

An
Coimisiún
Pleanála

Direction
CD-020385-25
ABP-322174-25

The submissions on this file and the Inspector's report were considered at a meeting held on 30/07/2025.

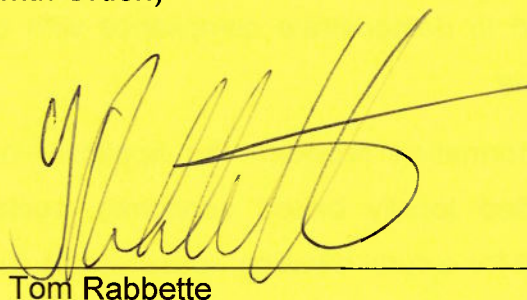
The Commission decided to refuse permission, generally in accordance with the Inspector's recommendation, for the following reasons and considerations.

(Note: In relation to the Inspector's second recommended refusal reason, the Commission considered that the dwelling was of design merit and matters relating to potential site recontouring impacts could possibly be addressed by way of design iteration, the Commission therefore decided not to refuse permission relating to visual amenities of the area in this instance.)

(Direction to issue with Order.)

Planning

Commissioner:


Tom Rabbette

Date: 31/07/2025

DRAFT WORDING FOR ORDER

Reasons and Considerations

1. Having regard to the location of the site within an area under strong urban influence as identified in the Clare County Development Plan, 2023-2029, and to the Sustainable Rural Housing Guidelines for Planning Authorities issued by the Department of the Environment, Heritage and Local Government in April, 2005, which seek to manage the growth of areas that are under urban influence to avoid over-development and to ensure that the provision of single housing in such rural areas are provided based upon demonstratable economic or social need to live in a rural area, it is considered that it has not been satisfactorily demonstrated that the applicant comes within the scope of the housing need criteria as set out in the Development Plan for a house at this location.

In particular, the development sought under this application, due to it being accessed from a designated scenic route and when taken together with forming part of an area under strong urban influence is considered to be 'Areas of Special Control' under the said County Development Plan. It is therefore a requirement for applicants for a rural house at this type of rural location to demonstrate compliance with Objective CDP 4.14 of the County Development Plan.

Under this objective a new single house for the permanent occupation of an applicant will be required to demonstrate compliance with one of its specified categories and their criteria.

On the basis of the information provided the applicant has not adequately demonstrated an identified locally based economic, social or in this case exceptional medical need for a rural dwelling house at this rural locality and that this requirement for a dwelling house can not be met at a less sensitive to change rural locality and/or in a settlement.

The development sought under this application would as a result 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 development sought under this application would,

therefore, be contrary to the proper planning and sustainable development of the area.