



An
Bord
Pleanála

Board Order
ABP-309068-20

Planning and Development Acts 2000 to 2020

Planning Authority: Clare County Council

Planning Register Reference Number: P20/137

Appeal by Dolores McInerney and Carol Lane of 13 Saint Flannan's Terrace, Clare Road, Ennis, County Clare against the decision made on the 4th day of December, 2020 by Clare County Council to grant subject to conditions a permission to John and Maura Neylon care of John Neylon and Associates of 52 Cathedral Court, Ennis, County Clare in accordance with plans and particulars lodged with the said Council.

Proposed Development: Removal of section of blockwork and the carrying out of alterations and extension to dwellinghouse with existing connections to public sewer and water plus ancillary site works at 14 Saint Flannan's Terrace, Clare 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 Clare County Development Plan 2017-2023 according to which the site is located within an area subject to the zoning objective: 'Existing Residential and the Ennis Architectural Conservation Area, it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the residential amenities of adjoining properties or the visual amenities and character of the area 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 13th day of November, 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 wing walls and gates shown on the site layout plan to be erected at the rear boundary of the site at the frontage onto the public road are not included in this grant of permission. Prior to commencement of development, the developer shall submit to, and agree in writing with, the planning authority revised site layout plans showing these details omitted.

Reason: In the interest of clarity.

3. Details of the materials, colours and textures of all the external finishes to the proposed development, shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. Sample panels shall be erected on site for inspection by the planning authority in this regard.

Reason: In the interest of visual amenity.



4. Site development and building works shall be carried out only between the hours of 0700 to 1800 Mondays to Fridays inclusive, between 0800 hours 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.

5. 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.

6. Prior to commencement of development, the developer shall enter into water and/or wastewater connection agreements with Irish Water.

Reason: In the interest of public health.



Paul Hyde

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

Dated this 9th day of June 2021.