

An  
Coimisiún  
Pleanála

Commission Order  
ABP-322232-25

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**Planning and Development Acts 2000 to 2022**

**Planning Authority: Clare County Council**

**Planning Register Reference Number: 25/60021**

**Appeal** by Bebhinn Gleeson care of HRA Planning, Chartered Town Planning Consultants of 3 Hartstonge Street, Limerick against the decision made on the 13<sup>th</sup> day of March, 2025 by Clare County Council in relation to an application for permission for (i) retention permission for the demolition of the existing shed at the rear of the site. Additionally, retention permission and planning permission are sought to reduce the scale of the partially constructed replacement outbuilding and to repurpose this structure as a home office with ancillary domestic rooms, along with all associated site works. (ii) Retention permission is also sought to regularise the minor alterations to previously approved fenestration arrangements of the renovated cottage, as granted under Planning Register Reference Number P19-399 at Kilconnell, Liscannor, County Clare (A Protected Structure) in accordance with the plans and particulars lodged with the said Council (which decision was to grant subject to a condition for retention permission to regularise the minor alterations to previously approved fenestration arrangements of the renovated cottage, as granted under Planning Register Reference Number P19-399 and to refuse permission for the demolition of the existing shed at the rear of the site and the retention permission and planning permission to reduce the scale of the partially constructed replacement outbuilding and to repurpose this structure as a home office with ancillary domestic rooms, along with all associated site works).

## **Decision**

**GRANT** retention permission to regularise the minor alterations to previously approved fenestration arrangements of the renovated cottage, as granted under Planning Register Reference Number P19-399 in accordance with the said plans and particulars based on the reasons and considerations marked (1) under and subject to the conditions set out below.

**REFUSE** retention permission for the demolition of the existing shed at the rear of the site and the retention permission and planning permission to reduce the scale of the partially constructed replacement outbuilding and to repurpose this structure as a home office with ancillary domestic rooms, along with all associated site works based on the reasons and considerations marked (2) under.

## **Reasons and Considerations (1)**

Having regard to the nature of the alterations proposed to the renovated cottage, which forms part of the protected structure reference RPS number 619, and also having regard to the planning history pertaining to the cottage (specifically planning register reference P19-399), it is considered that, subject to compliance with the conditions set out below, the proposed development for which retention permission is sought would not adversely impact on the character or setting of the cottage, would not adversely impact on the visual amenities of the area and would comply with Objectives CDP16.1 and CDP16.2 of the Clare County Development Plan 2023-2029. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.



## Conditions

1. The development shall be retained, 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 condition. Where such condition require details to be agreed with the planning authority, the developer shall agree such details in writing with the planning authority within three months of the date of this order and the development shall be retained, carried out and completed in accordance with the agreed particulars.

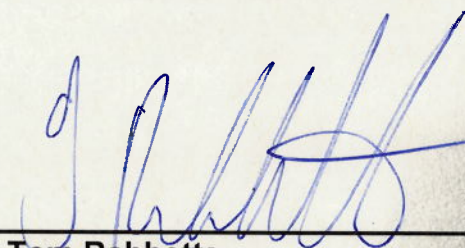
**Reason:** In the interest of clarity.

2. Apart from any departures specifically authorised by this permission, the development shall comply with the conditions of the parent permission Planning Register Reference Number P19-399 unless the conditions set out hereunder specify otherwise. This permission shall expire on the same date as the parent permission.

**Reason:** In the interest of clarity and to ensure that the overall development is carried out in accordance with the previous permission.

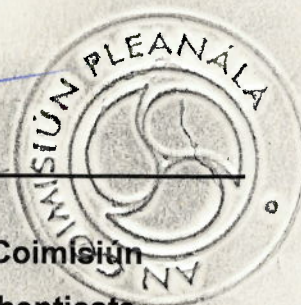
## Reasons and Considerations (2)

Section 57 (10) of the Planning and Development Act 2000, as amended, states that the Planning Authority or the Commission, on appeal, shall not grant permission for the demolition of a protected structure or proposed protected structure save in exceptional circumstances. Having regard to the information received relating to the outbuilding/shed, which forms part of the protected structure reference RPS number 619, it is considered that exceptional circumstances have not been satisfactorily demonstrated in this instance. The proposed retention and completion, if permitted, would result in the direct destruction of the architectural heritage of the county, would fail to protect the structure which is of architectural and historical interest, would set an undesirable precedent for other such development proposals, would conflict with sections 6.8.11 and 14.1.3 of the Architectural Heritage Protection Guidelines for Planning Authorities (2011) and would be contrary to the provisions of CDP16.1 and 16.2 of the Clare County Development Plan 2023-2029, where it is an objective to ensure that the archaeological and architectural heritage of the county is not damaged through direct destruction and to protect, as set out in the Record of Protected Structures, all structures, which are of special architectural, historical, archaeological, artistic, cultural, scientific, social or technical interest. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.



Tom Rabbette

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



Dated this 28<sup>th</sup> day of July 2025