

**An
Bord
Pleanála**

**Board Direction
BD-013991-23
ABP-313813-22**

The submissions on this file and the Inspector's report were considered at a Board meeting held on 04/10/2023.

The Board decided to grant permission generally in accordance with the Inspector's recommendation, for the following reasons and considerations, and subject to the following conditions.

Reasons and Considerations

Having regard to the design and massing of the proposed development , the pattern of development in the area and the provisions for Ennis Municipal District as part of the Clare County Development Plan 2023-2029 , it is considered that, subject to compliance with the conditions set out below, the proposed development would integrate in a satisfactory manner with the existing built development in the area and would not seriously injure the residential amenity of adjacent properties. 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, 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 proposed development shall be modified as follows:

- (a) The proposed extension to the rear shall be reduced in depth to 4m from the original rear wall and setback from the boundary with number 48 Marian Avenue by a distance of 1.8m. In the modified design the roof shall be pitched to harmonise with the existing pitch and ridge kept to a minimum height.
- (b) A bathroom window glazed in obscured glass, may be provided in the revised rear elevation.

Revised drawings showing compliance with these requirements shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interest of visual amenity.

3. The proposed vehicular entrance shall be amended as follows:

- a) The vehicular entrance shall be a maximum width of three metres.
- b) The remaining boundary shall that which originally delineated the front boundary
- c) Other than the area for the proposed parking space, the front garden shall be maintained in soft landscaping.
- d) Entrance gates, if erected, shall be designed so as not to open outwards.

Revised plans with the necessary alterations shown thereon shall be submitted to the planning authority for written agreement prior to commencement of development.

Reason: In the interests of visual amenities of the residential area

4. Details including samples of the materials, colours and textures of all the external finishes to the proposed extensions and front boundary shall be

submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interest of visual amenity.

5. Water supply and drainage arrangements, including the attenuation and disposal of surface water, shall comply with the requirements of the planning authority for such works and services.

Reason: In the interest of Public Health.

6. The in-curtilage car parking space serving the dwelling shall be provided with electric connection to the exterior of the house to allow for the provision of future electric vehicle charging point. Details of how it is proposed to comply with these requirements shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: in the interest of sustainable transportation.

7. Site development and building works shall be carried out only between the hours of 0800 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: To protect the amenities of the area.

8. Notwithstanding the exempted development provisions of the Planning and Development Regulations, 2001 and any statutory provision replacing or amending them, no development falling within Class 1 or Class 3 of Schedule 2, Part 1 of those Regulations shall take place within the curtilage of the house, without a prior grant of planning permission.

Reason: In the interest of the amenities of the area.

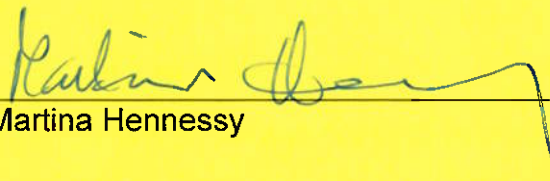
9. The footpath in front of the proposed vehicular entrance shall be dishd at the road junction(s) in accordance with the requirements of the planning authority and at the developer's own expense.

Reason: In the interest of traffic safety, orderly development and to ensure that adequate off-street parking provision is available to serve the proposed development.

10. The developer shall pay to the planning authority a financial contribution as a special contribution under section 48(2)(c) of the Planning and Development Act, 2000, in respect of repair works within the public domain effected entrance works. The amount of the contribution shall be agreed between the planning authority and the developer or, in default of such agreement, the matter shall be referred to An Bord Pleanála for determination. The contribution shall be paid prior to commencement of development or in such phased payments as the planning authority may facilitate and shall be updated at the time of payment in accordance with changes in the Wholesale Price Index – Building and Construction (Capital Goods) published by the Central Statistics Office.

Reason: It is considered reasonable that the developer should contribute towards the specific exceptional costs which are incurred by the planning authority which are not covered in the Development Contribution Scheme and which will benefit the proposed development.

Board Member


Martina Hennessy

Date: 04/10/2023