



An
Bord
Pleanála

Board Order
ABP-314676-22

Planning and Development Acts 2000 to 2022

Planning Authority: Clare County Council

Planning Register Reference Number: P22/628

APPEAL by Matthew Broggy care of Leahy Planning Limited of Mill Road House, Mill Road, Ennis, County Clare against the decision made on the 5th day of September, 2022 by Clare County Council to grant subject to conditions a permission to Cathal MacConradha care of Lourdes O'Donohue of 13 Garrán na Coille, Shanaway Road, Ennis, County Clare.

Proposed Development: (i) Chead Coinneála do chlaífort mar a tógadh é agus (ii) Chead chun teach cónaithe príobháideach, garáiste scoite, córas cóireála fuíolluisce agus na hoibreacha suímh go léir a bhaineann leis a thógáil ag Cnoc na Fhraoigh, An Chreatalach, Contae an Chláir.

Decision

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

Reasons and Considerations

The Board had regard to the Clare County Development Plan 2023-2029, to the Inspector's Report and Addendum, and to the totality of material and submissions received. The proposed development is located in a Rural Area Under Strong Urban Influence and the site is accessed from and abuts a designated Scenic Route. Accordingly, the proposed development is in an area specifically identified as an 'Area of Special Control' to which Objective CDP 4.14 of the Clare County Development Plan 2023-2029 applies.

The Applicant has not demonstrated that he meets the necessary 'Economic Need or Social Need' criteria as provided for in the Development Plan nor has he demonstrated that no alternative sites are available in Settled Landscapes, the Shannon Estuary Working Landscape or the Western Corridor Working Landscape. Furthermore, and based on the information submitted, the Board considers the Applicants 'need' to live in the local rural area could be met at property and lands in his ownership.

It is therefore considered that the proposed development would be contrary to Objective CDP 4.14 of the Clare County Development Plan 2023-2029 and as a result contrary to National Policy Objective 19 of the National Planning Framework. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

Eamonn James Kelly

Eamonn James Kelly

Member of An Bord Pleanála

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

Dated this *3rd* day of *July*, 2024