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**Planning and Development Acts 2000 to 2018**

**Planning Authority: Clare County Council**

**Planning Register Reference Number: P18/640**

**APPEAL** by Edward Irwin of Derryisland, Clonlara, County Clare against the decision made on the 2<sup>nd</sup> day of October, 2018 by Clare County Council to refuse outline permission for the proposed development.

**Proposed Development:** Construction of a dwelling house, entrance and all associated site works at Quinns pool South, Parteen, County Clare.

**Decision**

**REFUSE** outline 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 location of the site within a rural area under strong urban pressure, as identified in the Clare County Development Plan 2017-2023, to the provisions of the Sustainable Rural Housing Guidelines for Planning Authorities published by the Department of Environment, Heritage and Local Government in April 2005 and to National Policy Objective 19 of the National Planning Framework, issued by the Department of Housing, Planning and Local Government in February 2018, which in rural areas under urban influence, seeks to facilitate the provision of single housing in the countryside based on the core consideration of demonstrable economic or social need to live in a rural area, having regard to the viability of smaller towns and rural settlements, it is considered that the applicant does not satisfy the relevant criteria set out under development plan Objective 3.11 of the Development Plan, for new single houses in such areas, and accordingly the proposed development would materially contravene an objective of the development plan and would conflict with the provisions of the said Guidelines. The proposed development would be contrary to National Policy Objective 19 of the National Planning Framework and would, therefore, be contrary to the proper planning and sustainable development of the area.

2. It is considered that the location of the proposed house, to the rear of existing houses, would, by itself and the precedent it would set, constitute uncoordinated and haphazard backland development, which would be out of character with the surrounding pattern of development. The proposed development would, therefore, seriously injure the residential amenities of the area, would depreciate the value of property in the vicinity and would be contrary to the proper planning and sustainable development of the area.

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**Chris McGarry**

**Member of An Bord Pleanála**

**duly authorised to authenticate  
the seal of the Board.**

**Dated this            day of            2019.**