



An
Bord
Pleanála

Board Order
ABP-315165-22

Planning and Development Acts 2000 to 2022

Planning Authority: Clare County Council

Planning Register Reference Number: P22/802

Appeal by Anne McKiernan care of P. Coleman and Associates of Bank Place, Ennis, County Clare against the decision made on the 27th day of October, 2022 by Clare County Council to grant subject to conditions a permission to Patrick McKnight care of PND Building Consultancy Limited of Kilrush House, Frances Street, Kilrush, County Clare in accordance with plans and particulars lodged with the said Council.

Proposed Development: Construct a first-floor extension to an existing house along with all associated works at Cappa, Kilrush, 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 existing residential use on the site, to the limited size and scale of the proposed extension and its location to the rear of the house, and to the screening afforded by existing development, it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the amenities of the area or depreciate the value of properties in the vicinity, would not detract from Cappa Architectural Conservation Area or the designated scenic route in the vicinity of the site and would, therefore, 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 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 proposed extension shall be set back by at least 0.5 metres from the building line of the existing extension on the east side of the site.

Reason: To reduce overbearing impacts and protect residential amenity.

3. The bathroom window in the east elevation shall be fitted with and permanently maintained with opaque glass.

Reason: To prevent overlooking of adjoining residential property.

4. A privacy screen 1.8 metres in height shall be erected on the east side of the balcony area which shall be stepped down to 1.2 metres at the front. Details in this regard shall be submitted to, and agreed in writing with, the planning authority prior to commencement of the development.

Reason: In the interest of residential amenity.

5. All drainage arrangement including the 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 and to ensure adequate servicing of the development.

6. The external finishes of the proposed extension shall match the external finishes of the existing house in both colour and texture.

Reason: In the interest of visual amenity.

7. Site development and building works shall be carried out only between the hours of 0800 and 1900 from Mondays to Fridays inclusive, between 0800 and 1400 on Saturdays and not 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: To safeguard the amenities of property in the vicinity.



Mary Cregg

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



Dated this 14th day of July 2023.