



An
Coimisiún
Pleanála

Inspector's Report

PL-500975-CE-26

Development

Demolish section of dwelling,
construction of a new extension and
refurbishment of the building along with
ancillary site works.

Location

11 Marine Parade, Kilkee, Co. Clare

Planning Authority

Clare County Council

Planning Authority Reg. Ref.

2560814

Applicant(s)

Jim Marrinan

Type of Application

Permission

Planning Authority Decision

Grant Permission + Conditions

Type of Appeal

Third Party Normal Planning Appeal

Appellant(s)

Michael Dinneen & Aine Burns

Observer(s)

None

Date of Site Inspection

23rd of June 2026

Inspector

Caryn Coogan

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1.0 Site Location and Description

- 1.1. Kilkee is a coastal Irish town in Co. Clare. The site is located at 11 Marine Parade in Kilkee village. The site overlooks the horseshoe bay and sandy beach. The proposed development is located within the Kilkee Architectural Conservation Area (ACA) and occupies a prominent corner site at Marine Parade and Geraldine Place.
- 1.2. 11 Marine Parade is a single storey dwelling located at the junction of Marine Parade and Geraldine Place. The rear of the dwelling is a part two storey rear return onto Geraldine Place. There is a small garden to the front of the dwelling. The site area is 0.047ha.
- 1.3. The site is allocated at the end of a predominantly single storey row of houses, with one two storeys dwelling to the east, and a two-storey dwelling to the immediate south.
- 1.4. Geraldine Place is mainly a street of single storey terraced house most with distinct bay windows. The street is punctuated by a number of two storey dwellings. On the opposite side of the street there are single storey dwellings.
- 1.5. The common boundary wall with the two-storey dwelling to the south is a 1.8m stone wall. The dwelling to the south has been recently refurbished. There is a low stone wall fronting the property along the street.
- 1.6. Along Geraldine Place the existing building footprint on the subject site is setback from the edge of the road. There is a parking space currently in place between the side building line and the edge of the road.

2.0 Proposed Development

- 2.1 Planning permission to 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 in 11 Marine Parade, Kilkee, Co. Clare.
- 2.2 The floor area of the existing building is 187sq.m. The area to be demolished is 126sq.m. The proposed extension is 154sq.m.
- 2.3 The gable-fronted element has been designed to align more closely with the prevailing architectural character along Geraldine Place.

- 2.4 The submission documents include a full set of drawings, a Structural Survey, 3-D Photomontages of the proposed development in the context of the existing streetscape and design brief.
- 2.5 The existing dwelling has connections to public infrastructure.

3.0 Planning Authority Decision

3.1. Decision

Clare Co. Co. Decided to grant planning permission for the proposed development subject to 11No. conditions. The planning conditions are standard apart from a number of site-specific ones:

2.(a) The existing dwelling and proposed extension shall be jointly occupied as a single residential unit and the extension shall not be sold, let or otherwise used as a separate dwelling unit.

(b) No part of the house shall be used for the purpose of providing overnight paying guest accommodation without a prior grant of planning permission.

Reason: In the interest of residential amenity.

3. Notwithstanding any drawings submitted, the following schedule of materials/finishes only shall be used in the proposed development:

(a) All external doors shall be of solid painted timber. All external windows shall be of painted timber sliding sash or other agreed type.

(b) No fascia and soffit are permitted. Rainwater goods may be fixed to an advanced eaves course of stone, concrete or plaster.

(c) The roof shall be finished in natural quarry slate (salvaged or new) black, purple, dark grey, green or blue/black in colour. The ridge tile shall be of concrete or clay manufacture, without raised edges or ribs.

(d) Chimneys shall be placed centrally on the ridge and be of traditional dimensions (1.5 to 2 metres, front to back)

(e) No changes are permitted to the agreed window sizes, materials or designs. Any roof lights shall be Conservation Roof Lights.

(f) No changes are permitted to the agreed external wall finishes. All main elevations shall be painted in a neutral/muted colour on completion.

(g) The window cills shall be of natural stone or “Bull Nose” concrete 4-inch cills.

(h) Gable Verges shall be plastered flush to the slate or have narrow concrete over barge. (not raised)

(i) No metal trim or uPVC shall be shown on the exterior of buildings. (fascia, soffit, dormer facings, barge boards, windows, doors, corner / angles.)

Reason: In the interests of visual amenity and in order to ensure a standard of materials and finishes appropriate to this area within the Architectural Conservation Area of Kilkee.

