

Planning and Development Acts 2000 to 2021

Planning Authority: Clare County Council

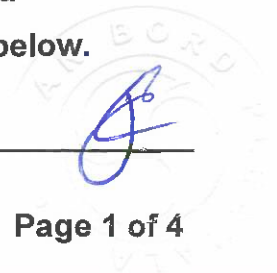
Planning Register Reference Number: P21/170

Appeal by Patrick Fitzgerald of Toovahera, Lisdoonvarna, County Clare against the decision made on the 5th day of November, 2021 by Clare County Council to grant subject to conditions a permission to Lisdoonvarna Failte Limited care of Dean Development Solutions of Mullagh, County Clare in accordance with plans and particulars lodged with the said Council:

Proposed Development: Erection of public LED lighting along the existing amenity trails and pedestrian routes including all ancillary site works at Lisdoonvarna Sport and Amenity Park, Rathbaun, Lisdoonvarna, County Clare as revised by the further public notices received by the planning authority on the 18th day of October, 2021.

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 provisions of the Clare County Development Plan 2017-2023, and the nature and scale of the proposed development to serve the existing amenity and recreational facility, 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 the ecology within or surrounding the subject site. 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 plans and particulars submitted on the 27th day of September, 2021, 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.

2. The lighting or any equivalent replacement lighting shall be directed onto the trail surface to be illuminated and shall be directed and cowled such as to reduce, as far as possible, the light scatter over adjacent properties.

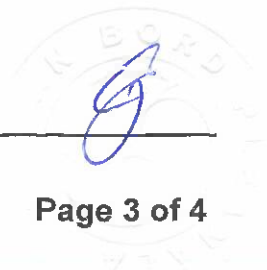
Reason: To protect the amenity of properties in the vicinity.

3. The operation of the lighting shall be restricted to between 1600 hours and 2200 hours daily, with automatic cut-off.

Reason: To protect the amenity of properties in the vicinity.

4. (a) Detailed measures as advised by a qualified ecologist in relation to the protection of bats shall be submitted to and agreed in writing with the planning authority, prior to commencement of development. These measures shall be implemented as part of the development.
- (b) Any trees to be removed on site to facilitate the development shall be felled in late summer or autumn.

Reason: In the interest of nature conservation and wildlife protection.



5. Site development and building works shall be carried out only between the hours of 0700 to 1900 Mondays to Fridays inclusive, between 0800 to 1400 hours on Saturdays and not at all on Sundays and public holidays. Deviation from these times will only be allowed in exceptional circumstances where prior written approval has been received from the planning authority.

Reason: In order to safeguard the amenities of property in the vicinity.



John Connolly

Member of An Bord Pleanála

duly authorised to authenticate

the seal of the Board



Dated this 4th day of APRIL 2022