

An
Bord
Pleanála

Board Order
ABP-314581-22

Planning and Development Acts 2000 to 2022

Planning Authority: Clare County Council

Planning Register Reference Number: 22/578

APPEAL by Adrian Mullally care of Michael Burke Associates, Architectural Services, Main Street, Pallaskenry, County Limerick, against the decision made on the 23rd day of August, 2022 by Clare County Council to refuse permission.

Proposed Development: Construction of a dwelling house, entrance, wastewater treatment system and associated site works at Kilmore, 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 –

(i) the pattern of development in the area, which is identified in the Clare County Development Plan 2023-2029, as an area under strong urban influence, and is an area of special control, and

(ii) the objectives of the Clare County Development Plan 2023-2029,

it is considered that, in relation to new single houses in the countryside, the applicant has not sufficiently demonstrated an economic or social need to live in a rural area, the proposed development does not comply with the Clare County Development Plan 2023-2029, Objective 4.14. Furthermore, the proposed development would contribute to the encroachment of random rural development in the area, would militate against the preservation of the rural environment and the efficient provision of public services and infrastructure and would contravene the provisions of the county development plan. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

2. Having regard to the Spatial Planning and National Roads – Guidelines for Planning Authorities, published by the Department of Environment, Community and Local Government in January 2012, the provisions of the Clare County Development Plan 2023-2029, the location of the proposed access onto a regional road where a speed limit of 80 km/h applies, and the horizontal alignment of the road where sightlines are restricted, it is considered that the proposed development would be contrary to the guidelines and would endanger public safety by reason of traffic hazard because of the additional traffic turning movements the development would generate on a road at a point where sightlines are restricted. The proposed development would, therefore, be contrary to national and local policy and to the proper planning and sustainable development of the area.



M. Henchy

Mary Henchy

Member of An Bord Pleanála

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

Dated this *20th* day of *November* 2023.