

An
Coimisiún
Pleanála

Commission Order
ABP-322107-25

Planning and Development Acts 2000 to 2022

Planning Authority: Clare County Council

Planning Register Reference Number: 2460666

APPEAL by Cuinche Paisti Beaga Limited care of Hassett Leyden and Associates of Roselevan Shopping Centre, Tulla Road, Ennis, County Clare against the decision made on the 21st day of February, 2025 by Clare County Council to refuse permission for the proposed development.

Proposed Development: Retention of the following (a) the existing Covid structure as covered external shelter and play area and (b) the use of the ground floor of existing house as a creche/montessori and removal of condition number 3 of granted planning permission P04/626 at Newline Road, Quin, County Clare.

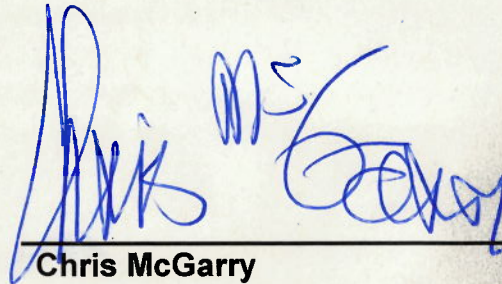
Decision

REFUSE permission for the above proposed development in accordance with the reasons and considerations set out below.

Reasons and Considerations

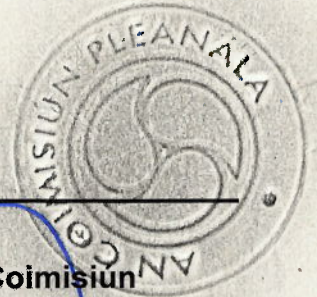
1. The site of the subject development is located in an area zoned "Existing Residential" in the Clare County Development Plan 2023-2029, for which the objective is to conserve and enhance the quality and character of the areas, to protect residential amenities. Furthermore, it is a policy of Clare County Development Plan 2023-2029, as set out in Section 10.17.1 which refers to Pre-School/Childcare Facilities, to permit childcare facilities in existing residential areas provided that it is balanced with the protection of residential amenities and the retention of the character of the area. It is advised under section A1.4.3 of the development plan that sessional or after-school care which is ancillary to the main residential use is more appropriate in the context of semi-detached properties. Accordingly, having regard to the significantly increased scale and intensification of the childcare/Montessori centre over that which was permitted under permission granted under planning register reference number P04/626, and to the limited residential use on site, it is considered that the development proposed to be retained would seriously injure the amenities of residential property in the vicinity and would, therefore, be contrary to the proper planning and sustainable development of the area.
2. Having regard to the number of staff employed and the number of children facilitated on the site, and the significant deficiency in the provision of car parking, it is considered that the traffic volumes and movements associated with the proposed use of the ground floor of the existing dwelling as a childcare/Montessori centre, in conjunction with the existing permitted childcare facility on site, together with the hours of operation of such a facility, would lead to unacceptable levels of traffic within this residential area, and would give rise to haphazard vehicular stopping and parking practices and turning movements thereby resulting in the obstruction of other road users, would endanger public safety by reason of traffic hazard, and would seriously injure the residential

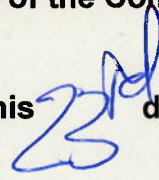
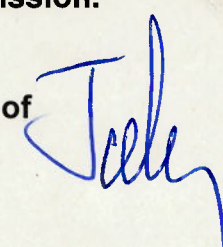
amenity of the occupants of nearby housing by reason of increased levels of traffic, noise, and general disturbance. The development proposed to be retained would, therefore, be contrary to the proper planning and sustainable development of the area.



Chris McGarry

**Planning Commissioner of An Coimisiún
Pleanála duly authorised to authenticate
the seal of the Commission.**



Dated this  **day of**  **2025.**