



Planning and Development Acts 2000 to 2018

Planning Authority: Clare County Council

Planning Register Reference Number: P18/621

APPEAL by ODM Properties Limited care of HRA Planning of 2 Hartstonge Street, Limerick against the decision made on the 24th day of September, 2018 by Clare County Council to refuse permission for the proposed development.

Proposed Development: Construction of two number (semi-detached) dwellings and all associated site development works at Ard na Deirge, Knockyclovaun, Killaloe, County Clare.

Decision

REFUSE permission for the above proposed development in accordance with 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. The proposed development would materially contravene condition numbers 1, 4(1)(d) and 10 attached to the grant of permission under An Bord Pleanála appeal reference number PL03.239393 according to which the site is designated as public open space. Furthermore, the proposed development would result in an unacceptable diminution in the quality of public open space provision by way of severance of the existing public open space and peripheral location of the additional space to be substituted. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.
2. The proposed development would constitute substandard haphazard and piecemeal development by reason of the stepped footprint and setback behind the existing houses to each side, potential for overlooking to the rear of the adjoining properties and by reason of substandard private open space provision to the rear. The proposed development would seriously injure the residential amenities of properties in the vicinity and the potential residential amenities for future occupants and would, therefore, be contrary to the proper planning and sustainable development of the area.

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

Dated this day of 2019.