

An  
Bord  
Pleanála

## Board Order ABP-317550-23

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**Planning and Development Acts 2000 to 2022**

**Planning Authority: Clare County Council**

**Planning Register Reference Number: 22/747**

**Appeal** by Catherine Vaughan of Oughtdarra, Lisdoonvarna, County Clare against the decision made on the 13<sup>th</sup> day of June, 2023 by Clare County Council to grant subject to conditions a permission to Tim and Noreen Blair care of AF Engineering of Doolin, County Clare in accordance with plans and particulars lodged with the said Council.

**Proposed Development:** Construction of gym/garden room and detached domestic garage ancillary to existing dwelling together with associated site works, all at Oughtdarra, Lisdoonvarna, County Clare, as revised by the further public notices received by the planning authority on the 19<sup>th</sup> day of May, 2023.

### **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 nature of the proposed development, its siting, scale and design, it is considered that, subject to compliance with the conditions set out below, the proposed development would not adversely impact the character of the area or seriously injure the visual or residential amenities of the area, and would, therefore, be in accordance with the proper planning and sustainable development of the area.

## Conditions

1. The proposed development shall be carried out and completed in accordance with the plans and particulars lodged with the application, as amended by the further plans and particulars received by the planning authority on the 9<sup>th</sup> day of May, 2023, 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 proposed development shall be carried out and completed in accordance with the agreed particulars.

**Reason:** In the interest of clarity.

2. The development hereby permitted does not include permission to use the existing field gate entrance, indicated on the revised site layout plan received by the planning authority on the 9<sup>th</sup> day of May, 2023, to serve as access to the proposed garage. Access to the proposed garage shall be through the entrance serving the dwelling.

**Reason:** In the interest of clarity and traffic safety.

3. The proposed garage and gym/garden room shall not be used for commercial purposes or any other purpose incidental to the enjoyment of the existing dwellinghouse on the site.

**Reason:** In the interest of clarity and orderly development.

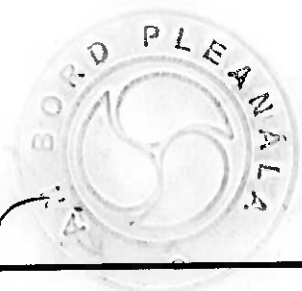
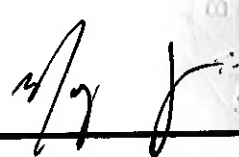
4. Details of the external finishes of the proposed development shall be submitted to, and agreed in writing with, the planning authority within two months of the date of this order.

**Reason:** In the interest of visual amenity.

5. Drainage arrangements, including the attenuation and 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.

6. The developer shall pay to the planning authority a financial contribution in respect of public infrastructure and facilities benefiting development in the area of the planning authority that is provided or intended to be provided by or on behalf of the authority in accordance with the terms of the Development Contribution Scheme made under section 48 of the Planning and Development Act 2000, as amended. The contribution shall be paid prior to the commencement of development or in such phased payments as the planning authority may facilitate and shall be subject to any applicable indexation provisions of the Scheme at the time of payment. Details of the application of the terms of the Scheme shall be agreed between the planning authority and the developer or, in default of such agreement, the matter shall be referred to the Board to determine the proper application of the terms of the Scheme.
- Reason:** It is a requirement of the Planning and Development Act 2000, as amended, that a condition requiring a contribution in accordance with the Development Contribution Scheme made under section 48 of the Act be applied to the permission.



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**Mary Cregg**

**Member of An Bord Pleanála**

**duly authorised to authenticate**

**the seal of the Board**

Dated this 10<sup>th</sup> day of November 2023.