



An
Bord
Pleanála

Board Direction
BD-005939-20
ABP-306720-20

The submissions on this file and the Inspector's report were considered at a Board meeting held on 10/06/2020.

The Board decided to treat this case under section 139 of the Planning and Development Act, 2000. The Board also decided, based on the Reasons and Considerations set out below / set out on the attached copy of the Inspector's report, that the planning authority be directed, as follows:

Remove condition number 2

Reasons and Considerations

Having regard to the 'CDP9.5' zoning objective for the site under the Clare County Development Plan 2017-2023, the pattern and character of development in the vicinity of the site and within the settlement boundary of Ballyvaughan Village, the high quality alteration and extension of existing thatched properties adjacent, the prevalence of existing dormer structures in the vicinity of the site and the set back from the public road, all of which limits any significant level of undue visual impact, excessive bulk or overbearing presence beyond that which already exists, it is considered that the intent of condition number 2 imposed by the planning authority to the extent of omitting the half dormer windows on the rear elevation and replacing them with conservation style roof lights is unwarranted, and that its imposition would be an inappropriate design response and would have a detrimental effect on the established character and visual amenities of the area. It is, therefore, considered

that condition number 2 should be removed in the interests of the proper planning and sustainable development of the area.

In deciding not to accept the Inspector's recommendation, the Board noted that the Inspector accepted the case for dormer windows as valid. The Board considered that the half dormer windows on the rear elevation would not negatively impact on the setting or the adjacent designated scenic route, and replacing the half dormer windows with conservation style roof lights within a thatched roof would be unnecessary in terms of the design quality of the proposed house and the visual amenities of the area.

Board Member:

Date: 12/06/2020

Stephen Bohan