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**Planning and Development Acts 2000 to 2019**

**Planning Authority: Clare County Council**

**Planning Register Reference Number: P18/860**

**Appeal** by John Hill of Coolreagh, Bodyke, County Clare against the decision made on the 21<sup>st</sup> day of March, 2019 by Clare County Council to grant subject to conditions a permission to Damien and Rebecca Nash care of Killaloe Consultants Limited of Rahenabeg, Killaloe, County Clare in accordance with plans and particulars lodged with the said Council.

**Proposed Development:** To relocate the entrance to house including the drainage pipe under the entrance and all associated site works at Coolreagh, Bodyke, County Clare.

**Decision**

**GRANT 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 conditions 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**

Having regard to the nature of the proposed relocation of the entrance to the site, it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the amenities of the area or of property in the vicinity, would not exacerbate flooding in the area and would be acceptable in terms of traffic safety and convenience. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

## **Conditions**

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application, as amended by the further information submitted to the planning authority on the 25<sup>th</sup> day of February, 2019, except as may otherwise be required in order to comply with the following conditions. Where such conditions require details to be agreed with the planning authority, the developer shall agree such details in writing with the planning authority prior to the commencement of development and the development shall be carried out and completed in accordance with the agreed particulars.

**Reason:** In the interest of clarity.

2. Prior to the commencement of development, the following details shall be submitted to, and agreed in writing with, the planning authority:
- (a) the length and invert level of the 600 millimetres diameter pipe beneath the new entrance (the length shall be limited to that which provides safe access to the site), and
  - (b) the removal, in its entirety, of the 450 millimetres diameter pipe under the existing entrance and the reinstatement of the roadside channel/stream/ditch.

**Reason:** To prevent flooding, and in the interest of orderly development.

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

**Dated this            day of            2019.**