



An
Bord
Pleanála

Board Direction
BD-002627-19
ABP-302931-18

The submissions on this file and the Inspector's report were considered at a Board meeting held on 06/03/2019.

The Board decided to make a split decision, to

- (1) grant permission, for the following reasons and considerations and subject to the following conditions for the retention of the existing single storey extension.

and

- (2) refuse permission for the proposed garage/studio flat and the proposed two storey side extension

generally in accordance with the Inspector's recommendation, for the following reasons and considerations.

(1) Grant of Permission

Reasons and Considerations

Having regard to the provisions of the Clare County Development Plan 2017-2023, the existing pattern of development in the area, and the nature and scale of the proposed development, it is considered that subject to compliance with the conditions set out below, the single storey extension to be retained would not seriously injure the amenities of the area or of property in the vicinity. The

proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

Conditions

1. The development shall be retained in accordance with the plans and particulars lodged with the application.

Reason: In the interest of clarity

(2) Refusal of Permission

Reasons and Considerations

1. The proposed new side extension by reason of its scale, design and roof profile would give rise to serious injury to the visual amenities of the area and as such would be contrary to the proper planning and sustainable development of the area.
2. The proposed garage/studio flat would, by reason of its size, location and siting, along with its layout and built form, would result in undue overlooking of the adjoining residential property, would constitute a haphazard style of development which is out of character with the pattern of development in the area and would constitute overdevelopment of the site. Furthermore, the Board considered that the proposed garage/studio by reason of its size and scale would not be ancillary to the principle dwelling on site, and would set an undesirable precedent for other such development proposals. The proposed development would therefore seriously injure the visual and residential amenities of the area and would be contrary to the proper planning and sustainable development of the area.

In deciding not to accept the Inspector's recommendation to grant permission for the proposed new side extension, the Board did not agree that the proposed development would not seriously injure the amenities of the area or of property in the vicinity.

Board Member:

Date: 20/03/2019

Stephen Bohan