



## Board Direction

Ref: PL03.245801

The submissions on this file, the Inspector's report, and the further submissions made to the Board in response to the notices issued by An Bord Pleanála on 8<sup>th</sup> April 2016, were considered at a further Board meeting held on 14<sup>th</sup> June 2016. The Board decided to grant permission generally in accordance with the Inspector's recommendation, and in accordance with the draft reasons, considerations and conditions set out below.

### REASONS AND CONSIDERATIONS

Having regard to the nature and scale of the proposed development, the modest scale of the construction works involved, the location of the site proximate to Shannon Town, and to the "Agriculture" zoning objective for the site as set out in the Shannon Town and Environs Local Area Plan 2012-2018, it is considered that, subject to compliance with the conditions set out below, the proposed development would be acceptable in principle in terms of the land use zoning objective for the site as set out in the Local Area Plan, would constitute a benefit to the community and to tourism in the area, would not seriously injure the visual amenities of the area or the residential amenities of property in the vicinity, would be acceptable in terms of traffic safety and convenience, would not exacerbate flooding in the vicinity, would not be prejudicial to public health, and would not detract from the curtilage of Clonmoney House, which is listed in the Garden Survey of the national Inventory of Architectural Heritage, with its parklands and woodlands identified as the landscape features of interest. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

### CONDITIONS

1. PlansPartic
2. The use of the site for Footgolf shall cease on or before the expiration of a period of five years from the date of this order. The portacabin shall be removed and the land restored to its former condition prior to the expiry of this time period.

**Reason:** Having regard to the temporary nature of the facilities to be provided, including the absence of a connection to the public foul sewer, it is considered that a permanent grant of permission would constitute haphazard and disorderly development, and would be prejudicial to public health.

3. The proposed development shall be amended as follows:
- (a) Two chemical WCs shall be provided.
  - (b) The proposed car park shall be laid out in accordance with the design dimensions set out in Appendix A1.7.3 of the Clare County Development Plan 2011 – 2017.
  - (c) The proposed concrete post and chainlink fencing shall be omitted, and shall be replaced with dark green Paladin fencing, having a maximum height of 2 m.
  - (d) Any modification that may be required to avoid conflict with electricity lines shall not reorient play towards neighbouring dwellings without adequate separation distances.
  - (e) Suitable bicycle parking facilities shall be provided.

Revised drawings showing compliance with these requirements shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

**Reason:** In the interest of public health, orderly development, visual amenity, residential amenity, and sustainable transport.

4. The proposed Footgolf facility shall not operate outside the hours of 09:00 – 22:00 on any day.

**Reason:** In the interest of orderly development and of the amenities of nearby residential property.

5. The removal or severe pruning of mature or semi-mature trees, hedgerow or other planting is not permitted. No re-contouring of the land is permitted.

**Reason:** To protect the parkland amenity of the curtilage of Clonmoney House.

6. The proposed development shall not be flood lit, unless otherwise authorised by a prior grant of planning permission.

**Reason:** In the interest of clarity and residential amenity.

7. Notwithstanding the provisions of the Planning and Development Regulations 2001, or any statutory provision amending or replacing them, no advertisement signs, advertisement structures, banners, canopies, flags, or other projecting elements shall be displayed or erected within the curtilage of the site, other than the sign shown on the drawings submitted with the application.

**Reason:** To protect the visual amenities of the area.

8. Rural WaterDrain
9. Archaeology
10. ConstHours
11. Section 48 Unspecified

*Note:*

The Board noted the submissions made by the parties in response to the notices issued by An Bord Pleanála on 8<sup>th</sup> April 2016, and is satisfied that the response of the applicant constitutes clarification in relation to the development as proposed in the application and as hereby permitted. The Board is, therefore, satisfied that the rights of third parties have not been affected.

Board Member: \_\_\_\_\_ Date: 28<sup>th</sup> June 2016  
Fionna O' Regan