

Planning and Development Acts 2000 to 2020

Planning Authority: Clare County Council

Planning Register Reference Number: P20/475

Appeal by Pierre Butler and Zuzana Jezikova of Cobwebs, 2 John Street, Killaloe, County Clare against the decision made on the 13th day of November, 2020 by Clare County Council to grant subject to conditions a permission to Paul Ryan care of Niklas Weissbrich of 22 Boru Walk, Newtown, Killaloe, County Clare in accordance with plans and particulars lodged with the said Council:

Proposed Development: (a) Increase the ridge height of the existing building, (b) convert rear pitched roof to flat roof and (c) convert attic space to habitable master bedroom ancillary to first floor apartment and all associated site works, all at John Street, Killaloe, 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 “mixed use” zoning objective for the site, as set out in the Clare County Development Plan 2017 – 2023, it is considered that, subject to compliance with the conditions set out below, the proposed development would be in accordance with the development objectives for the area, would not adversely affect the visual or residential amenities of properties in the vicinity or the designated Architectural Conservation Area, would be acceptable in terms of traffic and public safety and would 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 19th day of October 2020, 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 existing apartment at first floor and the proposed attic master bedroom shall be jointly occupied as a single residential unit and the attic master bedroom shall not be sold, let or otherwise transferred or conveyed, save as part of the apartment at first floor.

Reason: To restrict the use of the extension in the interest of residential amenity.

3. All external finishes shall harmonise with the existing finishes of the house in respect of materials and colour.

Reason: In the interest of visual amenity.

4. Drainage arrangements, including the attenuation and disposal of surface water, shall comply with the requirements of the planning authority for such works and services. No surface water shall be allowed to discharge onto the public road or adjoining properties.

Reason: In the interests of orderly development and public health.

5. All service cables associated with the proposed development (such as electrical, telecommunications and communal television) shall be located underground.

Reason: In the interests of visual and residential amenity.

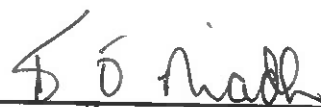


6. Site development and building works shall be carried out only between the hours of 0800 and 1900 from Mondays to Fridays inclusive, between 0800 and 1400 hours on Saturdays and not at all on Sundays and public holidays. Deviation from these times will only be allowed in exceptional circumstances where prior written approval has been received from the planning authority.

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

7. 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 hours of working, noise management measures and off-site disposal of construction/demolition waste.

Reason: In the interests of public safety and residential amenity.



Terry Ó Niadh

Member of An Bord Pleanála

duly authorised to authenticate
the seal of the Board.

Dated this 27th day of May 2021.

