

Planning and Development Acts 2000 to 2021

Planning Authority: Leitrim County Council

Planning Register Reference Number: 21/129

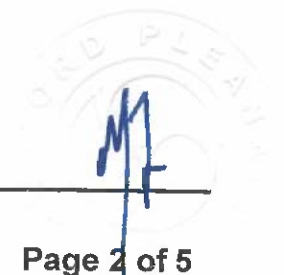
APPEAL by Enda and Caroline McHugh care of William Doran of 7 St. Mary's Road, Ballsbridge, Dublin against the decision made on the 12th day of August, 2021 by Leitrim County Council to grant subject to conditions permission for development comprising retention of the recently constructed timber framed structure to support the existing covered beer garden located to the rear of existing licenced premises with roof coverings consisting of single skin, corrugated clear polycarbonate sheeting material and retention of the newly installed external bar with service/pouring taps located in the beer garden to the rear of existing licenced premises in accordance with plans and particulars lodged with the said Council, and to refuse permission for development comprising retention of the recently constructed first floor level extension to the rear of existing licenced premises comprising of a box steel frame with single skin corrugated metal roof sheeting, sides which are clad with timber sheeting and floor also comprising of timber sheeting and accessed via a timber stairway from the existing beer garden and retention of the existing front façade of the existing licenced premises as constructed which consists of an exposed natural stone finish with red brick window surrounds, all at McHugh's Bar, Bridge Street, Carrick-on-Shannon, County Leitrim.

Decision

GRANT permission for retention of the recently constructed timber framed structure to support the existing covered beer garden located to the rear of existing licenced premises with roof coverings consisting of single skin, corrugated clear polycarbonate sheeting material and retention of the newly installed external bar with service/pouring taps located in the beer garden to the rear of existing licenced premises in accordance with the said plans and particulars based on the reasons and considerations marked (1) under and subject to the conditions set out below. REFUSE permission for retention of the recently constructed first floor level extension to the rear of existing licenced premises comprising of a box steel frame with single skin corrugated metal roof sheeting, sides which are clad with timber sheeting and floor also comprising of timber sheeting and accessed via a timber stairway from the existing beer garden and retention of the existing front façade of the existing licenced premises as constructed which consists of an exposed natural stone finish with red brick window surrounds based on the reasons and considerations marked (2) under.

Reasons and Considerations (1)

Having regard to the site's mixed-use land use zoning objective, within which a mix of residential and commercial activity takes place, and the existing established use on the site, it is considered that, subject to compliance with the conditions set out below, the development proposed to be retained would not seriously injure the residential amenities of the area or of property in the vicinity and would, therefore, be in accordance with the proper planning and sustainable development of the area.



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. Within four weeks of the date of this Order, the developer shall submit revised drawings to the planning authority for written agreement detailing the following:
 - (a) revised plans for the roof covering of the beer garden/smoking area which illustrate the removal of the overhang of adjoining premises/properties, and
 - (b) provision of a suitable rainwater collection system which ensures all rainwater is collected and disposed of within the site.

Within eight weeks of the revised plans for the roof covering being agreed under Condition 2(a) above, the revised roof and rainwater collection system shall be installed, and the planning authority shall be notified of this in writing.

Reason: To prevent interface with adjoining properties and to ensure the proper disposal of rainwater.

3. Apart from any departures specifically authorised by this permission, the development shall be retained and completed in accordance with the terms and conditions of the permission granted under planning register reference number P.19/245, and any agreements entered into thereunder.

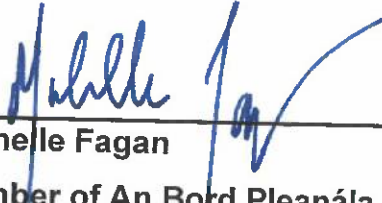
Reason: In the interest of clarity and to ensure that the overall development is retained and completed in accordance with the previous planning permission.

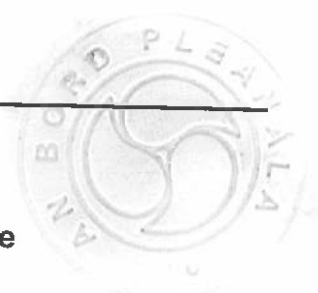
Reasons and Considerations (2)

1. Having regard to the size, scale, design and location of the extension proposed to be retained, it is considered that the first-floor extension negatively impacts on the residential amenities of the surrounding area primarily by reason of noise impact and would, therefore, be contrary to the proper planning and sustainable development of the area.



2. Having regard to the location of the building within the Carrick-on-Shannon Architectural Conservation Area, the front façade of the building as presented, inclusive of external finishes is considered to be out of character with the streetscape and detrimental to the Architectural Conservation Area in which the building is located. The retention of the façade, as presented, would be contrary to Policy 11.3c and Objective 11.4a of the Carrick-on-Shannon Local Area Plan 2010 - 2019 and Objective 90 of the Leitrim County Development Plan 2015 - 2021 (as extended) which seek to protect the external fabric of structures of heritage value in the Architectural Conservation Area, to protect and enhance the Architectural Conservation Area(s) and to conserve and enhance the character of the historic town core of Carrick-on-Shannon. The façade proposed to be retained would, therefore, be contrary to the proper planning and sustainable development of the area.


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



Dated this 28th day of October 2022.