



An  
Bord  
Pleanála

**Board Direction**  
**PL03.248905**

The submissions on this file and the Inspector's report were considered at a Board meeting held on 29<sup>th</sup> January 2018.

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 within "Area Under Strong Urban Influence" as identified in Sustainable Rural Housing Guidelines for Planning Authorities issued by the Department of the Environment, Heritage and Local Government in April 2005 and in an Area of Special Control (Area Under Strong Urban Pressure) where housing is restricted to persons demonstrating local need in accordance with Objective CDP 3.11 (New Single Houses in the Countryside within Areas of Special Control) of the current Clare County Development Plan 2017-2023, it is considered that the applicant does not come within the scope of the housing need criteria as set out in the Guidelines or the Development Plan for a house at this location. The proposed development, in the absence of any identified locally based rural generated need for the house, would contribute to the encroachment of random rural development in the area and would militate against the preservation of the rural environment and the efficient provision of public services and infrastructure. Furthermore, the proposed development would materially contravene Objective CDP 3.11 of the Clare County Development Plan 2017-2023, and would be contrary to the Ministerial Guidelines, and would, therefore, be contrary to the proper planning and sustainable development of the area.
2. Having regard to the proposed development and the state of repair of the existing dwelling on the site, and as the applicant is not seeking to demolish a habitable but

substandard dwelling and to replace it with a new single dwelling, it is considered that the provisions of Objective CDP 3.14(a) do not apply, including the exemption from the need to comply with Objective CDP 3.11.

3. Having regard to the lack of information submitted with the planning application and appeal documentation in relation to the proposed waste water treatment system, and in particular the absence of a Site Suitability Assessment Report and details of a waste water treatment system, it is considered that the proposed development would be prejudicial to public health. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

**Board Member**

**Date:** 29<sup>th</sup> January 2018

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John Connolly