

An
Bord
Pleanála

Board Order ABP-319794-24

Planning and Development Acts 2000 to 2022

Planning Authority: Clare County Council

Planning Register Reference Number: 24/18

Appeal by Martin Murphy care of Michael Eustace and Company Limited of Inisgrove, Lahinch Road, Ennis, County Clare against the decision made on the 1st day of May, 2024 by Clare County Council to grant subject to conditions a permission in accordance with plans and particulars lodged with the said Council.

Proposed Development: Demolition of existing buildings, construction of a two-storey dwellinghouse, a commercial unit with first floor office and storage space and one number two-storey house at the laneway, including all ancillary site works, all at Main Street, Tulla, County Clare.

Decision

Having regard to the nature of the condition the subject of the appeal, the Board is satisfied that the determination by the Board of the relevant application as if it had been made to it in the first instance would not be warranted and, based on the reasons and considerations set out below, directs the said Council under subsection (1) of section 139 of the Planning and Development Act 2000, as amended, to AMEND condition number 2 so that it shall be as follows for the reason set out.


2. The entire demolition of the existing structures shall not be permitted. Prior to commencement of development, the developer shall submit revised plans and particulars for the written agreement of the planning authority, to include the retention of the front façade of the larger northern building in addition to its elevation addressing the laneway. The revised proposal shall include a Method Statement, with input from a suitably qualified architectural conservation professional, detailing how the façade will be secured and maintained throughout the construction process, including taking account of the proposed lowering of the footpath abutting the façade.

Reason: To ensure the protection of the built heritage of the area.

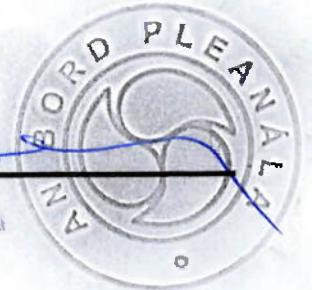


Reasons and Considerations

Having regard to the provisions of the Clare County Development Plan 2023-2029, the location of the site within the Tulla Architectural Conservation Area, and the information submitted with the planning application and the appeal, it is considered that the applicant has not set out a sufficient justification for the demolition of the front facades of all buildings on the site, and that, subject to compliance with the amended condition number 2, in addition to the other conditions specified by the planning authority, the proposed development would be in accordance with Development Plan Objective CDP 16.5, which seeks to protect from demolition existing buildings and structures which are considered to be intrinsic elements of the special character of the Architectural Conservation Area, and would not seriously injure the amenities of the area or the character of the Tulla Architectural Conservation Area. The proposed development, subject to compliance with the amended condition number 2, would, therefore, be in accordance with the proper planning and sustainable development of the area.



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



Dated this 4th day of November 2024.