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**Planning and Development Acts 2000 to 2018**

**Planning Authority: Clare County Council**

**Planning Register Reference Number: P18/203**

**APPEAL** by Donie McNamara care of McCarthy Keville O'Sullivan Limited of Block 1, G.F.S.C., Moneenageisha Road, Galway against the decision made on the 5<sup>th</sup> day of July, 2018 by Clare County Council to refuse permission.

**Proposed Development:** Construction of a guesthouse, three number individual holiday cottages and proprietary wastewater treatment system along with associated site works at Dough, Spanish Point, County Clare.

**Decision**

**REFUSE permission for the above proposed development in accordance with 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**

1. Having regard to the design of the guesthouse and holiday cottages, it is considered that the proposed development would fail to respond to the unique characteristics of the site, would not contribute to a sense of place making and would create a poor quality streetscape at this location. The proposed development would be contrary to the provisions of the current Development Plan for the area, would seriously injure the visual amenities of the area and would, therefore, be contrary to the proper planning and sustainable development of the area.
2. Having regard to the characteristics of the site, to the location of the proposed wastewater treatment system and its discharge relative to the location of the watercourse to the north of the site which outflows to the Carrowmore Point to Spanish Point and Islands Special Area of Conservation (Site Code: 001021) at Spanish Point Beach, the Board is not satisfied on the basis of the submissions made in connection with the planning application and the appeal, that a satisfactory effluent treatment and disposal system can be provided and sustained on the site. It is considered that the proposed development would be prejudicial to public health and would, therefore, be contrary to the proper planning and sustainable development of the area.

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**Paul Hyde**

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

**Dated this            day of            2018.**