

An
Bord
Pleanála

Board Order

ABP-313611-22

Planning and Development Acts 2000 to 2022

Planning Authority: Clare County Council

Planning Register Reference Number: P22/35

Appeal by Michelle McDonagh and Darren Ryan care of AF Engineering of Doolin, County Clare against the decision made on the 22nd day of April, 2022 by Clare County Council to refuse permission.

Proposed Development: Development will consist of a dwellinghouse with proprietary wastewater treatment system and polishing filter together with ancillary site works at Carnaun, Doolin, County Clare.

Decision

REFUSE permission for the above proposed development in accordance with the reasons and considerations set out below.

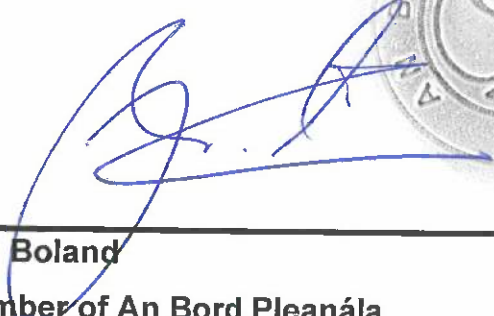
Reasons and Considerations

1. Having regard to the location of the site within an area of the country designated under the provisions of the Clare County Development Plan 2023 – 2029 as an Area of Special Control, the Board could not be satisfied on the basis of the information on the file, that the applicants came within the scope of either economic or social housing need criteria as set out in the Development Plan Objective 4.14. The proposed development, in the absence of the evidence of meeting the criteria, would result in a haphazard and unsustainable form of development in an unserved area, would contribute to the encroachment of random rural development in the area and work against the preservation of the rural environment, the efficient provision of public services and infrastructure and undermine the settlement strategy as set out in the development plan. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.



2. Notwithstanding the proposal to use a proprietary domestic wastewater treatment system on the site, having regard to the poor soil conditions and impermeable layer of subsoil, to the proliferation of domestic wastewater treatment systems in this rural area, and to the Sustainable Rural Housing Guidelines for Planning Authorities, which recommend, in un-sewered rural areas, avoiding sites where it is inherently difficult to provide and maintain wastewater treatment and disposal facilities, the Board could not be satisfied, on the basis of the information on the file, that the impact of the proposed development in conjunction with existing wastewater treatment systems in the area would not give rise to a risk of groundwater pollution. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.





Joe Boland
Member of An Bord Pleanála
duly authorised to authenticate
the seal of the Board

Dated this *24TH* day of *August* 2023