



An
Bord
Pleanála

Board Direction
PL03.248574

The submissions on this file and the Inspector's report were considered at a Board meeting held on September 26th 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. Having regard to the location of the site in the rural area on unzoned lands outside the settlement development boundary of Ennis it is considered that the proposed residential development, would be unacceptable in terms of the appropriate and sustainable use of these rural and agricultural lands, would be contrary to the core strategy and settlement policy and objectives which seeks to direct multiple housing units onto zoned and serviced lands, and to the delivery of strategic, plan-led, co-ordinated and balanced development of settlements as set out and would materially contravene Objective CDP 3.9 of the Clare County Development Plan 2017-2023. The proposed development would therefore be contrary to the proper planning and sustainable development of the area.

2. The proposed development by reason of its design and layout would materially contravene Objective CDP 4.7 (Housing Mix) of the Clare CDP 2017-2023. The proposed number of access points onto the substandard local road is excessive and fails to provide for a layout and street form as per Objective CDP8.8 of the said Development Plan. It is therefore, considered that the proposed development would provide for a poor living environment for future residents of the proposed houses and would seriously injure the amenities of the area. The proposed

development would, therefore, be contrary to the Clare County Development Plan 2017-2023, to national policy as set out in the Design Manual for Urban Roads and Streets 2013 and the Sustainable Residential Development in Urban Areas Guidelines for Planning Authorities issued by the Department of the Environment, Heritage and Local Government in May, 2009 and would, therefore, be contrary to the proper planning and sustainable development of the area.

3. Having regard to the need for improvement works to the local road network to facilitate such a development, it is considered that any development of the subject lands would be premature pending the provision of these improvement works. Furthermore, it is considered that, if developed prior to the carrying out and completion of these improvement works, the proposed development in this rural area would endanger public safety by reason of traffic hazard, including hazard to pedestrians and cyclists. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

4. On the basis of the information provided with the application and appeal and having regard to the Natura Impact Statement submitted the Board is not satisfied that the proposed development either individually, or in combination with other plans or projects would not be likely to have a significant effect Pouladatig Cave Special Area of Conservation (Site Code 000037), in view of the site's Conservation Objectives. In such circumstances the proposal would be contrary to Objective CDP 14.2 of the Clare County Development Plan 2017-2023 and the Board is precluded from granting permission.

Board Member

Date: 26.09.17

Paul Hyde