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**Planning and Development Acts 2000 to 2019**

**Planning Authority: Clare County Council**

**Planning Register Reference Number: P19/928**

**Appeal** by Brendan Kenny and Anastatia Roche and Gert and Margaret Lacheiner, representatives of the Gilligan family care of 10 Cloughleigh, Ennis, County Clare against the decision made on the 30<sup>th</sup> day of January, 2020 by Clare County Council to grant subject to conditions a permission to Michelle and Robert Cassidy care of Michael Williams of Knockanean, Ennis, County Clare in accordance with plans and particulars lodged with the said Council:

**Proposed Development:** Construction of extension and carry out alterations to dwelling house with existing connections to public sewer and water at 11 Cloughleigh 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 relevant provisions in the Clare County Development Plan 2017-2023, it is considered that the proposed development would comply with the zoning objective for the site, would be compatible with the visual and residential amenities of the area and would not impact unduly on the residential amenities of adjacent properties. No appropriate assessment issues arise. 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, 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 external finishes of the proposed extension shall be the same as those of the existing dwelling in respect of colour and texture.

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

3. Water supply and drainage arrangements, including the attenuation and disposal of surface water, shall comply with the requirements of the planning authority for such works and services.

**Reason:** In the interest of public health.

4. The construction of the development shall be managed in accordance with a Construction Management Plan, which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This plan shall provide details of intended construction practice for the development, including noise management measures, details of the proposed method of construction of the northern elevation of the proposed extension, and off-site disposal of construction/demolition waste.

**Reason:** In the interests of public safety and to protect adjacent residential amenity.

5. Site development and building works shall be carried out only between the hours of 0700 to 1800 Mondays to Fridays inclusive, between 0800 to 1400 hours on Saturdays and not at all on Sundays and public holidays. Deviation from these times will only be allowed in exceptional circumstances where prior written approval has been received from the planning authority.

**Reason:** In order to safeguard the residential amenities of property in the vicinity.

6. No part of the proposed development shall overhang or encroach onto adjoining properties.

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

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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**