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**Planning and Development Acts 2000 to 2018**

**Planning Authority: Clare County Council**

**Planning Register Reference Number: P18/732**

**APPEAL** by Lough Derg Management Company CLG care of Quinn Property Management, Unit 4, Quinn Road Business Park, Quinn Road, Ennis, County Clare against the decision made on the 14<sup>th</sup> day of January, 2019 by Clare County Council to grant subject to conditions a permission to Jeremy and Jana Mannion care of EKO Integrated Services of Áras Smith O'Brien, Bank Place, Ennis, County Clare.

**Proposed Development:** To continue the use of an existing 435 square metres events marquee, along with ancillary site works, for an additional seven years from the date of expiration to that of the same development as previously granted under planning reference numbers P11/90 and P14/678 at Lough Derg Holiday Village, Carrownakilly Townland, Killaloe, County Clare.

**Decision**

**REFUSE** permission for the above proposed development in accordance with 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**

1. Having regard to the nature of the use of the marquee, it is considered that the proposed development would seriously injure the residential amenity of the surrounding holiday homes, by virtue of noise and disturbance impacts. Furthermore, and having regard to the planning history of the site, further extension of the temporary permission, without sufficient planning justification, would set an undesirable precedent in terms of consistency in development control. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

2. On the basis of the information provided with the application and appeal, and in the absence of a Natura impact statement, the Board cannot be satisfied that the proposed development individually, or in combination with other plans or projects, would not be likely to have a significant effect on the Lough Derg (Shannon) Special Protection Area (Site Code: 004058), in view of the site's conservation objectives. In such circumstances, the Board is precluded from granting planning permission.

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**Terry Ó Niadh**

**Member of An Bord Pleanála**

**duly authorised to authenticate**

**the seal of the Board.**

**Dated this            day of            2019.**