



An
Bord
Pleanála

Board Order
ABP-318582-23

Planning and Development Acts 2000 to 2022

Planning Authority: Clare County Council

Planning Register Reference Number: 23500

APPEAL by John Joseph Madigan care of Leahy Planning Limited of Mill Road House, Mill Road, Ennis, County Clare against the decision made on the 7th day of November, 2023 by Clare County Council to grant, subject to conditions, a permission to Joseph Scales of Calluragh West, Ennistymon, County Clare in accordance with the plans and particulars submitted to the said Council:

Proposed Development: Development of American Barn Horse Stables with fenced outdoor exercise arena and manure pit with associated ancillary site works at Calluragh West, Ennistymon, County Clare.

Decision

REFUSE permission for the above proposed development in accordance with the reasons and considerations set out below.

Reasons and Considerations

1. Having regard to the proposed development, in combination with the existing slatted unit constructed under planning authority register reference 16/252 and the farmyard southeast of the site, and notwithstanding the Appropriate Assessment Screening carried out by the planning authority, the Board is of the opinion that due to the proximity of the site to the Ballymacravan River which is a tributary of the Inagh River and the Inagh River Estuary Special Area of Conservation (Site Code 000036) that the presence of potential hydrological pathways involving surface water/groundwater have not been adequately addressed so as to definitively preclude contamination of the watercourse. Therefore, 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 Inagh River Estuary Special Area of Conservation (Site Code 000036) and in such circumstances the Board is precluded from granting permission.
2. Having regard to the absence of information with the application and appeal on the siting, construction specifications and management of surface water run-off, the Board is not satisfied that the development would not be prejudicial to public health or would not seriously injure the residential amenities of properties in the vicinity. It is considered that the

development proposed, would, therefore, be contrary to the proper planning and sustainable development of the area.



Liam Bergin

Member of An Bord Pleanála

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

Dated this *08th* day of *August* 2024.