

**An
Bord
Pleanála**

**Board Order
ABP-309220-21**

Planning and Development Acts 2000 to 2020

Planning Authority: Clare County Council

Planning Register Reference Number: P20/796

Appeal by Sally Cunningham and Mary McCullough care of 13 Limerick Road, Ennis, County Clare against the decision made on the 21st day of December, 2020 by Clare County Council to grant subject to conditions a permission to Sinead Madden care of Michael Davis of 6 An tSean Dun, Roslevan, Ennis, County Clare in accordance with plans and particulars lodged with the said Council:

Proposed Development: (a) Retention of renovations, alterations and extension to existing dwelling, and (b) completion of renovations, alterations and extension to existing dwelling, together with all ancillary site development works and services at 18 Limerick 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 provisions of the Clare County Development Plan 2017-2023, the design and scale of the extension, and the pattern of development in the area, it is considered that, subject to compliance with the conditions set out below, the development for which retention is sought would not seriously injure the residential or visual amenities of the area or of property in the vicinity. The development for which retention is sought would, therefore, be in accordance with the proper planning and sustainable development of the area.

In deciding not to accept the Inspector's recommendation to refuse permission, the Board considered that concerns raised regarding overlooking, overbearing and standards of residential development for future occupants could be dealt with by way of condition.

Conditions

1. The development shall be retained 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 and the development shall be retained and completed in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. The use of the first floor as habitable accommodation is not permitted. The first floor shall be used for storage purposes only.

Reason: In the interest of orderly development and residential amenity.

3. The two windows to the rear roof elevation shall be permanently glazed with obscured glass and shall be non-openable.

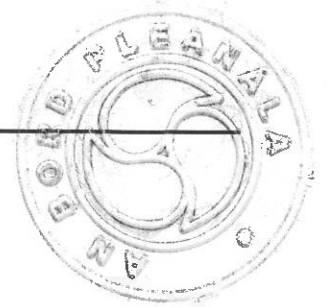
Reason: In the interest of residential amenity.

4. Surface water drainage arrangements for the proposed development shall comply with the requirements of the planning authority.

Reason: In the interest of public health.



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



Dated this *3rd* day of *June* 2021.