3.2. Planning Authority Reports

3.2.1. *Planning Reports*

- The floor plans illustrate the existing front building being repurposed as a kitchen, living and dining room, and the proposed rear extension functioning as bedrooms, a bathroom, sitting room and study. Accordingly, it is not considered there to be issues with the possible subdivision of this property.
- The proposed development does not comprise vehicular access and would instead rely on on-street parking adjacent to the application site. This is consistent with advice detailed in the assessment of a previous application on site and was not a concern raised in the report of the West Clare Municipal District.
- The proposed boundary treatment would be in line with existing roadside boundaries along Geraldine Place and would not therefore encroach on the public road or give rise to traffic issues.
- The proposed rear extension would closely mirror the pattern of the existing two-storey dwelling to its immediate south and northeast, with its form and design comprising good vernacular proportions, a pitched roof and bay windows to the front. I do not consider this to be overbearing; It is considered

to be consistent with the existing character of the area and to support the character of the Kilkee Architectural Conservation Area.

- The proposed development to improve the visual amenities of the area due to the dilapidated nature of the existing building and the design quality of the proposed rear extension in this prominent location.
- From the floor plans submitted, I do not consider the proposed development to give rise to overlooking of adjoining properties. Proposed windows on the ground floor are at street level and would be mitigated by this context, separation distances, opposing windows and boundary walls. The first floor layout leaves two windows opposing an adjacent property but these serve a bathroom and ensuite, which could be conditioned to be in obscure or opaque glazing.
- Due to the position of the proposed development to the north of the adjoining property to the south, I do not consider it to obscure the sun path to this or to give rise to undue overshadowing.
- It is noted that the subject site is partially located within Flood Zone B. However, having regard to the context and scale of the proposed development, it is not considered it to give rise to flood risk issues.
- Permission is recommended.

3.2.2. *Other Technical Reports*

District Engineer: No objection subject to conditions.

3.3. *Prescribed Bodies*

There were no submissions from the Prescribed Bodies.

3.4. *Third Party Observations*

A third-party objection expressed the following concerns:

- Guaranteed over-shadowing, overlooking and over-bearing.
- The proposed two storey section, the scale and bulk of the proposed rear extension and its proximity to my client's property will cast a shadow over their

property. The proposed two-storey extension is to be constructed approx.. 1.3 metres of my client's property.

- There are windows on the North side of my client's property, on which they are wholly reliant for natural light into certain rooms within their house, which will now be completely overshadowed as a result of the proposed development.
- The subject property has a long-standing existing Western boundary wall, which is in line with the Western gable of the existing house. For all intents and purposes, this has long since served as the definitive property boundary.
- Traffic will only be able to enter / exit Geraldine Place in single lane, thus creating a potentially serious traffic safety issue between cars entering and exiting lane against each other during busy period.
- This application must be assessed in the context of a similar previous application being withdrawn due to concerns about its scale and design.
- The proposed isometric drawings do not include the north side elevation windows of a neighbouring property.
- No legal interest has been demonstrated for the proposed boundary wall to the west of the application site, and it is stated that the existing boundary wall marks the ownership boundary. There are concerns that this would narrow the public roadway and give rise to traffic issues and that the absence of on-site car parking would give rise to on-street car parking with related traffic issues.
- The proposal would narrow the width of the entrance, which would detract from the character of the area.
- No details of ground levels have been submitted.
 - The proposal would result in overdevelopment, with little private amenity space remaining to the rear

4.0 Planning History

4.1. *Planning Reference 2460471*

Jim Marrinan withdrew an application for development which will consist of demolishing part of the existing structure, construction of a new extension and refurbishment of the retained single storey building along with all ancillary works.

4.2. ***Planning Reference 2460063***

Jim Marrinan was refused permission to extend, renovate and demolish part of existing structures including all ancillary works, to include a proposed dwelling house and apartment. Refusal reasons included: the scale would be inappropriate, out of character with the built vernacular of the area, and would adversely affect the visual amenities of the area and the character of the ACA; it would give rise to overlooking with loss of privacy and adverse impacts on adjacent residential amenities; and it would include a vehicular access close to a junction, which would require undesirable reversing movements, which would have adverse impacts on traffic safety and free flow.

4.3. ***Adjoining Site South – Planning Reference 22324***

Michael Dinneen & Aine Burns were granted permission to alter the design of the proposed reconstructed dwelling previously authorised under planning permission ref no 21/526 along with associated site works and services.

4.4. ***Adjoining Site South - Planning Reference 21526***

Michael Dinneen & Aine Burns were granted permission for the following development which is located within Kilkee ACA;) a) demolish existing derelict and structurally unsafe dwelling house; b) re-construct dwelling house with minor alterations and additional floor space; c) all associated site works and ancillary services.

