



An
Bord
Pleanála

Board Direction

BD-013429-23

ABP-313834-22

Decision

GRANT permission for the retention of the demolition of a derelict building based on the reasons and considerations marked (1) under.

REFUSE permission for the construction of a dwelling and all associated site works based on the reasons and considerations marked (2) under.

Reasons and Considerations (1)

Having regard to the retention of the demolished structure, the Board considered that retention of the demolition does not negatively impact on the residential amenities of neighbouring properties.

Reasons and Considerations (2)

1. Having regard to the Spatial Planning and National Roads – Guidelines for Planning Authorities, published by the Department of Environment, Community and Local Government in January 2012, to the provisions of the Clare County Development Plan 2023-2029, and to the location of the proposed access onto a national road where a speed limit of 80 kilometres per hour applies, it is considered that the proposed development would be

contrary to the guidelines which seeks to preserve the level of service and carrying capacity of national roads and to protect the public investment in the road and would also be contrary to CDP 11.11(a) and CDP 11.13 (a) of the development plan, which seeks to prevent new, or the generation of increased traffic from existing accesses to national roads to which speed limits greater than 60 kilometres per hour apply. The Board could not be satisfied on the basis of the information on the file that the applicants come within the scope of exceptional circumstances as set out in the criteria under Chapter 11.2.9.3 of the development plan. The proposed development would, therefore, be contrary to national and local policy and to the proper planning and sustainable development of the area.

2. It is considered that the proposed development would endanger public safety by reason of a traffic hazard because of the additional traffic turning movements the development would generate on this highly trafficked and high-speed section of national road at a point where sightlines are restricted in a north-easterly direction.

Board Member: _____

Liam Bergin

Date: 31.08.2023