



Planning and Development Acts 2000 to 2019

Planning Authority: Clare County Council

Planning Register Reference Number: P18/978

APPEAL by Margaret and Henry Kennaugh care of Downey Planning of 1 Westland Square, Pearse Street, Dublin against the decision made on the 31st day of January, 2019 by Clare County Council to grant subject to conditions a permission to Eoin Gibson care of Diarmuid Keane and Associates Limited of First Floor, Kilkee Community Centre, Circular Road, Kilkee, County Clare in accordance with plans and particulars lodged with the said Council.

Proposed Development: Retain existing agricultural entrance and planning permission to alter and widen same agricultural entrance to include construction of splayed wing walls and a new entrance gate and all other associated site works at Kiltrellig, Kilbaha, Kilrush, 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

It is considered that the development for which retention is sought would endanger public safety by reason of traffic hazard due to the location of the entrance proposed to be retained along the Regional Road (R487) at a point where sightlines are restricted in both directions. Furthermore, adequate sightlines to the southwest cannot be achieved without requiring the setting back of property boundaries outside the control of the applicant. Therefore, the development for which retention is sought would be contrary to the proper planning and sustainable development of the area.

In deciding not to accept the Inspector's recommendation to grant permission the Board considered, on the basis of the information submitted, that it has not been adequately demonstrated that the required sightlines are achievable at the location of the entrance for which retention permission is sought.

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

Dated this day of 2019.