



An
Bord
Pleanála

Board Direction
BD-006777-20
ABP-307573-20

The submissions on this file and the Inspector's report were considered at a Board meeting held on 21/10/2020.

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 proposed development would endanger public safety by reason of traffic hazard and obstruction of other road users due to the substandard width and alignment of the minor road serving the site, the capacity of which is sufficient to serve local agricultural traffic only. The proposed development would therefore be contrary to the proper planning and sustainable development of the area.

Note: Having regard to the location of the site within an area under strong urban influence as identified in the Clare County Development Plan 2017-2023 and in the "Sustainable Rural Housing Guidelines for Planning Authorities" issued by the Department of the Environment, Heritage and Local Government in April, 2005, wherein it is policy to distinguish between urban-generated and rural generated housing need, and to National Policy Objective 19 of the National Planning Framework, adopted by the Government, in relation to rural areas under urban influence, such as in the current case, which states that it is policy to "facilitate the provision of single housing in the countryside 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", and having regard to the documentation submitted with the planning application and appeal, it is considered

that the applicant has not demonstrated that she comes within the scope of the housing need criteria as set out in the Guidelines or the Development Plan for a house at this location in the open countryside, and that she has not demonstrated an economic or social need to live in this rural area in accordance with national policy and the Clare County Development Plan 2017-2023, Furthermore, the Board is not satisfied that the applicants housing needs could not be satisfactorily met in an established smaller town or village/settlement centre. The proposed development, in the absence of any definable or demonstrable 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. The proposed development would, therefore, contravene the Ministerial Guidelines, be contrary to national policy and conflict with the provisions of the current County Development Plan. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area. However, the Board decided not to include this as an additional reason having regard to the substantial reasons for refusal above.

[Please issue a copy of this Direction with the Board Order to the parties.]

Board Member

Date: 23/10/2020

Stephen Bohan