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**Planning and Development Act 2000, as amended**

**Planning Authority: Clare County Council**

**Planning Register Reference Number: P26-60185**

**APPEAL** by Miceal and Brigid Neylon against the decision made on the 19<sup>th</sup> day of May 2026 by Clare County Council to grant, subject to conditions, a permission to Atlantic Plant Hire and Contract Crushing Limited.

**Proposed Development:** Retention of (a) variations and modifications to the building elevations and site boundaries as granted permission under P17-18; (b) the existing use of the building as a workshop for servicing/repair of vehicles and plant hire machinery and for storage of plant and machinery, and the existing use of the site for the storage of plant and machinery and associated site cabins; (c) hardstanding/concrete and gravel surfaced yard areas for the storage and associated use of plant and machinery; (d) two number storage containers; (e) temporary portaloo; (f) retention of the existing entrance and access road from the public road; (g) provision of secure boundary treatment, screening and all associated works; (h) provision/retention of a petrol interceptor, surface water drainage/attenuation works, connection to water supply and all associated ancillary site works, all at Lismulbredda, Darragh, Ennis, County Clare.

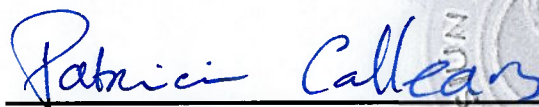
## Decision

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

## Reasons and Considerations

1. It is the policy of the planning authority, as set out in the Clare County Development Plan 2023 - 2029, to permit development proposals for employment and enterprise in the open countryside, only where there are strong location factors (section 6.15 - Availability of Land and Infrastructure) and proposals for small scale enterprises in rural areas will be considered on their individual merits, including among other factors, the nature of the activity and evidence that its scale is appropriate to a rural area (section 6.21- Rural Enterprise). The applicant has not demonstrated tangible locational links to this specific rural area or sufficient justification as to why this proposal for a plant and machinery storage yard associated with a floor screeding business could not be accommodated on more appropriately zoned land closer to/edge of the settlement of Ennis. Furthermore, it is considered that, the storage yard proposed to be retained including hardcore base, storage containers, fencing and signage, taken together with the cumulative impacts of adjoining areas of hardstanding, storage yards and hardcore access route, would not be at a scale considered appropriate to a rural area. The proposed development and the development proposed to be retained would, therefore, be contrary to the proper planning and sustainable development of the area.

2. The development seeks the retention of a significant extent of hard landscaping indicated to discharge to a watercourse. Clare County Council requires the inclusion of sustainable urban drainage systems (SuDS) technologies which aim to reduce flood risk, improve water quality and enhance biodiversity and amenity. Development proposals are required to demonstrate the use of SuDS mechanisms and must be accompanied by a comprehensive SuDS assessment. The requirement to provide SuDS technologies includes for amendments and extensions to existing developments. In the absence of information to demonstrate otherwise, the development would contravene Objective CDP 2.11(c), Section 11.4.4 and Section A1.5 of the Clare County Development Plan 2023 - 2029, as varied. The development as proposed would, therefore, be contrary to the proper planning and sustainable development of the area.



**Patricia Calleary**

**Planning Commissioner of An Coimisiún**

**Pleanála duly authorised to authenticate  
the seal of the Commission.**

Dated this 01 day of October 2026.