An Coimisiún Pleanála

Commission Order

PL-501652-CE-26

Planning and Development Acts 2000, as amended

Planning Authority: Clare County Council

Planning Register Reference Number: 26104

Appeal by Marcus Edward Hulme against the decision made on the 8th day of June, 2026 by Clare County Council to grant subject to conditions a permission to Michael Keegan in accordance with the plans and particulars lodged with the said Council.

Proposed Development: Retention of a Dutch-style barn, with new entrance and ancillary site works at Gortavrulla, Caher, 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 considered that the retention and completion of the proposed development to accommodate livestock, machinery and feedstuff, at a location removed from other structures on the overall landholding, would constitute an ad hoc and uncoordinated form of development which would fail to comply with the provisions of Section A1.8 of the Development Management Guidelines in the Clare County

Development Plan 2023-2029, which states that the grouping of agricultural developments will be encouraged. Having regard to the nature of the use concerned, its proximity to third party residential properties, restricted separation distance from the access lane and an adjacent stream, and the absence of information regarding manure storage, composting and transportation, it is considered that the development proposed to be retained may give rise to a risk of environmental impacts in terms of odours, noise and effluent and result in potential injury to the amenities of property in the vicinity of the site. The development proposed to be retained would, therefore, be contrary to the proper planning and sustainable development of the area.

2. On the basis of the information provided, the Commission is not satisfied that appropriate measures relating to the collection and disposal of animal waste arising from the facility have been satisfactorily demonstrated. In the absence of such satisfactory arrangements being provided, the development proposed to be retained would be prejudicial to public health and would, therefore, be contrary to the proper planning and sustainable development of the area.

Liam McGree
Planning Commissioner of An Coimisiún Pleanála duly authorised to authenticate the seal of the Commission.

Dated this 28th **day of** October **2026**