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**Planning and Development Acts 2000 to 2019**

**Planning Authority: Clare County Council**

**Planning Register Reference Number: P19/484**

**Appeal** by Alan Kavanagh of 1 Derrymore East, O'Callaghan's Mills, County Clare against the decision made on the 16<sup>th</sup> day of October, 2019 by Clare County Council to grant subject to conditions a permission to Deon Campher care of N.A.P.S. Limited of Studio Inovo, Louhash, Newmarket-on-Fergus, County Clare in accordance with plans and particulars lodged with the said Council.

**Proposed Development:** For the construction of a domestic garage with loft over same and covered roof area to side of garage and also permission for PV solar panels on south-west roof including ancillary site works, all at Derrymore East, O'Callaghan's Mills, County Clare, as revised by the further public notice received by the planning authority on the 23rd day of September, 2019.

**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 zoning objective of the area, the design, location and scale of the proposed development and the pattern of development in the area, it is considered that, subject to compliance with the conditions below, the development would not seriously injure the visual amenities of the area or residential amenity of property in the vicinity. The proposed development for which permission is sought 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 on the 10<sup>th</sup> day of September 2019, 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 garage and loft area shall not be used as commercial premises and shall be restricted to use ancillary to the adjoining dwelling house, except with a prior grant of permission.

**Reason:** To protect residential 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 the interest of traffic safety and to prevent pollution.

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**Dave Walsh**

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

**Dated this            day of            2020.**