



Planning and Development Acts 2000 to 2018

Planning Authority: Clare County Council

Planning Register Reference Number: P18/643

APPEAL by Woodhaven Developments Limited care of Leahy Planning Limited of Clifden, Corofin, County Clare against the decision made on the 18th day of January, 2019 by Clare County Council to refuse permission to the said Woodhaven Developments Limited.

Proposed Development: The construction of 17 houses on a site at the junction of Chapel Street and the R462, part of the former site of the Tulla Secondary School, all at Chapel Street, Tulla, 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 the “Mixed Use” zoning of the site, and its identification as an Opportunity Site (OP1 (MU2)) within the provisions of the Clare County Development Plan, 2017-2023, it is considered that the proposed commercial element of the development, by reason of height, scale and form, and by reason of the design detail and selection of the materials and finishes, would not constitute a positive and high-quality key landmark structure that would satisfactorily integrate into and contribute positively to the established character of the existing streetscape and surrounding built environment. As a result, the proposed development would seriously injure the visual amenities of the area and the established pattern and character of development in the vicinity, would contravene materially the specific development objectives for the site set out in the Clare County Development Plan, 2017-2023, and would, therefore, be contrary to the proper planning and sustainable development of the area.

2. Having regard to the design and layout of the proposed development, it is considered that the proposed development would be of insufficient quality and would not provide a satisfactory standard of residential amenity for the future occupants of the dwellings by reason of inadequate connectivity between the proposed dwellings and the public open space; the amenity value of the public open space which is peripherally located on sloped land at the western edge of the site; a predominance of vehicular circulation space and surface parking with inadequate screening and soft landscaping; poor configuration of plots, dwellings and private open space; inadequate access to sunlight and daylight; and lack of a passive surveillance, permeability and defined pedestrian facilities and routing within the residential element. Therefore, the proposed development, by reason of its layout, would be substandard, would seriously injure the residential amenities of the future occupants and the amenities of the area and would be contrary to the proper planning and sustainable development of the area.

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

Dated this day of 2019.