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**Planning and Development Acts 2000 to 2019**

**Planning Authority: Clare County Council**

**Planning Register Reference Number: P19/397**

**APPEAL** by Sheila McCormack and others care of Michael J. Duffy of 1 Clós Na hEaglaise, Kilfenora, County Clare against the decision made on the 16<sup>th</sup> day of August, 2019 by Clare County Council to grant subject to conditions a permission to M.J. Queally care of M.N.T. Draughting Services of Cooraclare, County Clare for the proposed development.

**Proposed Development:** To construct pub, kitchen, toilets, storage area, apartment, parking area, wastewater treatment system, new site entrance and associated site works at Roadford, Doolin, County Clare, as amended by the further public notice received by the planning authority on the 26<sup>th</sup> day of July, 2019.

**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. Doolin is deficient in terms of municipal wastewater facilities, with it being a General Objective under the Clare County Development Plan 2017-2023 relating to the town “to encourage the investigation, by Irish Water, of the feasibility of using capacity at the wastewater treatment plant in Lisdoonvarna to serve nearby Doolin village”. The proposed development includes the installation of a private wastewater treatment system. Having regard to its nature and scale, it is considered that the proposed development would be premature pending the provision of adequate municipal wastewater treatment facilities within Doolin, would contribute to a proliferation of wastewater treatment systems in the area, would set an undesirable precedent for the future development within the settlement, and would be prejudicial to public health. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

2. The proposed development of a wastewater treatment system to serve a commercial development (public house/restaurant) on lands zoned 'Agriculture' under the Clare County Development Plan 2017-2023 is not a use indicated as being acceptable within this zoning objective and, in this regard, the proposed development would materially contravene a zoning objective of the development plan. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.
  
3. The proposed development, by reason of its form and poor architectural expression, would seriously injure the visual amenities of the area, would materially contravene the land use zoning objective for the site and would, therefore, be contrary to the proper planning and sustainable development of the area.

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

**Dated this            day of            2020.**