5.0 **Policy Context**

5.1. **Development Plan**

The site is zoned in the Clare County Development Plan 2023, Kilkee, as **Existing Residential**. The stated objective in the development plan:

The objective for land zoned 'existing residential' is to conserve and enhance the quality and character of the areas, to protect residential amenities and to allow for

small scale infill development which is appropriate to the character and pattern of development in the immediate area and for uses that enhance existing residential communities. Existing residential zoned land may also provide for small-scale homebased employment uses where the primary residential use will be maintained

The site is also located within the Kilkee Architectural Conservation Area.

Architectural Conservation Areas (ACAs)

CDP16.5

It is an objective of Clare County Council:

- a) To ensure that new developments within or adjacent to an ACA respect the established character context of the area and contribute positively to the ACA in terms of design, scale, setting and material finishes;
- b) To protect from demolition or removal and non-sympathetic alterations, existing buildings, structures, groups of structures, sites, landscapes and features such as street furniture and paving, which are considered to be intrinsic elements of the special character of the ACA;
- c) To ensure that all new signage, lighting, advertising and utilities to buildings within an ACA are designed, constructed and located in a manner that does not detract from and is complementary to the character of the ACA; and
- d) To ensure that external colour schemes in ACAs enhance the character and amenities of the area and reflect traditional colour schemes.

5.2. Natural Heritage Designations

The coast off Kilkee is designated SAC – Kilkee Reefs SAC site code 002064. The nearby watercourses discharge directly to the sea at Kilkee Bay and Intrinsic Bay, both of which are part of the designated area (from the high tide mark and the top of the exposed cliffs along the coast). The Lower Shannon SAC site code 002165 and the River Shannon and River Fergus Estuaries SPA, site code 004077 are within 5 km to the east of the site – not in hydraulic continuity with any part of the proposed site.

6.0 EIA Screening

- 6.1. Having regard to the nature and scale of the development under consideration, the site location within an existing built-up area outside of any protected site, the nature of the receiving environment, the limited ecological value of the lands in question, the availability of public services, and the separation from the nearest sensitive location, there is no real likelihood of significant effects on the environment arising from the proposed development. The need for environmental impact assessment can, therefore, be excluded at preliminary examination and a screening determination is not required.

7.0 The Appeal

7.1. Grounds of Appeal

The neighbouring house owners have taken this third-party appeal against the planning authority's decision to grant planning permission for the proposed development. The following is a summary of the grounds of their appeal.

7.1.1 Application Site Context

- The application site is within the settlement of Kilkee, at the junction of Marine Parade and Geraldine Place. The site is located at the end of a row of predominantly single storey dwellings. There is a two-storey dwelling to the immediate east and to the immediate south (appellant's property).
- There is an existing stone boundary wall between both properties. The existing house, the subject of the application is setback from the common boundary wall by 3.8m. There is one window on the ground floor of the gable end of the dwelling facing that wall and their house, it does not overlook their property.

7.1.2 Planning Policy Context

- The site is zoned Existing Residential in the Clare County Development Plan 2023-2029. The site is also located in the Kilkee Architectural Conservation Area. Policies outlined under Section 5 of this report.

7.1.3 Planning History

- As per Section 4 of this Report

7.1.4 Impact on Residential Amenity of Their Property

- ***Inappropriate Scale***
- The existing dwelling on the site has a floor area of 187sq.m. It is proposed to demolish part of the existing house, construct a new extension and refurbish the single storey element. Therefore, 126sq.m. will be demolished and the construction of a 154sq.m.. the combined floor area will be 215sq.m. resulting in an increase in floor area of 15.2%.
- The proposal is excessive in scale, massing and height.
- Part of the two-storey extension has a height of 7.82metres. Their house is 6.75m. That is a significant difference of 1m, it is also significantly different to the single storey element of the development.
- The proposal would result in overdevelopment with limited private amenity space increasing the built environment on the site by 15.2%. It will set an undesirable precedent particularly along Geraldine Place where the streetscape consists of one and low rise two storey dwellings.
- ***Development will result in Overlooking and Overshadowing and impact on light***
- There is only one window on the gable end of the existing house facing into their house. The current application includes 4No. windows, two at each level as well as two bay windows where a section of the house along the western elevation projects further out into Geraldine Place than the existing house boundary.
- The two windows at first floor level overlook their property directly. There was no condition imposed that these windows would have obscure glass.
- The two bay windows will project beyond the building line, therefore looking into the front rooms of their house.
- The increased floor area and scale of the proposed house have resulted in a significant reduction of the rear yard area as well as the removal of tow sheds

adjoining the boundary wall to accommodate the new extension. The existing gable wall is setback 3.8m from the boundary wall, the setback will be significantly reduced to 1.3m. that's a loss of 2.5metres in terms of the existing setback which is significant. This will result in overshadowing of their dwelling.

