



Planning and Development Acts 2000 to 2020

Planning Authority: Tipperary County Council

Planning Register Reference Number: 19/601021

Appeal by Clare Quinn care of Cliona Ryan of 5 Brighton Mews, Harrison Row, Rathgar, Dublin against the decision made on the 23rd day of July, 2020 by Tipperary County Council to grant subject to conditions a permission to Lough Derg Marina Limited care of Arnold Leahy Architects Limited of 1 Crescent Villas, O'Connell Avenue, Limerick in accordance with plans and particulars lodged with the said Council:

Proposed Development: Retention permission of the upgrade of the existing lighting system at the Lough Derg Marina Site. The upgrade consists of the replacement of the old sub-standard lighting system at the site, along with the addition of a number of new lamp standards and led lighting, including low level bollard lighting and under deck access safety lighting at Lough Derg Marina, Ballina, County Tipperary.

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

The site is identified in the North Tipperary County Development Plan settlement plan for Ballina, as a key site/opportunity site where the council will encourage and support development. It is considered that the provision of adequate lighting for users of the facility is a fundamental requirement for the use of this land as a marina, and that, subject to the following conditions, the retention of the lighting as developed, would provide for the safety and convenience of the users of the marina, would not adversely impact on bats, aquatic ecology or underwater archaeology, would not unduly impact on nearby residential properties and would, therefore, be in accordance with the proper planning and sustainable development of the area.

Conditions

1. The development for which retention permission is sought shall be retained and completed in accordance with the plans and particulars lodged with the application, as amended by the further plans and particulars submitted on the 1st day of May, 2020 and on the 6th day of July, 2020, except as may otherwise be required in order to comply with the following condition.

Reason: In the interest of clarity.

2. Rear cowls shall be fitted to lights on standards 33B and 24B to reduce the amount of light spill to adjoining properties.

Reason: In the interest of residential amenity.

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

Dated this day of 2020