

## Board Order PL 03.249086

Planning and Development Acts 2000 to 2017

**Planning Authority: Clare County Council** 

Planning Register Reference Number: P17/436

**Appeal** by Chemifloc Limited care of Stephen Dowds Associates of 5 Mary Street, Galway against the decision made on the 27<sup>th</sup> day of July, 2017 by Clare County Council to grant subject to conditions a permission in accordance with plans and particulars lodged with the said Council.

**Proposed Development:** Widen existing entrance/exit road/gates to rear of facility at Smithstown Industrial Estate, Shannon, County Clare.

## **Decision**

Having regard to the nature of the condition the subject of the appeal, the Board is satisfied that the determination by the Board of the relevant application as if it had been made to it in the first instance would not be warranted and, based on the reasons and considerations set out below, directs the said Council under subsection (1) of section 139 of the Planning and Development Act, 2000 to ATTACH condition number 2 and the reason therefor.

## **Reasons and Considerations**

The use of the proposed access for the rerouting of traffic associated with the Chemifloc Limited operations would be a material departure from the proposed development as described in the public notices, application and documents submitted with the application. In the absence of the provision of relevant information relating to the full extent and nature of traffic using the proposed widened access, and in the absence of demonstrable compliance with the requirements of the Design Manual for Urban Roads and Streets (2013) being the appropriate road design standard within the site context, the use of the proposed access for the rerouting of traffic associated with the Chemifloc Limited site would have implications for the safe operation of the public road network that have not been appropriately resolved in the application.

## **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.

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

Dated this day of 2018

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