



An
Bord
Pleanála

Board Direction
BD-017220-24
ABP-319110-24

The submissions on this file and the Inspector's report were considered at a Board meeting held on 12/08/2024.

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 pattern of existing residential development and the siting of the proposed house to the rear of established residential properties, it is considered that the proposed development would constitute a piecemeal, disorderly, haphazard form of backland development in a remote rural area, that would be likely to seriously injure the amenities and depreciate the value of adjoining residential properties and would create an undesirable precedent for development of a similar nature in the vicinity. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

[Note:

The Board noted that proposed development is located in a rural area identified as a Rural Area under strong urban pressure in Clare County Development Plan 2023-2029, a rural area in close proximity to Ennis which is undergoing significant development pressure for one-off housing. The Board considered that the applicant has not demonstrated a rural generated housing need at this location in accordance with the requirements of Clare County Development Plan, and in particular Objective

CDP 4.14 relating to Areas of Special Control. It is also considered that the proposed development would exacerbate and contribute to the disorderly pattern of housing development in the area, would constitute haphazard one-off housing, would lead to demands for the uneconomic provision of further public services and communal facilities in the area, would interfere with the rural character of the area, would seriously injure the amenities of this rural area, and would conflict with Objective CDP 4.14 of the Development Plan. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area. While ordinarily this would warrant further consideration and a request for further information from the applicant, in this instance, given the substantive reason for refusal above, it was decided not to pursue this matter under the current appeal.

It is further considered that, taken in conjunction with existing development in the vicinity, the proposed development would result in an excessive concentration of development served by septic tanks and private effluent treatment systems in the area. The proposed development would, therefore, be prejudicial to public health. However, it was considered that this would constitute a new issue within the context of the appeal. In this regard and noting the substantive reason for refusal set out above, it was decided not to pursue this matter further in the context of the current appeal.]

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

Board Member


Stephen Bohan

Date: 12/08/2024