

**An
Bord
Pleanála**

**Board Direction
BD-015805-24
ABP-315105-22**

The submissions on this file and the Inspector's report were considered at a Board meeting held on 11/03/2024.

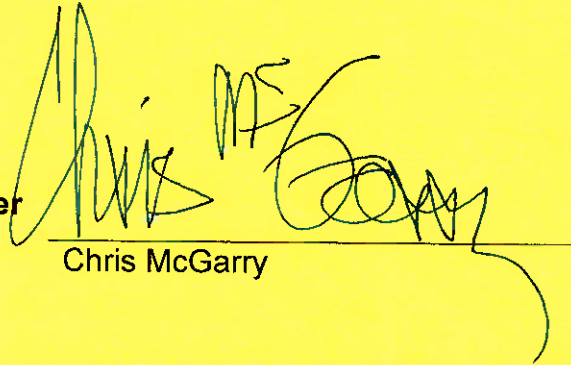
The Board decided to refuse permission, generally in accordance with the Inspector's recommendation, for the following reasons and considerations.

Reasons and Considerations

Having regard to the characteristics of the development site which includes numerous mature trees and the configuration of the site relative to the glebe house to the east, the roadway to the north, undeveloped lands to the west and existing development to the south, it is considered that the proposed development by reason of its substandard layout, building form and design, does not adequately respond to the specific characteristics of the site or the pattern of development in the vicinity, and would be an inappropriate form of development at this location.

Having regard to the foregoing, it is considered that the proposed development would seriously injure the visual amenities of the area, would constitute a sub-optimal layout and design, would be of an insufficient architectural quality and would fail to integrate appropriately with surrounding lands. The proposed development would therefore be contrary to the proper planning and sustainable development of the area.

Note: the Board noted the recommended reason for refusal of the Inspector, related to specific wording within the Clare County Development Plan 2023-2029, on the issue of vehicular access to proximate mixed-use zoned lands and pedestrian linkages to the Main Street. While these issues are important of themselves, they form part of a new Development Plan enacted since the making of the planning application, the decision of the planning authority and the appeal of the applicant. In this regard the Board considered that these issues would ordinarily warrant further consideration and circulation to all parties and observers. However as the proposed development is considered to be contrary to the proper planning and sustainable development of the area, having regard to the substantive reason for refusal set out above, which is related to specific stated issues of poor design and layout, which are material considerations relevant to the decision of the planning authority in the first instance and to the Board, regardless of the content of the Development Plan, it was considered that further consideration of the content of reason number one of the inspector's report, should not be pursued in the context of the current appeal.

Board Member  **Date:** 12/03/2024
Chris McGarry