



Board Direction

Ref: 03.246263

The submissions on this file and the Inspector's report were considered at a Board meeting held on 6th, July 2016.

The Board decided to refuse permission generally in accordance with the Inspector's recommendation, for the reasons and considerations as set out below.

REASONS AND CONSIDERATIONS

- 1 On the basis of the information provided with the application and appeal and in the absence of a Natura Impact Statement the Board cannot be satisfied that the proposed development individually, or in combination with other plans or projects would not be likely to have a significant effect on European site No. 002264, or any other European site, in view of the site's Conservation Objectives and that the car park for which retention has been sought has not had and would not have a significant effect on any European site, in view of the site's Conservation Objectives. In such circumstances the Board is precluded from granting approval/permission.
- 2 The retention of the car park is a use that is not normally permitted in an area zoned for 'Open Space', as per the provisions of the West Clare LAP 2012-2018. No exceptional circumstances that would warrant a grant of permission, in accordance with section 1.13 of the LAP, have been presented to the Board. The proposed development if permitted, would contravene materially the zoning objective of the plan and would be contrary to the proper planning and sustainable development of the area.

- 3 The proposed function room is a use that is not normally permitted in an area zoned for 'Tourism', as per the provisions of the West Clare LAP 2012-2018. No exceptional circumstances that would warrant a grant of permission, in accordance with section 1.13 of the LAP, have been presented to the Board. The proposed development if permitted, would contravene materially the zoning objective of the plan and would be contrary to the proper planning and sustainable development of the area.

- 4 Having regard to the scale of the existing and proposed development, the Board is not satisfied on the basis of the documentation submitted with this application and appeal, that the discharge to the foul sewer from the development could be adequately controlled in the high tourist season and not satisfied that it would lead to an overflow of the capacity of the wastewater treatment plant serving the development. Accordingly, the Board is not satisfied that the proposed development would not be prejudicial to public health.

Board Member: _____ Date: 7th, July 2016
Paddy Keogh