

An
Bord
Pleanála

Board Order
ABP-317331-23

Planning and Development Acts 2000 to 2022

Planning Authority: Clare County Council

Planning Register Reference Number: 23193

APPEAL by Michael Brennan care of McKenna Consulting Engineers of The Square, Miltown Malbay, County Clare against the decision made on the 22nd day of May 2023 by Clare County Council to refuse permission.


Proposed Development: To alter Condition Number 3 of planning authority reference P04/2598. This will involve changing house Number 10 from its use as a holiday home to its use as permanent residence, at 10 Cluain Uilinn, Spanish Point Road, Miltown Malbay, County Clare.

Decision


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

Reasons and Considerations

Having regard to the location of the subject site within an established holiday home/tourist development, on land zoned for 'Tourism' in the Clare County Development Plan 2023-2029, where residences for permanent occupation are normally not permitted, and whereby the description of this zoning objective provides for 'structures and activities which are primarily designed to facilitate tourism development', it is considered that the proposed change of use to permanent residential occupancy would be contrary to the land use zoning objective, would undermine the coherence of holiday home use in the existing Cluain Uilinn development, and would materially contravene Condition 3 attached to planning register reference number P04/2598. The proposed development would, therefore, set an undesirable precedent for further such changes of use and would be contrary to the proper planning and sustainable development of the area.



Stephen Bohan
Member of An Bord Pleanála
duly authorised to authenticate
the seal of the Board.



Dated this 18th day of May 2024.