An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2016

Clare County

Planning Register Reference Number: P16/924

An Bord Pleanála Reference Number: 03.248041

APPEAL by Richard Gillman and Dympna Gillman of Cappantymore, Meelick, County Clare against the decision made on the 31st day of January, 2017 by Clare County Council to grant retention permission to Ray Beegan of Cois Coille, Cappantymore, Meelick, County Clare in accordance with plans and particulars lodged with the said Council.

PROPOSED DEVELOPMENT: Retention of the existing first floor gable clear glass windows and the raised land levels with the boundary at Cois Coille, Cappantymore, Meelick, County Clare.

DECISION

GRANT retention permission for the above proposed development in accordance with the said plans and particulars based on the reasons and considerations under and subject to the condition 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.

PL 03.248041 An Bord Pleanála Page 1 of 2

REASONS AND CONSIDERATIONS

Having regard to the established pattern of development in the area, it is considered that the development proposed to be retained would not seriously detract from the visual or residential amenities of the area or of property in the vicinity and would, therefore, be in accordance with the proper planning and sustainable development of the area.

In deciding not to accept the Inspector's recommendation not to attach conditions, the Board considered, on the basis of the photographic evidence on file that the raising of ground levels was unsightly, poorly executed and potentially unsafe. It was considered appropriate to address this by means of condition.

CONDITION

Within three months of the date of this order, the ground levels directly adjacent to the eastern boundary shall be reduced by excavation, to taper from the base of the existing fence to lawn level at an angle not less than 45 degrees. Any damage to the concrete post and wire fence shall be made good to the written satisfaction of the planning authority.

Reason: In the interests of residential amenity and orderly development.

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

Dated this day of 2017.

PL 03.248041 An Bord Pleanála Page 2 of 2