- There are proposed steps at the rear of the proposed extension, between the proposed extension and the shared boundary wall. This would suggest a rise in ground levels. There are no details of the new site levels or how this will look.
- The zoning is to protect existing residential amenities. The objectives of the Architectural Conservation Area are also applicable. The proposed development by way of its excessive height, scale and proximity to their house will be contrary to the development plan in particular Policy Objective CPD 16.5. The reduced setback from 3.8m to 1.3m and the increased height do not reflect the original fabric and site context in terms of the relationship with adjoining dwellings and the historic setting.
- ***Legal Interest***
- The western and northern sections of the application red boundary line appear to extend halfway across the public road. Geraldine Place is a public road. There is a public manhole within the boundary they have submitted which does not appear to have been taken into consideration. It is indicated the footpath would be removed as part of the proposed development.
- A larger scale development on the site was refused. One of the reasons for refusal was the adverse impact on traffic safety and free flow. As part of the previous application, P24/60063, the applicant was proposing a new access onto Geraldine Place.
- Kilkee Floor Relief Scheme ABP320967-24. The red line of the subject site is at the junction of Geraldine Place and Marine Parade.
- Also upon examination of zoning maps there is black and white lines depicting part of the site is on within the Existing residential Zoning objective.
- Based on the documents available on the public record, it would appear that part of the application site to the west is located within the public roadway. Planning permission should not have been granted to build a new boundary wall and part

of the house extension within this area of the public road. The applicant should have been requested to amend the site boundary accordingly.

- ***Policy Compliance***

- Part of the proposed development is included within the area designated as a road on the Kilkee zoning map. The proposal does not comply with the zoning map. It is not consistent with the Kilkee Flood Relief Scheme. Which was granted permission by the Comision.

- ***Impact on Character and Historic Setting of Geraldine Place***

- The new western boundary wall and extension beyond the existing built line would have an adverse impact on the integrity of the streetscape, as well as historic setting. Policies 16.1 and 16.5 of the Clare County Development Plan 2023-2029. Geraldine Place has an historic setting, the proposal will significantly narrow the street and reduce the sense of arrival onto the street.

- ***Impact on Traffic Movement and Safety***

- The proposed development will extend the building line beyond that of the existing dwelling and build a new western boundary wall that will encroach and narrow the existing road thereby give rise to traffic issues. It would impact on traffic movements into and out of the street at the entrance from Marine Parade.
- The absence of onsite parking will also exacerbate traffic movement on Geraldine Place. Parking is not available on Marine Parade so the residents will park on Geraldine Place. If parking occurs outside of the newly proposed western boundary wall it will further narrow the road and create difficulties.

7.2. Applicant Response in the case of a 3rd Party Appeal

- 7.2.1 The applicant has responded to the appeal stating that the third-party appeal is without merit, and the Commission should uphold the decision of Clare Co. Co. The proposed development represents a high-quality sensitively designed residential refurbishment and extensions that is consistent with the established Kilkee ACA, and accords with the zoning objectives of the Clare County Development Plan, and will

not give rise to any material adverse impact on residential amenity of the appellants or any other residential property.

7.2.2 Background

The site is occupied by a poor derelict building that make a negative contribution to this key site within the ACA. The previous scheme on the site, P24/60063 was refused on the grounds of scale, impact on ACA character, overlooking and the vehicular access too close to the junction. There were further design refinements under the withdrawn planning application P24/60471. The current design follows protracted discussions with the planning authority. It retains the single storey building onto Marine Parade, and a new two storey extension to the rear that reflects the scale of the two storey dwellings to the south and north-east of the site. There is no vehicular access proposed.

7.2.3 Orientation and Light

The proposed two storey extension is located to the north of the appellant's two storey dwelling. There will be no interruption of sunlight onto the appellant's property. In addition, their north-facing windows do not receive direct sunlight, and their light is not affected by the development to the north. The proposed extension does not project significantly beyond the existing built envelop and the distance from the shared boundary remains meaningful.

7.2.4 Overlooking and Residential Amenity

The first-floor windows on the first floor southern elevation serve a bathroom and an ensuite. These are non-habitable rooms. There is a condition attached to deal with the residual concerns.

The bay window on the front elevation face onto Geraldines Place and not the appellant's house, there is no direct overlooking of their property associated with them.

The appellants note the existing setback between the dwellings is being reduced from 3.8m to 1.3m. This reduction in setback is a consequence of the extension being built to replace a part demolished section and to align with the rear boundary which itself runs parallel to the adjacent terrace. The proposal is designed to protect residential amenities.

