



Planning and Development Acts 2000 to 2019

Planning Authority: Limerick City and County Council

Planning Register Reference Number: 19/661

APPEAL by Chris O'Grady and Theresa Kelly of Kilsconnell, Ardagh, County Limerick against the decision made on the 27th day of August, 2019 by Limerick City and County Council to refuse outline permission.

Proposed Development: A storey and half dwellinghouse, detached domestic garage, wastewater treatment system, entrance and all ancillary site works at Faha Demense, Patrickswell, County Limerick.

Decision

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

Matters Considered

In making its decision, the Board had regard to those matters to which, by virtue of the Planning and Development Acts and Regulations made thereunder, it was required to have regard. Such matters included any submissions and observations received by it in accordance with statutory provisions.

Reasons and Considerations

1. The site of the proposed development is located within an “Area Under Strong Urban Influence” as set out in the Sustainable Rural Housing Guidelines for Planning Authorities issued by the Department of the Environment, Heritage and Local Government in April, 2005. In addition, under National Policy Objective 19 of the National Planning Framework, it is national policy to facilitate the provision of single housing in the countryside, in areas under urban influence, based on the core consideration of demonstrable economic or social need to live in a rural area and having regard to siting and design criteria and the viability of smaller towns and rural settlements. Having regard to the location of the subject site within the catchment of Limerick City and proximate to smaller settlements and also having regard to the documentation submitted with the application, specifically concerning (a) the applicants’ work, which is not an agricultural based activity, and their places of employment in Shannon and Foynes, and (b) the social circumstances of the applicants and their families, the Board is not satisfied that the applicants have demonstrated an economic or social need to live at this specific rural location, or that the applicants’ housing needs could not be satisfactorily met in a smaller town or settlement. The proposed development would, therefore, contravene National Policy Objective 19

of the National Planning Framework and would be contrary to the proper planning and sustainable development of the area.

2. The site is located on a minor road which is seriously substandard in terms of width and alignment. The traffic generated by the proposed development would endanger public safety by reason of traffic hazard and obstruction of road users and would, therefore, be contrary to the proper planning and sustainable development of the area.

Dave Walsh

Member of An Bord Pleanála

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

Dated this day of 2020.