



Planning and Development Acts 2000 to 2019

Planning Authority: Clare County Council

Planning Register Reference Number: P19/488

APPEAL by Teresa Hughes of Castlecrine, Sixmilebridge, County Clare against the decision made on the 16th day of January, 2020 by Clare County Council to refuse permission.

Proposed Development: Construction of a dwellinghouse, wastewater treatment system and associated site works at Castlecrine, Sixmilebridge, County Clare. Further public notices were received by the planning authority on the 13th day of December, 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. Having regard to the location of the site within an area under strong urban influence in the “Sustainable Rural Housing Guidelines for Planning Authorities” issued by the Department of the Environment, Heritage and Local Government in April, 2005, wherein it is policy to distinguish between urban-generated and rural-generated housing need, and to National Policy Objective 19 as set out in the National Planning Framework, adopted by the Government, in relation to rural areas under urban influence such as in the current case which states that it is the policy 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”, and to the relevant provisions of the Clare County Development Plan 2017-2023, it is considered that the applicant has not demonstrated an economic or social need to live at this rural location. The proposed development would contribute to the encroachment of random rural development in the area and would militate against the preservation of the rural environment and the efficient provision of public services and infrastructure. The proposed development would, therefore, be contrary to these Ministerial Guidelines, to over-arching national policy and would materially contravene objective 3.11 of the Clare County Development Plan 2017-2023, and would, therefore, be contrary to the proper planning and sustainable development of the area.

2. The proposed development by reason of its siting on an elevated and visually prominent site to the rear of two established dwellings, the proposed layout and design would result in a visually prominent and obtrusive development, would seriously injure the rural landscape character and visual amenities of the area, would militate against the preservation of the rural environment and would set a precedent for further similar development in the area. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area. The proposed development would be at variance with the design objectives and guidelines as set out in the Clare County Development Plan 2017-2023 and the Clare Rural House Design Guide, 2005 and would, therefore, be contrary to the proper planning and sustainable development of the area.

Chris McGarry

Member of An Bord Pleanála

duly authorised to authenticate

the seal of the Board.

Dated this day of 2020.