7.2.5 Scale, Massing and Impact on ACA

The proposed development will consist of a total floor area of 215sq.m. following demolition of 126sq.m. and construction of 154sqm new floor area. The net increase in floor area is modest.

The form and scale of the two-storey extension closely mirrors the pattern of the dwelling to the south and to the north-east. The proposed ridge height of 7.35m is closely matched to the existing neighbouring dwellings. The appellant's dwelling is 6.75m and it already occupies a prominent position on Geraldine Place. The proposal does not constitute an unacceptable impact in the context of the mixed scale streetscape.

The existing building is in a derelict condition and makes a negative contribution to the ACA. The proposal is a high-quality, well-designed building finished with appropriate materials reflecting the vernacular character of the area, and is consistent with Policy Objectives 16.1 and 16.5 of the Clare County Development Plan 2023-2029.

7.2.6 Legal Interest and the Western Boundary

The proposed boundary treatment is in line with the existing roadside boundaries along Geraldine Place and would not encroach onto the public road or give rise to traffic issues. The proposal relies on on-street parking, which is consistent with the advise from previous planning applications.

The question of legal title is a private law matter and is not a material planning consideration. It does not affect the planning merits of the planning application or proposed development.

7.2.7 Traffic and Pedestrian Safety

The appellants state the proposal will narrow the road at the entrance to Geraldine Place and will not encroach on the public road. There is no objection to the proposal on traffic grounds from the Engineering department of the PA.

7.2.8 Setting of Geraldine Place

The appellant's property is a substantial property onto Geraldine Place, and the proposed development is modelled on the existing form and scale of the property.

The proposal is in alignment with the public road and buildings along Geraldine Place.

7.2.9 Policy Compliance

The proposed development complies with the Existing Residential Zoning. It complies with Policies 16.1 and 16.5 relating to the Architectural Conservation Areas.

7.3. Planning Authority Response

The Council has asked the Commission to refer to the planner's Report on file.

8.0 Assessment

8.1. I have examined the planning application, the appeal file and inspected the site. I consider the key issues to be addressed are as follows:

- The principle of the development
- Impact on the Visual Amenities
- Impact on Residential Amenities
- Impact on the Architectural Conservation Area
- Impact on Traffic
- Legal Issues Arising

8.2 Principle of the Development

8.2.1 The subject site is an existing vacant and partially dilapidated dwellinghouse located on a prominent coastal urban site in Kilkee village. It embraces two streets, Marine Parade and Geraldine Place both consisting of high quality architectural vernacular dwellings. The majority of the dwellings are single storey houses with bay windows built around 1970s as part of terraces. The subject site is unique because it has two streetscapes and is a single storey dwelling flanked on two boundaries by 2No. two storey dwellings. The façade onto Marine Parade is single storey, while the façade onto Geraldine Place is two storey and in a poor state of repair.

8.2.2 The proposed development has been the subject of a rigorous planning process, whereby the original proposed extension was refused planning permission under Planning Reference 2460063 due to the scale of the extension. The proposal was considered to be inappropriate, out of character with the built vernacular of the area, and would adversely affect the visual amenities of the area and the character of the ACA; it would give rise to overlooking with loss of privacy and adverse impacts on adjacent residential amenities. The previous proposal also included a vehicular access close to a junction, which would require undesirable reversing movements, which would have adverse impacts on traffic safety and free flow at Geraldine Place. A further application by the same applicant, was withdrawn, Planning Reference 2460471, in order for further negotiations with the planning authority regarding the overall design of the proposed extension. The current proposal was submitted to Clare County Council on 18th of December 2025 and following an assessment by the planning and engineering department, the Council issued a decision to grant permission for the proposal.

8.2.3 The third-party appellants reside in the adjoining two storey dwelling to the south of the subject site along Geraldine Place. The appellants were granted planning permission under Planning Reference 21526 for the) demolition of existing derelict and structurally unsafe dwelling house; b) re-construct dwelling house with minor alterations and additional floor space; c) all associated site works and ancillary services. There was a subsequent planning application to alter the design of the dwelling granted under, Planning Reference 22324. The dwelling is complete and now occupied, see photographs taken during my inspection.

8.2.4 The subject site is zoned in the current Clare County Development Plan 2023-2029, as **Existing Residential**. The principle of demolishing a dilapidated section of the dwelling, constructing a new extension and refurbishing the existing dwelling on the site, complies with the development plan zoning objective and is consistent with a similar planning application on the adjoining site to the south.

