

An  
Bord  
Pleanála

**Board Direction**  
**BD-011356-22**  
**ABP-311319-21**

The submissions on this file and the Inspector's report were considered at a Board meeting held on 27/09/2022.

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;
  - (a) Retention of the recently constructed timber framed structure to support the existing covered beer garden located to the rear of existing licenced premises with roof coverings consisting of single skin, corrugated clear polycarbonate sheeting material;
  - (c) Retention of the newly installed external bar with service/pouring taps located in the beer garden to the rear of existing licenced premises;

For the reasons and considerations marked (1) hereunder and the conditions set out below.

and

- (2) refuse permission for the retention of the following elements of the development in accordance with the reasons and conditions marked (2) hereunder
  - (b) Retention of the recently constructed first floor level extension to the rear of existing licenced premises comprising of a box steel frame with single skin corrugated metal roof sheeting, sides which are clad with timber sheeting

and floor also comprising of timber sheeting and accessed via a timber stairway from the existing beer garden;

(d) Retention of the existing front façade of the existing licenced premises as constructed which consists of an exposed natural stone finish with red brick window surrounds.

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

### **Reasons and Considerations (1)**

Having regard to the site's mixed-use land use zoning objective, within which a mix of residential and commercial activity takes place, and the existing, established use on the site, it is considered that, subject to compliance with the conditions set out below, the retained development would not seriously injure the residential amenities of the area or of property in the vicinity. The retained development would, therefore, be in accordance with the proper planning and sustainable development of the area.

### **Reasons and Considerations (2)**

1. Having regard to the size, scale, design and location of the extension it is considered that the first floor extension negatively impacts on the residential amenities of the surrounding area primarily by virtue of the noise impact and as such would be contrary to the proper planning and sustainable development of the area.
2. Having regard to the location of the building within the Carrick on Shannon Architectural Conservation Area, the front façade of the building as presented, inclusive of external finishes is considered to be out of character with the streetscape and detrimental to Architectural Conservation Area in which the building is located. The retention of the façade as presented is therefore considered contrary to Policy 11.3c and Objective 11.4a of the Carrick on Shannon Local Area Plan 2010-2019 and Objective 90 of the Leitrim County Development Plan 2015-2021 which seek to protect the external fabric of structures of heritage value in the Architectural Conservation Area, to protect

and enhance the Architectural Conservation Area(s) and to conserve and enhance the character of the historic town core of Carrick on Shannon. The retention of the façade would therefore be contrary to 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, 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 the 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. Within 4 weeks of the date of the final grant of permission, the developer shall submit revised plans for written agreement of the Planning Authority detailing the following:
  - (a) revised plans for the roof covering of the beer garden/smoking area which illustrate the removal of the overhang of adjoining premises/properties.
  - (b) provision of a suitable rainwater collection system which ensures all rainwater is collected and disposed of within the site.

Within 8 weeks of the revised plans for the roof covering being agreed under Condition no 2a, the revised roof and rainwater collection system shall be installed, and the Planning Authority notified in writing.

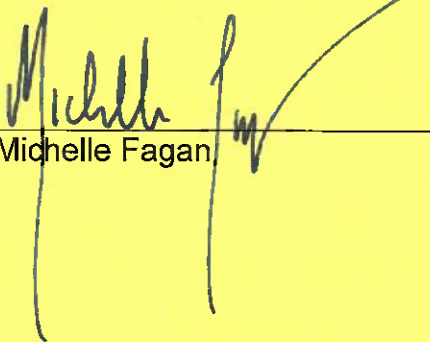
Reason: To prevent interface with adjoining properties and to ensure proper disposal of rainwater.

3. Apart from any departures specifically authorised by this permission, the development shall be carried out and completed in accordance with the

terms and conditions of the permission granted on 14/09/2020 under Pl.  
Reg. Ref. no. P-19-245, and any agreements entered into thereunder.

Reason: In the interest of clarity and to ensure that the overall  
development is carried out in accordance with the previous permission.

Board Member:



Michelle Fagan

Date: 21/10/2022