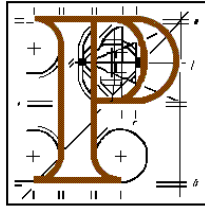


An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2015

Clare County

Planning Register Reference Number: P14/717

An Bord Pleanála Reference Number: PL 03.245449

APPEAL by William Buck and Michelle Burke of 20 Ard na Deirge, Killaloe, County Clare against the decision made on the 14th day of August, 2015 by Clare County Council to grant subject to conditions a permission to ODM Properties Limited care of OBB Consulting Engineers and Surveyors of O'Brien's Bridge, County Clare.

PROPOSED DEVELOPMENT: Construction of one block containing two semi-detached two-storey houses, boundary treatments, connection to necessary services and infrastructure, and all associated landscaping and site works, all at Ard na Deirge, Knockcyclovaun, Killaloe, County Clare.

DECISION

REFUSE permission for the above proposed development based on the reasons and considerations set out below.

MATTERS CONSIDERED

In making its decision, the Board had regard to those matters to which, by virtue of the Planning and Development Acts and Regulations made thereunder, it was required to have regard. Such matters included any submissions and observations received by it in accordance with statutory provisions.

REASONS AND CONSIDERATIONS

1. Having regard to the planning history of the site generally, and in particular to An Bord Pleanála appeal register reference number PL 03.239393 (planning authority register reference number P11/36), for which permission was granted in May 2012, and whereby the subject site forms part of the public open space to serve the houses of this estate, it is considered that the proposed development would materially contravene conditions numbers 1 (as modified by condition number 2), 4 (1)(d), and 10, attached to that permission. The proposed development would, therefore, preclude the provision of this area of the public open space serving Ard na Deirge, would preclude the completion of the permitted development in accordance with its terms, and would be contrary to the proper planning and sustainable development of the area.
2. The applicant has submitted insufficient information with respect to access to and within the site. The submitted plans show access arrangements to the site that do not accurately depict the permitted street layout, and show no access arrangements within the site. It has not been demonstrated that the site is capable of being satisfactorily accessed and it is therefore considered that the development of these dwellings would constitute haphazard and piecemeal development that would result in sub-standard residential arrangements, and would seriously injure the amenity of future occupants. To permit the proposal in these circumstances would be premature and contrary to the proper planning and sustainable development of the area.

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

Dated this day of 2016.