8.3 Impact On Visual Amenities

8.3.1 The proposed development is located within the Kilkee Architectural Conservation Area (ACA) and occupies a prominent corner site at Marine Parade and Geraldine Place. The elevation onto Marine Parade will remain unchanged. The third-party

appellants are concerned with the Geraldine Place elevation and footprint. They have stated the proposal will impact negatively on the integrity of the streetscape, and that scale of the development is inappropriate, and is an overdevelopment of the subject site.

8.3.2 In my opinion, the proposed western elevation, which the third parties are opposed to, has been designed to align more closely with the prevailing architectural character along Geraldine Place. The elevation adopts traditional proportions, reduced vertical emphasis and a roof form that is consistent with neighbouring properties. The window and door openings are vertically proportioned to reflect traditional fenestration patterns along Geraldine Place. Having regard to the scale, proportions and massing of both adjoining two storey dwellings located to the south and east of the subject site, I consider the proposed two storey new build extension provides a coherent elevation that sits comfortably within the established streetscape. In my opinion, the proposed development respects the established building heights, ridge lines, parapet levels and overall rhythm of development along both Marine Parade and Geraldine Place providing continuity of scale and reinforcing the historic urban grain of the area. The photomontages submitted with the planning application on the 18th of December 2025 provide an excellent context of the potential visual impact of the development on the streetscapes.

8.3.3 Overall, I considering the current development on the site, I consider the proposed design, massing, fenestration and complete legibility onto Geraldine Place will make a positive contribution compared the existing gable ended extension on site. Following the demolition of 126sq.m. and the construction of 154sq.m. creating a total area of 215sq.m., the proposed development and additional floor area is modest in scale. The proposed ridge height is 7.35m and the neighbouring ridge height to the south is 6.75m. This is a normal difference in height in an urban setting, The difference in ridge heights between both properties, will be virtually un-noticeable when considered in the context of the increase in ridge height from the single storey element of the development facing Marine Place, on the northern elevation.

8.4 Impact on Residential Amenities

8.4.1 On the southern/ rear elevation there are 2 windows at ground level and two windows at first floor level. The ground floor windows are associated with a study and a

bedroom and shall be screened from the neighbouring property by a boundary wall. The first-floor windows as per Drawing A102, are associated with a bathroom and an ensuite off the master bedroom. The drawing states 'opaque glass' to be inserted into both windows. In addition, the planning condition, No. 9 states all bathroom windows to consist opaque glazing.

- 8.4.2 The bay window on the eastern elevation of the dwelling addresses Geraldines Place and is not directly facing onto the appellant's property to the south. I am not concerned about overlooking and loss of privacy associated with the proposed development, as it has not been demonstrated by the third party appellants.
- 8.4.3 The appellant is also concerned about the reduction in the separation distance from the common boundary wall between both properties. Currently the existing derelict building is 3.8m from the wall, under the current proposal it will be reduced to 1.3metres. In my opinion, the rear southern elevation will run parallel with the rear wall, and will look more in keeping with the urban grain than what currently exists on the site. Furthermore, 1.3m separation distances between residential properties in urban areas is normal, in fact most of the residential properties in the general vicinity are terraced units. Therefore, the 1.3metre separation distance from the common boundary wall, it acceptable.
- 8.4.4 The appellant's dwelling is located to the south of the subject site. Given the dynamics of the sunpath, the proposed extension will not intercept sunlight associated with the neighbouring dwelling.
- 8.4.5 In my opinion, the third-party appellants have made statements in their grounds of appeal, without the backup of any technical evidence to support their claims the proposed development will not seriously or materially impact on their residential amenities. Having examined the site, the drawings and the planning application, I would conclude there will not be a significant negative impact to existing residential amenities.

8.5 **Impact on the Architectural Conservation Area**

- 8.5.1 As stated the proposed site is located in Kilkee Architectural Conservation Area. The relevant policy in the Clare County Development Plan 2023-2029 is Policy Objective CPD 16.5:

It is an objective of Clare County Council:

a) To ensure that new developments within or adjacent to an ACA respect the established character context of the area and contribute positively to the ACA in terms of design, scale, setting and material finishes;

b) To protect from demolition or removal and non sympathetic alterations, existing buildings, structures, groups of structures, sites, landscapes and features such as street furniture and paving, which are considered to be intrinsic elements of the special character of the ACA;

c) To ensure that all new signage, lighting, advertising and utilities to buildings within an ACA are designed, constructed and located in a manner that does not detract from and is complementary to the character of the ACA; and

d) To ensure that external colour schemes in ACAs enhance the character and amenities of the area and reflect traditional colour schemes.

8.5.2 The appellants claim the proposed development by reason of its excessive height, scale and proximity to their dwelling, will not reflect the original built fabric, site character and historic street setting. The appellants also claim would change the entrance onto Geraldine Place, and its historic setting.

