



**An
Bord
Pleanála**

**Board Direction
BD-018322-24
ABP-317611-23**

The submissions on this file and the Inspector's report were considered at a Board meeting held on 27/11/2024.

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

Reasons and Considerations

1. Having regard to the existing character and the prevailing pattern of development, the site location within an Architectural Conservation Area and the presence of a Protected Structure on an adjoining site and Objective CDP16.1 Architectural Heritage of the Clare County Development Plan 2023-2029, it is considered that the proposed development, by reason of its scale, height and design, would be out of scale with its surroundings, would seriously detract from the architectural character and setting of the former Allied Irish Bank protected structure RPS no. 398 and of the streetscape generally. The proposed development would, therefore, materially and adversely affect the character of this Protected Structure, would seriously injure the visual amenities of the designated Architectural Conservation Area and would be contrary to the proper planning and sustainable development of the area.
2. Having regard to the location of the proposed development within the town centre of Kilkee in an area zoned for Mixed Use development under the development plan and Objective CDP 4.6 of the development plan which aims to ensure that small towns continue to act as important local service centres, it

is considered that the proposed development which would change the use on the main street of Kilkee from commercial to residential would erode the existing service base in Kikee for both visitors and the local population and would have adverse impacts on the vitality and viability of Kilkee Town Centre. The proposed development would therefore be contrary to the proper planning and sustainable development of the area.

Note:

On the basis of the information provided with the application and appeal, the limited capacity in Kilkee wastewater treatment plant, and in the absence of an Appropriate Assessment Screening and/or Natura Impact Statement the Board could not be satisfied that the proposed development individually, or in combination with other plans or projects would not be likely to have a significant effect on Kilkee Reefs SAC. The Board also had concerns regarding the residential amenity provided to future residents in the proposed development in relation to access to the private amenity space for the first-floor apartment.

While ordinarily these matters would warrant further consideration and a request for further information, in this instance given the substantive reasons for refusal above, it was decided not to pursue these matters under the current appeal.

Board Member

Mary Gurrie
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Date: 10/12/2024