelletising building, pellet storage building, weighbridge, construct new access and entrance improvement works, site

lighting with security cameras, surface water drainage system with storage pond and discharge system, boundary earth bunded areas, landscaping and boundary security fencing and all ancillary works located on lands measuring 4.0 hectares at Lislackagh and Carrowbaun, Swinford, County Mayo.

Decision

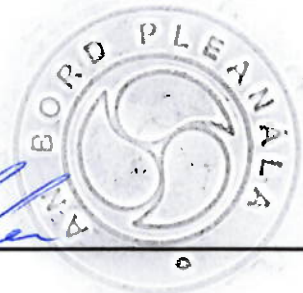
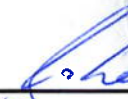

REFUSE permission for the above proposed development in accordance with the reasons and considerations set out below.

Reasons and Considerations

1. (a) The site is located on a minor country road that is seriously substandard in terms of width and alignment. The traffic generated by the proposed development would endanger public safety by reason of traffic hazard and obstruction of road users.

- (b) The site is accessible from the heavily trafficked National Primary Road N5 at a point where a speed limit of 100 km/h applies and the traffic turning movements generated by the development would interfere with the safety and free flow of traffic on the public road. The proposed development would also militate against national roads policy MTP 23 of the planning authority that is considered reasonable to preserve the level of capacity, efficiency and safety of the National Primary Road. It is considered that the proposed development necessitates significant and excessive improvements to the local road network. Furthermore, it has not been satisfactorily demonstrated that mitigation measures to restrict movements to and from the N5 National Primary route would be effective, thus the proposed development would endanger public safety by reason of traffic hazard.

2. On the basis of the information provided with the application and appeal, including the Natura Impact statement, the Board is not satisfied that the proposed development, either individually or in combination with other plans or projects, would not be likely to have a significant effect on the European Site – the River Moy Special Area of Conservation (site code 002298). In such circumstances, the Board is precluded from granting permission for the proposed development.



Stephen Bohan

Member of An Bord Pleanála

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

Dated this 28th day of November 2024.