8.5.3 The subject site, and neighbouring buildings may be located within the Kilkee ACA, but they are not included on the Record of Protected Structures or the National Architectural Inventory. Therefore, there is limited conservation status associated with the actual building on the subject site. The existing structures on the site need refurbishment and certain elements of the structures require demolition. The existing rear extension addressing Geraldine Place in it's current dilapidated state adds little or no architectural value to the streetscape or the ACA.

8.5.4 The proposed development has been the subject of a protracted planning process to ensure the appropriate form of development is permitted on the subject site. In my opinion, the overall design and the planning application represent a high-quality, well-designed building that uses appropriate materials, and reflects the design features and proportions of the neighbouring two storey dwellings. The proposed development complies with Policy Objective 16.5 of the development plan in that the proposed

development respects the established character, and it will contribute positively to the ACA.

8.6 Impact on Traffic

8.6.1 The planning history reveals the planning authority did not want a vehicular access from the subject site onto Geraldine Place. The technical reports specified no access or parking on the site in close proximity to the junction with Marine Place to ensure there would be no reversing onto the street from the site. The current proposal respected the planning authority's recommendations.

8.6.2 Currently there is a considerable separation distance between the western building line and the edge of the road. A carparking space or indeed two could be accommodated in the space. Under the current proposal, the proposed building has been brought forward and a new low western site boundary wall will be constructed, similar to the site layout associated with the appellant's dwelling, immediately south of the site.

8.6.3 The planning application was referred to the West Clare Municipal Engineer who had no objection to the proposal on traffic grounds and recommended a number of conditions. There is on street parking and a footpath on the opposite side of the street on Geraldine Place. The wall along the western site boundary will frame the junction and connect with the existing low boundary wall to the south. I note the prescribed conditions in the Engineer's Report on file dated 26th of January 2026, did not express any concerns regarding the boundary wall and the change in layout to the junction with Marine Parade.

8.7 Legal Issues Arising

8.7.1 The third-party appellants raised concerns regarding the relationship between proposal along the western site boundary and possible encroachment onto the public road. The third party also implied the site boundary depicted in the planning application conflicted with the number of public documents which suggested Geraldine Place is a place road.

8.7.2 Clare Co. Co. satisfied with the overall validity of the proposed development including the Municipal Engineer, who examined the drawings in the context of public infrastructure.

8.7.3 Issues relating to ownership are civil matters. However, in order to address the third party concerns I would advise including a footnote quoting the relevant section from the Planning and Development Act 2000.

Section 34 (13) A person shall not be entitled solely by reason of a permission under this section to carry out any development.

9.0 AA Screening

9.1 I have considered the proposed development in-light of the requirements S177U of the Planning and Development Act 2000 (as amended). The subject site adjoins and overlooks a European Site.

9.2 The development is the refurbishment of a house and an extension to same within a mature urban setting, connected to public services.

9.3 No significant nature conservation concerns were raised in the planning appeal. Having considered the nature, scale and location of the project, I am satisfied that it can be eliminated from further assessment because it could not have any effect on a European Site given the small-scale nature of the development.

9.4 I conclude that the proposed development would not have a likely significant effect on any European Site either alone or in combination with other plans or projects. Likely significant effects are excluded and therefore Appropriate Assessment (under Section 177V of the Planning and Development Act 2000) is not required.

10.0 Water Framework Directive

10.1 The site adjoins and overlooks Kilkee bay, a horseshoe shaped beach.

10.2 The development comprises of the refurbishment and extension to and existing dwelling in a mature urban location connected to public services. No water deterioration concerns were raised in the planning appeal.

10.3 I have assessed the development and have considered the objectives as set out in Article 4 of the Water Framework Directive which seek to protect and, where

necessary, restore surface & ground water waterbodies in order to reach good status (meaning both good chemical and good ecological status), and to prevent deterioration. Having considered the nature, scale and location of the project, I am satisfied that it can be eliminated from further assessment because there is no conceivable risk to any surface and/or groundwater water bodies either qualitatively or quantitatively.

- 10.4 The reason for this conclusion is the small scale and nature of the development, and connection to public services.
- 10.5 I conclude based on objective information, the proposed development will not result in a risk of deterioration of any water body (rivers, lakes, groundwaters, transitional and coastal) either qualitatively or quantitatively or on a temporary or permanent basis or otherwise jeopardise any water body in reaching its WFD objectives and consequently can be excluded from further assessment.

11.0 Recommendation

- 11.1 I recommend planning permission for the proposed development be granted and the planning authority's decision to grant permission for the proposed development be upheld.

