

Planning and Development Acts 2000 to 2021

Planning Authority: Clare County Council

Planning Register Reference Number: P20/842

APPEAL by Ronan and Janine Howard care of PND Building Consultancy Limited of Kilrush House, Frances Street, Kilrush, County Clare against the decision made on the 22nd day of April, 2021 by Clare County Council to refuse permission.

Proposed Development: To renovate and extend an existing cottage, construct a private garage, new entrance and driveway and install a new wastewater treatment system along with all associated works at Kells, Corofin, County Clare as revised by the further public notices received by the planning authority on the 26th day of March, 2021.

Decision

REFUSE permission for the above proposed development in accordance with the reasons and considerations 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.

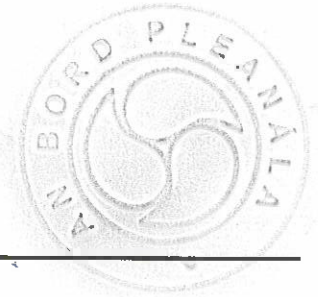
Reasons and Considerations

1. It is an objective of the Clare County Development Plan 2017 – 2023 (as varied), as set out under CDP 3.15, that the design, scale and materials used in the refurbishment and / or extension of derelict dwellings are in keeping and sympathetic with the existing structure. Having regard to the derelict structure on site and to the nature and extent of the proposed works (as amended) it is considered that the proposed development, would by reason of its overall floor area relative to the stated floor area for the derelict structure, and by reason of its design, fundamentally compromise the original character of the existing structure whereby the existing structure would be overwhelmed by the volume of new build. Furthermore, the proposed development including the proposed garage would, by reason of its massing, bulk and position on the site, be incongruous and out of character with the pattern of development in the vicinity, would constitute a visually discordant feature that would detract from the original character of the existing structure on the site, would be detrimental to the rural character of this area which it is appropriate to preserve, and would set an undesirable precedent for future similar development in this area. The proposed development would, therefore, be contrary to Objective CDP 3.15 and to the proper planning and sustainable development of the area.

2. On the basis of the information provided with the application and the appeal and in the absence of a Natura Impact Statement the Board cannot be satisfied that the proposed development individually or in combination with other plans or projects would not result in adverse effects on the integrity of the East Burren Complex Special Area of Conservation (Site Code: 001926) in view of the sites Conservation Objectives by reason of the appeal sites location within this Natura 2000 site that may result in direct effects due to construction and development related emissions associated with the development and, therefore, the Board is precluded from granting permission.




Stephen Bohan
Member of An Bord Pleanála
duly authorised to authenticate
the seal of the Board



Dated this *28th* day of *March* 2022