



Planning and Development Acts 2000 to 2019

Planning Authority: Clare County Council

Planning Register Reference Number: P19/852

Appeal by Ann Waters of Ballingaddy West, Ennistymon, County Clare against the decision made on the 20th day of December, 2019 by Clare County Council to grant subject to conditions a permission consequent on a grant of outline permission to Alan O'Rourke of Ballyea North, Ennistymon, County Clare.

Proposed Development: (Planning register reference number P16-299) for construction of a dwellinghouse and garage, with effluent treatment system, new entrance from public road, and all with associated site works at Ballingaddy West, Ennistymon, County Clare.

Decision

DISMISS the said appeal under subsection (1) (b)(i) and (ii) of section 138 of the Planning and Development Act, 2000, based on 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

The Board is satisfied that, in the particular circumstances, the appeal should not be further considered by it having regard to the nature of the appeal which relates solely to the principle of development previously granted under planning register reference number P16/299. Section 36(5) of the Planning and Development Act, 2000, states that no appeal may be brought to the Board under Section 37 against a decision of a planning authority to grant permission subsequent to the grant of outline permission in respect of any aspect of the proposed development which was decided in the grant of outline permission.

Paul Hyde

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

Dated this day of 2020.