

An
Bord
Pleanála

Board Order
ABP-313983-22

Planning and Development Acts 2000 to 2022

Planning Authority: Clare County Council

Planning Register Reference Number: P21/1262

Appeal by Veronica and Mike McInerney care of Hassett Leyden and Associates of 4 Bindon Street, Ennis, County Clare against the decision made on the 9th day of June, 2022 by Clare County Council to grant subject to conditions a permission to Colm Fitzgerald care of Mark McKenna Consulting Engineers of Templemary, Buttevant, County Cork in accordance with plans and particulars lodged with the said Council.

Proposed Development: Retention of as constructed domestic garage as previously permitted under planning register reference number 19/455 at Ballybeg, 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.

Reasons and Considerations

Having regard to the residential land use zoning of the area, the design, nature and scale of the development to be retained and the existing pattern of development in the area, it is considered that, subject to compliance with the conditions set out below, the retention of the development would not seriously injure the residential amenities of the area 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. The development shall be altered as follows:
 - (a) The flat-roofed timber framed structure/car port attached to the garage shall be removed within eight months of the date of this Order and the garage elevations shall be made good.
 - (b) The hard surfaced ground along the northern boundary shall be replaced with soil and the boundary shall be landscaped in accordance with a comprehensive scheme of landscaping so as to obscure views of the garage from the garden to the north.

Revised drawings showing compliance with these requirements shall be submitted to, and agreed in writing with, the planning authority prior to commencement of the works.

Reason: In the interests of visual and residential amenity.

3. Within three months of the date of this Order, the developer shall submit for the written agreement of the planning authority full details, including appropriately scaled drawings of drainage arrangements for the disposal of surface water generated by the development.

Reason: In the interest of public health.

4. The garage structure shall be used for domestic purposes only incidental to the enjoyment of the dwelling house and under no circumstances shall the structures be used as habitable accommodation or for commercial use.

Reason: In the interest of residential amenity.

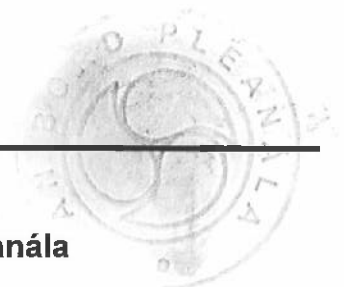


Mary Cregg

Member of An Bord Pleanála

duly authorised to authenticate

the seal of the Board.



Dated this 30th day of June 2023.