



Planning and Development Acts 2000 to 2018

Planning Authority: Clare County Council

Planning Register Reference Number: P18/858

Appeal by Terry Coombes care of Cunnane Stratton Reynolds of 3 Molesworth Place, Dublin against the decision made on the 18th day of December, 2018 by Clare County Council to grant subject to conditions a permission to Melanie Evans care of Michael Duffy of 1 Clós Na hEaglaise, Kilfenora, County Clare in accordance with plans and particulars lodged with the said Council.

Proposed Development: Retention of six loose box stables, an ancillary store and a sand ring at Annagh, Miltown Malbay, County Clare.

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.

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 agricultural nature of the surrounding area, to the layout and limited scale of the proposed development and to the existing pattern of development in the area, it is considered that, subject to compliance with the conditions set out below, the development for which retention is sought would not seriously injure the visual amenities of the area or the residential amenity of property in the vicinity, and would not be prejudicial to public health. The development for which retention is sought would, therefore, be in accordance with the proper planning and sustainable development of the area.

Conditions

1. The development shall be retained 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.

Reason: In the interest of clarity.

2. All foul effluent and manures generated by the subject development shall be managed in accordance with the requirements of the European Union (Good Agricultural Practice for Protection of Waters) Regulations, 2017, as amended.

Reason: In the interest of public health.

3. The stables, shed and sand ring to which this retention permission relates shall not be used as a commercial enterprise and shall be used solely for purposes incidental to the enjoyment of the existing dwelling on site, unless any other use is permitted by a separate grant of planning permission.

Reason: In order to delimit the extent of the uses permitted to those for which application has been made, and to allow the planning authority to assess the impacts of any other uses of the permitted development on the rural environment and on the residential amenities of adjoining property through the statutory planning process.

4. All surface water generated within the site boundaries shall be collected and disposed of within the curtilage of the site and shall not discharge onto the public road or adjoining property.

Reason: In the interests of public health and traffic safety

Philip Jones

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

Dated this day of 2019.