



Planning and Development Acts 2000 to 2019

Planning Authority: Clare County Council

Planning Register Reference Number: P18/977

Appeal by Margaret and Henry Kennaugh care of Downey Planning of 1 Westland Square, Pearse Street, Dublin against the decision made on the 31st day of January, 2019 by Clare County Council to grant subject to conditions a permission to Eoin Gibson care of Diarmuid Keane and Associates Limited of First Floor, Kilkee Community Centre, Circular Road, Kilkee, County Clare in accordance with plans and particulars lodged with the said Council.

Proposed Development: Retain the existing agricultural storage shed and all other associated site works at Kiltrellig, Kilbaha, Kilrush, 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 location within a rural, relatively flat coastal area in the Loop Head peninsula in which farm building complexes and dwellings are characteristic features in the open and exposed landscape which is designated as “settled landscape”, to the position of the shed which is set back at the rear of the farmyard on the north east side of the R487 which is designated as a scenic landscape within the Clare County Development Plan 2017-2023, to the size, height, form, external finishes and colours of the proposed shed, and to the use for agricultural storage purposes, it is considered that the proposed development for retention, subject to compliance with the conditions set out below, would not be visually intrusive in the landscape, would not interfere with the protected views from the R487, a designated scenic route, would be acceptable in terms of traffic safety and convenience, would not seriously injure the residential amenities of adjoining properties or the amenities of the area and would be in accordance with the development objectives for the area in the Clare County Development Plan 2017-2023. The proposed development, would, therefore in accordance with 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 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 use of the agricultural storage shed shall be confined to storage use connected with the agricultural use of the farm holding but shall not be used for animal housing. It shall not be used for commercial purposes, sublet or sold separately from the farm holding.

Reason: In the interest of clarity, consistency with the rural coastal location which is not zoned for development and the amenities of the area.

3. The external finishes shall be either black, dark grey, dark green or dark brown.

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

4. All surface water 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 the interest of clarity and orderly development and the amenities of the area.

Stephen Bohan

Member of An Bord Pleanála

**duly authorised to authenticate
the seal of the Board.**

Dated this day of 2019.