

An
Bord
Pleanála

Board Direction
BD-018669-25
ABP-313217-22

The submissions on this file and the Inspector's report were considered at a Board meeting held on 15/01/2025.

The Board decided to refuse permission for the following reasons and considerations.

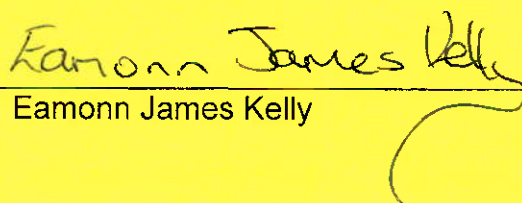
Reasons and Considerations

Having regard to the Clare County Development Plan 2023-2029 and to the zoning of the site as Strategic Residential Reserve (SR8) to facilitate growth needs across the county and sequential expansion in the long term, it is considered the development of the subject site at this time is premature and would, therefore, not comply with the policies and objectives of the Clare County Development Plan 2023-2029.

In deciding not to accept the Inspector's recommendation to grant permission, the Board noted the proposed site was designated in the current Development Plan as a strategic reserve and the residential development of such lands will only be considered from the beginning of Year 4 (April 2027) in order to give an opportunity for zoned land to be brought forward for development. While careful consideration was given to the Planning Inspector's recommendation to grant permission by materially contravening the Development Plan, the Board considered the Development Plan was adopted by the Elected Members of Clare County Council on

the 9th day of March 2023 following extensive local democratic processes with adequate land zoned to meet housing demand. Having regard to the totality of the Development Plan, the proposed development is not of strategic importance, and it would therefore – on balance - be somewhat early in the life of this particular site zoning to determine with confidence whether zoned land more generally is progressing with development faster than anticipated to the extent to warrant material contravention.

Board Member


Eamonn James Kelly

Date: 22/01/2025

Note

The Board also noted the additional bat survey findings submitted as part of the proposed development of phase two on the adjacent site as part of Clare County Council Planning Register Reference Number 2325 (ABP-319358-24) that became apparent following the notice issued by the Board as part of this application under Section 137 of the Planning and Development Act 2000 (as amended). While the Board would have considered affording the applicant, in the interests of natural justice, an opportunity to verify the completeness of the Natura Impact Statement submitted with this application, in particular the assessment of impacts arising from the proposed development of phase 1 in combination with phase 2 on Lesser Horseshoe Bats at European Sites, given the substantive reason for refusal the Board decided not to pursue the matter any further at this time.