



An
Bord
Pleanála

Board Order 26.LV.3341

Planning and Development Acts 2000 to 2016

Planning Authority: Wexford County Council

Planning Register Reference Number: 20160916

Application for Leave to Appeal against the decision of the planning authority by James Galway of Tomgarrow, Adamstown, County Wexford having an interest in land adjoining the land in respect of which Wexford County Council decided on the 3rd day of May, 2017 to grant subject to conditions permission to Patsy Moore care of Enva Organics Limited of Clonminam Industrial Estate, Portlaoise, County Laois.

Proposed Development: Change of use of the existing grain storage shed to allow the storage of biosolids for use as an organic fertiliser on surrounding agricultural land at Misterin, Adamstown, County Wexford.

Decision

GRANT leave to appeal under section 37 (6) of the Planning and Development Act, 2000, as amended, based on 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

Having regard to the submissions and documents received in connection with the application for leave to appeal and the conditions set out in the planning authority's decision, it is considered that it has been shown that -

- (i) the development, in respect of which a decision to grant permission has been made, will differ materially from the development as set out in the application for permission by reason of condition number 6 imposed by the planning authority to which the grant is subject, and
- (ii) the imposition of condition number 6 will materially affect the applicant's enjoyment of the land adjoining the land in respect of which it has been decided to grant permission or reduce the value of the land.

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

Dated this day of 2017