



An
Bord
Pleanála

Board Direction
PL03.247946

The submissions on this file and the Inspector's report were considered at a Board meeting held on 30th June 2017.

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

Reasons and Considerations

1. It is considered that the proposed development would endanger public safety by reason of traffic hazard due to the intensification of traffic movements on this narrow stretch of the R352, outside the speed limits of the settlement of Mountshannon at a point where the maximum speed limit applies and where visibility is currently restricted. Sightlines as specified under A1.9.2 of the Clare County Development Plan 2017-2023 are only achievable if a large area of trees and hedgerows were to be removed along the front boundary and this would be contrary to Objective CDP 14.17 regarding the preservation and conservation of Woodlands, Tree and Hedgerows and Section 4.4 (Access and removal of roadside boundaries) of the Sustainable Rural Housing Guidelines for Planning Authorities 2005. The proposal is therefore contrary to the proper planning and sustainable development of the area.
2. It is considered that, having regard to the poor drainage characteristics of the site, within this forested and wetland area, that the Board is not satisfied on the basis of the submissions made in connection with the planning application and appeal, that effluent from the development can be satisfactorily treated and disposed of on site, notwithstanding the proposed use of a proprietary

wastewater treatment system. Therefore, the proposed development would not be in compliance with Objective CDP 8.27 c) (waste water treatment and disposal) of the CCDP 2017-2023, and would be prejudicial to public health.

3. It is considered that having regard to the forest and wetland nature of the site within Cloonmirran Wood pNHA (site code 001686) and the relative proximity to the Natura 2000 sites: Slieve Aughty Mountain SPA (site code: 004168) and the Lough Derg (Shannon) SPA (site code 004058) that sufficient documentation has not been submitted including relative to screening for Appropriate Assessment to rule out any likely significant impacts on the European sites and their qualifying interests. This is contrary to Objective CDP 14.2 (European sites) of the Clare County Development Plan 2017-2023 and to the proper planning and sustainable development of the area.

Board Member

Date: 4th July, 2017

Conall Boland