

Planning and Development Acts 2000 to 2022

Planning Authority: Clare County Council

Planning Register Reference Number: 2360360

APPEAL by Patrick Naughton care of Michael Duffy of 1 Clós na hEaglaise, Kilfenora, County Clare against the decision made on the 18th day of December, 2023 by Clare County Council to grant, subject to conditions permission to M.B. Downes and V. Troy care of Martin Tubridy of Cooraclare Village, Kilrush, County Kildare.

Proposed Development: Retention of existing ground levels, and permission to reduce ground levels and to erect proposed machinery storage area at Tullig, Cross, County Clare as revised by the further public notices received by the planning authority on the 1st day of December, 2023.

Decision

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

Reasons and Considerations

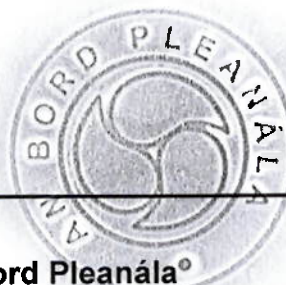
1. It is considered that insufficient information has been provided as part of the application and appeal, with regards to the extent of works to be

retained and the extent of change in levels across the site, the materials imported to the site, the nature of activity to be carried out onsite and whether there is any external storage of machinery proposed or associated pollution control measures. In this regard the Board is not satisfied that the development would not affect the water quality of the Lower River Shannon Special Area of Conservation (Site Code 002165) having regard to the indirect hydrological connection to the said European site. The Board is not satisfied that the development to be retained and the proposed development, either individually or in combination with other plans or projects, would not be likely to have a significant effect on the said European site, in view of the site's conservation objectives. The development proposed to be retained and the proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

2. Having regard to the information submitted, and to the substandard nature of the local road network in terms of width and carrying capacity, it has not been satisfactorily demonstrated by the applicant that traffic movements arising from the proposed development would not endanger public safety by reason of a traffic hazard and obstruction of road users. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.


Declan Moore

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



Dated this 25th day of September 2024.