



Planning and Development Acts 2000 to 2019

Planning Authority: Clare County Council

Planning Register Reference Number: P20/63

Appeal by Pádraig and Julie Neylon of Kilrush House, Frances Street, Kilrush, County Clare against the decision made on the 12th day of March, 2020 by Clare County Council to grant subject to conditions a permission in accordance with plans and particulars lodged with the said Council.

Proposed Development: Installation of additional windows on the western elevation, to carry out alterations to the existing roof of the dwelling, installation of two number dormer windows on the front elevation and reopen stone arches previously built up, installation of entrance gates along with all associated works, all at Kilrush House, a protected structure (RPS number 859), Frances Street, Kilrush, 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 2 and the reason therefor.

Reasons and Considerations

Having regard to the nature and scale of the development and to the pattern of development in the area, it is considered that the imposition of condition number 2 is unnecessary and the removal of this condition would not be contrary to the provisions as set out in the current Development Plan for the area, would not detract visually from the visual amenity of the protected structure and would not set a precedent.

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 day of 2020.