

Planning and Development Acts 2000 to 2020

Planning Authority: Clare County Council

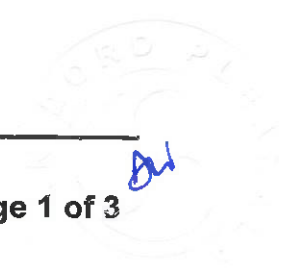
Planning Register Reference Number: P20/730

Appeal by Garret Taylor and Gillian Foley care of Alex Russell Associates of Main Street, Liscannor, County Clare against the decision made on the 3rd day of December, 2020 by Clare County Council to grant subject to conditions a permission to Kevin and Trisha Scales care of Deirdre Foran Design of Lisdoonvarna, County Clare in accordance with plans and particulars lodged with the said Council.

Proposed Development: Construction of a dwellinghouse, garage, installation of a wastewater treatment system and all associated site and ancillary works, all at Cloghaundine, Liscannor, County Clare.

Decision

Having regard to the nature of the conditions the subject of the appeal, the Board is satisfied that the determination by the Board of the relevant application as if it had been made to it in the first instance would not be warranted and, based on the reasons and considerations set out below, directs the said Council under subsection (1) of section 139 of the Planning and Development Act, 2000 to REMOVE condition number 3(a) and AMEND condition number 1 so that it shall be as follows for the reason set out.



1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application on the 09th day of October 2020, 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 commencement of development and the development shall be carried out and completed in accordance with the agreed particulars.

Reason: In the interest of clarity.

Reasons and Considerations

Having regard to the design, scale and site layout and taken in conjunction with the pattern of development on adjoining sites, it is considered that the original location of the dwelling as proposed is satisfactory in the context of the visual amenities of the area and in the context of adjoining amenities and that the revised location moving the dwelling 10 metres east does not have a materially beneficial impact in relation to design, scale and visual amenity. It is considered that the conditions requiring relocation of the dwelling over that originally proposed are unnecessary and that the original location proposed would be in accordance with the proper planning and sustainable development of the area.

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.



Dave Walsh

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

Dated this *19th* day of *July* 2021.