

An  
Bord  
Pleanála

**Board Direction**  
**BD-019957-25**  
**ABP-322010-25**

The submissions on this file and the Inspector's report were considered at a Board meeting held on 16/06/2025.

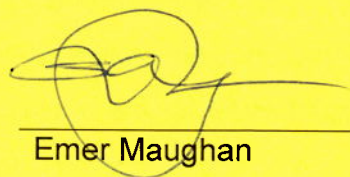
The Board decided to refuse permission, generally in accordance with the Inspector's recommendation, for the following reasons and considerations.

**Reasons and Considerations**

1. Having regard to the location of the site within "Area Under Strong Urban Influence" as identified with the Clare County Development Plan 2023-2029 and in an Area of Special Control where housing is restricted to persons demonstrating local need in accordance with the Objective CDP4.14 of the Clare County Development Plan 2023-2029, it is considered that the applicant does not come within the scope of the housing need criteria as set in the Development Plan for a house at this location. The proposed development, in the absence of any identified locally based 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, be contrary to Objective CDP4.14 of the Clare County Development Plan 2023-2029 and would not be in accordance with the proper planning and sustainable development of the area.

2. Notwithstanding the proposal to use a tertiary treatment system and infiltration area and having regard to the location of a 'Regionally Important' aquifer which the site overlies that has a 'High' vulnerability classification, and in the absence of detailed information to clearly demonstrate that the ground conditions within the site are suitable for the safe and adequate disposal of effluent, and the discrepancies noted within the Site Characterisation Form submitted, the Board is not satisfied on the basis of the information on the file, that effluent arising from the proposed development can be satisfactorily treated and disposed of on the site in accordance with the EPA Code of Practice for Domestic Wastewater Treatment Systems (PE <10) (EPA 2021), and that the impact of the proposed development would not give rise to a risk of groundwater pollution. It is considered that the proposed development would be contrary to Objective CDP11.32 of the Clare County Development Plan 2023-2029, would be prejudicial to public health and would, therefore, be contrary to the proper planning and sustainable development of the area.
3. The proposed development would endanger public safety by reason of traffic hazard and obstruction of other road users due to the substandard width, alignment and surface quality 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.

**Board Member**



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Emer Maughan

**Date:** 16/06/2025

**Note:**

The Board was not satisfied in relation to the proposal to divert the watercourse which runs along the roadside boundary to a number of soak pits given the absence of percolation as indicated on the Site Characterisation Report, however given the substantive reasons for refusal set out above decided not to pursue this matter further at this time.