



Planning and Development Acts 2000 to 2019

Planning Authority: Clare County Council

Planning Register Reference Number: P19/802

Appeal by Simon and Kathleen Lynch care of Project Design Building Consultants of O'Dea's Road, Kilrush, County Clare against the decision made on the 3rd day of December, 2019 by Clare County Council to grant subject to conditions a permission to James and Jacinta Doyle care of PND 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 permission for alterations to the garage building granted under planning register reference number P01-1561, retention permission for the construction of a separate garage building and retention permission for a storage shed and fuel storage enclosure along with all associated works at Moyadda Beg, 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 pattern of development in the area, it is considered that, subject to compliance with conditions set out below, the development proposed for retention would not seriously injure the visual amenities of the area or residential amenity of property in the vicinity. The development proposed for retention would, therefore, be 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 and the development shall be retained in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. Within three months from the date of this Order, the developer shall submit, for the written agreement of the planning authority, full details of drainage arrangements, including appropriately scaled drawings of drainage arrangements for the disposal of surface water generated by the development.

Reason: In the interest of public health.

3. The structures shall be used for domestic purposes only incidental to the enjoyment of the dwellinghouse, under no circumstances shall the structures be used as habitable accommodation or commercial use.

Reason: In the interest of residential amenity.

4. 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 site without a prior grant of planning permission.

Reason: In order to ensure that a reasonable amount of rear garden.

Paul Hyde

Member of An Bord Pleanála

duly authorised to authenticate

the seal of the Board.

Dated this day of 2020