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**Planning and Development Acts 2000 to 2020**

**Planning Authority: Clare County Council**

**Planning Register Reference Number: P21/166**

**APPEAL** by Nuala and Enzo D'Auria care of Leahy Planning Limited of Mill Road House, Mill Road, Ennis, County Clare against the decision made on the 20<sup>th</sup> day of April, 2021 by Clare County Council to grant subject to conditions a permission to Eire Og Inis GAA Club care of Brian Foudy and Associates Limited of Osprey House, Carmody Street, Ennis, County Clare.

**Proposed Development:** To carry out the following phased development (a) relocate existing ESB substation, remove porta-cabin, construct changing and shower rooms (b) demolish existing gym, changing room, machinery store and construct new gym, equipment store, machinery store and accessible W.C. together with all associated site development works and services at Clonroad More, Ennis, County Clare.

**Decision**

**REFUSE** permission for the above proposed development in accordance with the reasons and considerations set out below.

## **Matters Considered**


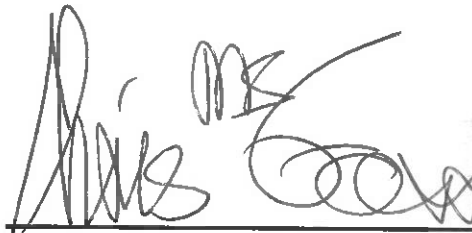
In making its decision, the Board had regard to those matters to which, by virtue of the Planning and Development Acts and Regulations made thereunder, it was required to have regard. Such matters included any submissions and observations received by it in accordance with statutory provisions.

## **Reasons and Considerations**

Having regard to the nature, form and intended use of the proposed development, with specific regard to the positioning of the proposed changing rooms, proximate to the northern boundary of the site, it is considered that the consequent movement and gathering of changing room users of the proposed development at this location would seriously injure the residential amenities of the adjoining dwelling by reason of noise and general disturbance. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

A handwritten signature in black ink is located in the bottom right corner of the page. To its left is a faint, circular official stamp of An Bord Pleanála, which is partially obscured by the signature.

In deciding not to accept the Inspector's recommendation to grant permission, the Board agreed with the Inspector that the physical form of the proposed development would not of itself lead to overlooking or overbearance by reference to the adjoining dwelling. However, it was considered that the positioning of the associated access/egress to the changing rooms and the consequent movement and gathering of users of the proposed development, at such close proximity to the adjoining dwelling would seriously injure the amenities of that residential property and that any development at this location would require a reconfiguration of points of access/egress to the building, away from the sensitive northern boundary, to provide a more appropriate relationship between the proposed development and the neighbouring residential use.



The seal of An Bord Pleanála is circular with the text "AN BORD PLEANÁLA" around the perimeter and a stylized logo in the center.

**Chris McGarry**

**Member of An Bord Pleanála**

**duly authorised to authenticate  
the seal of the Board**

Dated this *27<sup>th</sup>* day of *August* 2021