12.0 Reasons and Considerations

Having regard to the existing dwelling on the subject site, it's location within a designated Area of Architectural Conservation and within an Existing Residential zoning objective in the current Clar Couty Development Plan 2023-2029, the pattern of development in the vicinity of the subject site, it is considered subject to the conditions below, the proposed development would not be injurious to the residential or visual amenities of the area, and would be acceptable in traffic safety terms and would be considered acceptable in terms of the proper planning and sustainable development of the area.

13.0 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 18th of December 2025 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 extension and the existing dwelling combined shall be confined y to residential use as a single private dwelling unit and shall not be sold, let or otherwise transferred or conveyed, save as part of the dwelling.

Reason: In the interests 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 interests 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 0700 to 1900 hours Mondays to Fridays inclusive and 0800 to 1400 on Saturdays, and not at all on Sundays and public holidays. Deviation from these times will 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 written agreed details.

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

7. All bathroom windows on the southern elevation shall be glazed with obscure glazing.

Reason: In the interests of residential amenity.

8. 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 . 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 Coimisiun Pleanala 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.

5I confirm that this report represents my professional planning assessment, judgement and opinion on the matter assigned to me and that no person has influenced or sought to influence me, directly or indirectly, following my professional assessment and recommendation set out in my report in an improper or inappropriate way.”

Caryn Coogan
Planning Inspector

07/07/2026

Appendix 1: Form 1 EIA Pre-Screening

Case Reference	PL-500975-CE-26
Proposed Development Summary	Demolish a section of a dwellinghouse, construction of a new extension and refurbishment of the building along with ancillary site works
Development Address	11 Marine Parade, Kilkee, Co. Clare
IN ALL CASES CHECK BOX / OR LEAVE BLANK	
1. Does the proposed development come within the definition of a 'Project' for the purposes of EIA?	☒ Yes, it is a 'Project'. Proceed to Q.2.
	☐ No, No further action required.
2. Is the proposed development of a CLASS specified in Part 1, Schedule 5 of the Planning and Development Regulations 2001 (as amended)?	
☐ Yes, it is a Class specified in Part 1. EIA is mandatory. No Screening required. EIAR to be requested. Discuss with ADP.	State the Class here
☒ No, it is not a Class specified in Part 1. Proceed to Q3	
3. Is the proposed development of a CLASS specified in Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended) OR a prescribed type of proposed road development under Article 8 of Roads Regulations 1994, AND does it meet/exceed the thresholds?	

☒ No, the development is not of a Class Specified in Part 2, Schedule 5 or a prescribed type of proposed road development under Article 8 of the Roads Regulations, 1994. No Screening required.	
☐ Yes, the proposed development is of a Class and meets/exceeds the threshold. EIA is Mandatory. No Screening Required	
☒ Yes, the proposed development is of a Class but is sub-threshold. Preliminary examination required. (Form 2)	
4. Has Schedule 7A information been submitted AND is the development a Class of Development for the purposes of the EIA Directive (as identified in Q3)?	
Yes ☐	Screening Determination required (Complete Form 3)
No ☒	Pre-screening determination conclusion remains as above (Q1 to Q3)

Inspector: _____

Date: _____

Appendix 2: Form 2 - EIA Preliminary Examination

Case Reference	PL-500975-CE-26
Proposed Development Summary	Demolish section of dwelling, construction of a new extension and refurbishment of the buildings along with ancillary site works
Development Address	11 Marine Parade, Kilee, Co. Clare.
This preliminary examination should be read with, and in the light of, the rest of the Inspector's Report attached herewith.	
Characteristics of proposed development	The development has a modest footprint, would retain existing structure, does not require the use of substantial natural resources, or give rise to significant risk of pollution or nuisance. The development, by virtue of its type, does not pose a risk of major accident and/or disaster, or is vulnerable to climate change. It presents no risks to human health.
Location of development (The environmental sensitivity of geographical areas likely to be affected by the development in particular existing and approved land use, abundance/capacity of natural resources, absorption capacity of natural environment e.g. wetland, coastal zones, nature reserves, European sites, densely populated areas, landscapes, sites of historic,	The development is for the refurbishment of an old dwellinghouse within a mature coastal urban location connected to piped services.

cultural or archaeological significance).	
Types and characteristics of potential impacts	Having regard to the modest nature of the proposed development, its location removed from sensitive habitats/features, likely limited magnitude and spatial extent of effects, and absence of in combination effects, there is no potential for significant effects on the environmental factors listed in section 171A of the Act.
Conclusion	
Likelihood of Significant Effects	Conclusion in respect of EIA
There is no real likelihood of significant effects on the environment.	EIA is not required.

Inspector: _____ Date: _____