



An
Bord
Pleanála

Board Order
ABP-318710-23

Planning and Development Acts 2000 to 2022

Planning Authority: Mayo County Council

Planning Register Reference Number: 22/1044

Appeal by Patricia Lulling and others care of Farry Town Planning Limited of Suite 180, 28 South Frederick Street, Dublin against the decision made on the 20th day of November, 2023 by Mayo County Council to grant subject to conditions a permission to Turin Components care of Lally Chartered Engineers of Údarás Business Park, Tourmakeady, County Mayo in accordance with plans and particulars lodged with the said Council:

Proposed Development: 1. Retention of two number manufacturing and storage buildings. 2. Retention of extraction system including flue, 3. Retention of a roofed delivery area at Dalgan Road, Shrulue, County Mayo.

Decision

GRANT permission for the above proposed development in accordance with the said plans and particulars based on the reasons and considerations under and subject to the conditions set out below.

Reasons and Considerations

It is considered that, subject to compliance with the conditions set out below, the proposed retention of two manufacturing and storage buildings, retention of extraction system including flue and retention of a roofed delivery area aligns with the Mayo County Development Plan Policy Objective EDO 21 and Section 4.4.8 in terms of indigenous industries in rural areas. The applicant has demonstrated that noise levels coming from the site are at acceptable levels and adequate dust monitoring controls are in situ, therefore the proposed development would not seriously injure the amenities of the area or the residential amenities of properties in the vicinity of the site. The development proposed for retention would, therefore, be in accordance with the proper planning and sustainable development of the area.

Appropriate Assessment Screening

The Board noted that the proposed development is not directly connected with or necessary to the management of a European Site. In completing the screening for Appropriate Assessment, the Board accepted and adopted the screening assessment and conclusion carried out in the Inspector's report in respect of identification of the European Site which could potentially be affected, either individually or in combination with other plans and projects, and that the development proposed to be retained would not be likely to have a significant effect on this European Site in view of the site's conservation objectives and that a Stage 2 Appropriate Assessment is not, therefore, required.

Conditions

1. The development shall be retained in accordance with the plans and particulars lodged with the application, as amended by the further plans and particulars received by the planning authority on the 10th day of August 2023 and the 25th day of October 2023, except as may otherwise be required in order to comply with the following conditions. Where such conditions require details to be agreed with the planning authority, the developer shall agree such details in writing with the planning authority and the development shall be retained in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. The hours of operation for the facility shall be between 0700 and 1900 hours Mondays to Fridays and between 0800 and 1400 on Saturdays and not at all on Sundays and public holidays.

Reason: In the interest of residential amenity.

3. The noise level from the development shall not exceed (a) 55 dB(A) rated sound level between the hours of 0700 to 1900, and (b) 45 dB(A) 15min rated sound level at all other times, corrected for a tonal or impulsive component, as measured at the nearest noise sensitive locations. Procedures for the purpose of determining compliance with this limit shall be submitted to, and agreed in writing with, the planning authority within six months of the date of this order.

Reason: To protect the residential amenities of property in the vicinity of the site.

4. Dust levels at the site boundary shall not exceed 350 milligrams per square metre per day averaged over a continuous period of 30 days (Bergerhoff Gauge). Details of a monitoring programme for dust shall be submitted to, and agreed in writing with, the planning authority. Details to be submitted shall include monitoring locations, commencement date and the frequency of monitoring results, and details of all dust suppression measures.

Reason: To control dust emissions arising from the development and in the interest of the amenity of the area.

5. No goods, raw materials or waste products shall be placed or stored between the front of the building and the public road.

Reason: In the interest of public health and visual amenity.

6. The developer shall pay to the planning authority a financial contribution in respect of public infrastructure and facilities benefiting development in the area of the planning authority that is provided or intended to be provided by or on behalf of the authority in accordance with the terms of the Development Contribution Scheme made under section 48 of the Planning and Development Act 2000, as amended. The contribution shall be paid prior to commencement of development or in such phased payments as the planning authority may facilitate and shall be subject to any applicable indexation provisions of the Scheme at the time of payment. Details of the application of the terms of the Scheme shall be agreed between the planning authority and the developer or, in default of such agreement, the matter shall be referred to An Bord Pleanála to determine the proper application of the terms of the Scheme.

Reason: It is a requirement of the Planning and Development Act 2000, as amended, that a condition requiring a contribution in accordance with the Development Contribution Scheme made under section 48 of the Act be applied to the permission.

Mary Gurrie

Mary Gurrie

Member of An Bord Pleanála

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



Dated this *24* day of *October* 2024