

**An  
Bord  
Pleanála**

**Board Direction  
BD-010167-22  
ABP-310084-21**

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The submissions on this file and the Inspector's report were considered at a Board meeting held on 02/03/2022.

The Board decided to grant permission, for the following reasons and considerations, and subject to the following conditions.

### **Reasons and Considerations**

Having regard to the Galway County Development Plan 2015 – 2021, the planning history of the site, the Archaeological Assessment submitted by the applicant, the location of the recorded monument GA128-056 on the site, and the potential impact on the recorded monument of any further works, the Board considered that, subject to compliance with the conditions set out below, the development proposed for retention would be acceptable in terms of the Archaeological Heritage objectives of the Galway County Development Plan 2015. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area

Furthermore, having regard to the nature and modest scale of the proposed scheme comprising the retention of horse stables within an established equestrian yard and training area and its proximity to the East Burren Complex SAC (Site Code 001926) that directly adjoins the red line boundary of the appeal site to the north, no appropriate assessment issues arise, and it is not considered that the proposed development would be likely to have a significant effect, either individually or in combination with other plans or projects, on a European site.

In deciding not to accept the Inspector's recommendation to refuse permission, the Board is of the view, having regard to the nature and modest scale of the development proposed to be retained, its position within the site, notwithstanding the proximity of the East Burren Complex SAC (Code no. 001926) adjacent the northern boundary of the appeal site, the Board was satisfied that an NIS was not required.

### **Appropriate Assessment Screening**

The Board considered the appropriate assessment screening report and carried out an appropriate assessment screening exercise in relation to the potential effects of the development proposed to be retained on designated European sites. In completing the screening exercise, the Board concluded that, having regard to the nature and modest scale of the horse stables, the development proposed to be retained would not be likely to have a significant effect, either individually or in combination with other plans or projects, on any European site, including East Burren Complex Special Area of Conservation (Site Code 001926), in view of the conservation objectives of such sites, and that a Stage 2 Appropriate Assessment is not, therefore, required.

### **Conditions**

1. The development shall be retained, carried out and completed in accordance with the plans and particulars lodged with the application, 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, carried out and completed in accordance with the agreed particulars.

**Reason:** In the interest of clarity.

2. The proposed building shall be used solely for the housing of horses and ancillary uses. Notwithstanding the exempted development provisions of the Planning and Development Regulations 2001, or any statutory provision amending or replacing them, any change of use shall be the subject of a separate application for permission to the planning authority.

**Reason:** In the interest of orderly development.

3. All stable manure and foul waters generated by the proposed development and in the farmyard shall be conveyed through properly constructed channels to storage facilities for subsequent land spreading and no effluent or slurry shall discharge or be allowed to discharge to any stream, river or watercourse, or to the public road.

**Reason:** In the interest of public health.

4. Land spreading shall be carried out in accordance with the Nitrates Directive, European Communities (Good Agricultural Practice for the Protection of Waters) Regulations, 2009 (S.I. No. 1010 of 2009) and the European Communities (Good Agricultural Practice for the Protection of Waters) Regulations 2010 (S.I. No. 610 of 2010).

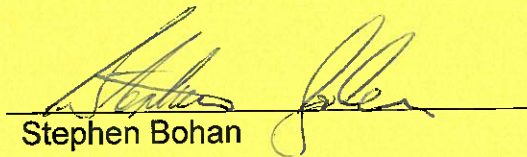
**Reason:** In the interest of public health.

5. All uncontaminated roof water from the buildings and clean yard water shall be separately collected and discharged in a sealed system to existing drains, streams or adequate soakpits and shall not discharge or be allowed to discharge to the foul effluent drains, foul effluent and slurry storage tanks or to the public road.

**Reason:** In order to ensure that the capacity of effluent and storage tanks is reserved for their specific purposes.

6. S.48

**Board Member**

  
Stephen Bohan

**Date:** 03/03/2022