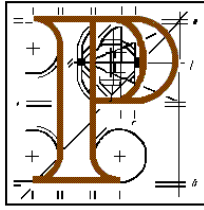


An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2015

Clare County

Planning Register Reference Number: P15/515

An Bord Pleanála Reference Number: PL 03.245613

APPEAL by Eoin Keating of Barntick, Ballynacally, Ennis, County Clare against the decision made on the 23rd day of September, 2015 by Clare County Council to refuse permission.

PROPOSED DEVELOPMENT: Demolition of existing dwellinghouse and garage, construction of two detached dwellinghouses and garages, one additional entrance to public road, one additional connection to sewer and water at Tobartescain, Clonroadmore, Ennis, County Clare.

DECISION

REFUSE permission for the above proposed development based on the reasons and considerations set out below.

MATTERS CONSIDERED

In making its decision, the Board had regard to those matters to which, by virtue of the Planning and Development Acts and Regulations made thereunder, it was required to have regard. Such matters included any submissions and observations received by it in accordance with statutory provisions.

REASONS AND CONSIDERATIONS

Under the operative Ennis and Environs Development Plan 2008–2014, as varied in November 2011, the site is located in an area identified as Other Settlement Land, which are not designated as Phase 1 development areas. It is the policy of the planning authority, as set out under Policy SS6 Phase 1 of this Development Plan to concentrate all new multiple residential developments for its lifetime in the designated Phase 1 areas and, conversely, as set out in Policy SS7 Other Settlement Land, to refuse such developments where they would not be located in such areas. The proposed development involves the replacement of a single dwelling with two new dwellings. It is considered, therefore, that the proposed development involving the provision of an additional dwelling on the site would be premature by reference to the order of priority for the development indicated in the Development Plan and would materially contravene an objective indicated in the Ennis and Environs Development Plan, which are integral to the planning authority's approach to managing the growth of Ennis. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

In deciding not to accept the Inspector's recommendation to grant permission, the Board accepted the merits of the planning authority's reason for refusal based on prematurity by reference to the order of priority of development as indicated in the Development Plan. Furthermore, the Board noted that this conclusion was consistent with the precedent established in the recent Board decision under appeal reference number PL 03.245178.

**Member of An Bord Pleanála
duly authorised to authenticate
the seal of the Board.**

Dated this day of 2016.