

# An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2017

**Clare County Council**

**Planning Register Reference Number: P17/597**

An Bord Pleanála Reference Number: ABP-300604-18

**APPEAL** by Elizabeth Keane of “Glenora”, St. Senan’s Road, Ennis, County Clare against the decision made on the 4<sup>th</sup> day of December, 2017 by Clare County Council to grant subject to conditions a permission to David Tierney care of P.N. D. Building Consultancy Limited of Kilrush House, Frances Street, Kilrush, County Clare in accordance with plans and particulars lodged with the said Council.

**PROPOSED DEVELOPMENT:** Retention of demolition of a building to the side of dwellinghouse and building works carried out to date and permission for completion of the works of reconstructing the building as a garage along with all associated works at Kevin Barry Avenue/Tulla Road, Ennis, County Clare.

## **DECISION**

**GRANT permission for the above proposed development in accordance with the said plans and particulars based on the reasons and considerations under and subject to the conditions set out below.**

## MATTERS CONSIDERED

In making its decision, the Board had regard to those matters to which, by virtue of the Planning and Development Acts and Regulations made thereunder, it was required to have regard. Such matters included any submissions and observations received by it in accordance with statutory provisions.

## REASONS AND CONSIDERATIONS

Having regard to the pattern of development in the vicinity, the previously existing garage on the site, and the policies of the Clare County Development Plan 2017-2023, it is considered that the proposed development, subject to compliance with the conditions set out below, would not seriously injure the visual or residential amenities of the area. 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, as amended by the further plans and particulars submitted to the planning authority on the 8<sup>th</sup> day of November, 2017, 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. External finishes of the permitted development shall be in accordance with those indicated on the plans and particulars received by the planning authority on the 3<sup>rd</sup> day of August, 2017, and as amended by the plans and particulars received by the planning authority on the 8<sup>th</sup> day of November, 2017.

**Reason:** In the interest of visual amenity.

3. All surface water generated within the site boundaries shall be collected and disposed of within the curtilage of the site. No surface water from roofs, paved areas or otherwise shall discharge onto the public road or adjoining properties.

**Reason:** In order to prevent pollution.

4. A concrete post and timber panel fence shall be erected entirely within the developer's property, along the boundary with the property to the south, from the south-western corner of the proposed garage as far as the western boundary of the developer's property, that is, from "A" to "B" as shown on the site layout plan submitted on the 8<sup>th</sup> day of November, 2017. The fence shall extend no more than two metres in height above existing ground levels on the southern side of the property boundary.

**Reason:** To preserve the residential amenities of neighbouring properties.

5. The proposed garage shall not be used for human habitation, any commercial activity or for any other purpose, other than a purpose incidental to the enjoyment of the main dwellinghouse.

**Reason:** In the interest of residential amenity and the orderly development of the area.

6. The rear garden area shall not be used for the parking of vehicles, other than for domestic use, directly associated with the dwellinghouse.

**Reason:** In the interest of residential amenity.

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**Member of An Bord Pleanála  
duly authorised to authenticate  
the seal of the Board.**

**Dated this                      day of                      2018.**