

An
Coimisiún
Pleanála

Commission Order
PL-500975-CE-26

Planning and Development Act 2000, as amended

Planning Authority: Clare County Council

Planning Register Reference Number: 25/60814

Appeal by Michael Dinneen and Áine Burns against the decision made on the 20th day of February, 2026 by Clare County Council to grant subject to conditions a permission to Jim Marrinan in accordance with plans and particulars lodged with the said Council.

Proposed Development: Demolish section of the existing dwelling, construction of a new extension and refurbishment of the retained single storey building along with all ancillary works at existing site, all at 11 Marine Parade, Kilkee, 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 dwelling on the site, to its location within a designated Area of Architectural Conservation and within an Existing Residential zoning objective in the Clare County Development Plan 2023 - 2029, to the pattern of development in the vicinity of the subject site and to the nature, scale and form of the proposed extension, it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the residential or visual amenities of the area, would be acceptable in terms of traffic safety, 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, 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. No part of the house shall be used for the purpose of providing overnight paying guest accommodation, unless subject to a prior grant of planning permission.

Reason: In the interest of residential amenity.

3. All external finishes (including roof tiles/slates, render finish and windows) shall be strictly as proposed in the drawings submitted to the planning authority, unless otherwise agreed in writing with the planning authority.

Reason: In the interest of visual amenity.

4. The disposal of surface water shall comply with the requirements of the planning authority for such works and services, and the developer shall submit details for the disposal of surface water from the site for the written agreement of the planning authority prior to commencement of development.

Reason: In the interest of public health.

5. Site development and building works shall be carried out only between the hours of 0700 and 1900 from Mondays to Fridays inclusive, between the hours of 0800 and 1400 on Saturdays, and not at all on Sundays or public holidays. Deviation from these times shall only be allowed in exceptional circumstances where prior written approval has been received from the planning authority.

Reason: In order to safeguard the residential amenities of property in the vicinity.



6. Prior to commencement of development, the developer shall submit details of a Construction Management Plan for the written agreement of the planning authority. The plan shall provide details of intended construction practice for the proposed development, including traffic management, noise and dust management, and off-site disposal of construction/demolition waste. The proposed development shall be carried out in accordance with the agreed details.

Reason: In order to ensure a satisfactory standard of development, in the interests of residential amenity and public safety.

7. All bathroom and ensuite windows on the southern elevation (first floor level) shall be glazed with permanent obscure glazing.

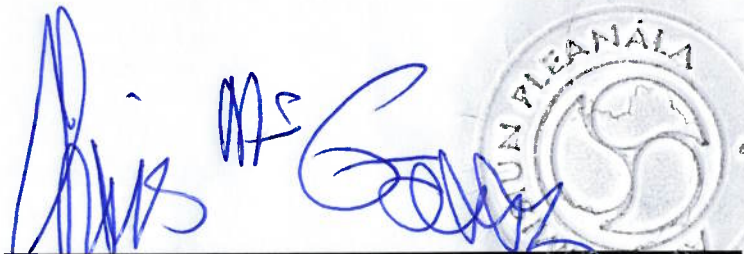
Reason: In the interest of residential amenity.

8. All service cables associated with the proposed development (such as electrical, telecommunications and communal television) shall be located underground. Ducting shall be provided by the developer to facilitate the provision of broadband infrastructure within the proposed development.

Reason: In the interest of visual amenity.

9. 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 An Coimisiún Pleanála 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.



Chris McGarry

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

Dated this 15th day of July 2026.