



An
Bord
Pleanála

Board Direction
BD-003836-19
ABP-304402-19

The submissions on this file and the Inspector's report were considered at a Board meeting held on August 21st, 2019.

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

Reasons and Considerations

1. The site of the proposed development is located within a rural area under strong urban pressure, as defined in the Clare County Development Plan 2017 – 2023, where the key objectives are to facilitate the genuine housing requirements of the local rural community (rural generated housing), while directing urban-generated development to areas zoned for new housing development in the adjoining urban centres, towns and villages. Furthermore, it is national policy, as set out in National Policy Objective 19 of the National Planning Framework (February 2018), to seek to facilitate the provision of single housing in rural areas under urban influence and pressure, based on the core consideration of demonstrable economic or social need to live in a rural area, having regard to the viability of smaller towns and rural settlements. On the basis of the documentation submitted with the application and appeal, and in particular the lack of any information regarding the nature and location of the employment(s) within Ireland of the applicants, the Board is not satisfied that the proposed development would not represent urban-generated housing, that the applicants have a demonstrable economic or social need to live in this rural area, and that their housing needs could not be satisfied by residing in a nearby town or village. It is considered, therefore, that the applicants do not come within the scope of the housing need

criteria as set out in national policy for a house at this rural location, notwithstanding the provisions of Section 3.11 of the Clare County Development Plan 2017 - 2023. The proposed development would, therefore, be contrary to the over-arching national policy and would be contrary to the proper planning and sustainable development of the area.

2. The site of the proposed development is located within an area designated as a “Settled Landscape” in respect of which it is the policy of the planning authority under Policy Objective 13.2 of the Clare County Development Plan, 2017 - 2023 to satisfy itself that development proposals within designated “settled landscapes”:
 - have appropriate site selection with regard to landscape, minimisation of visual impacts and avoidance of intrusion on scenic routes, ridges or shore lines, and
 - have design that reduces visual impact by careful choice of form, finishes and colours and involves site works that reduces visual impact.

It is considered that the proposed development, by reason of the elevated and highly prominent and exposed location, and by reason of the height, scale, mass and design of the proposed dwelling and associated ground works, hard landscaping and other interventions required, would result in an insertion into the landscape of a significant suburban type feature which would be visually obtrusive and out of character with the rural landscape from a wide range of vantage points to the south west, west and north west, and in the vicinity of Liscannor. As a result, the proposed development would seriously injure the visual amenities and landscape character in the area and would be contrary to the proper planning and sustainable development of the area.

Board Member

Date: 21st August 2019

Philip Jones