



Board Direction

Ref: PL91.245866

The submissions on this file and the Inspector's report were considered at a Board meeting held on 11th March 2016. The Board decided to refuse permission generally in accordance with the Inspector's recommendation, and in accordance with the draft reasons and considerations set out below.

REASONS AND CONSIDERATIONS

1. Having regard to the location of the site within the preferred route corridor for the proposed Foynes to Limerick Road Improvement Scheme, it is considered that the proposed development would be premature pending the determination by the road authority of a road layout for the area, and would contravene Objective IN O13 (Reservation of Corridors for Major Road Improvements) and Objective IN O21 (Promotion of Improvements to the N69 Limerick to Foynes) as set out in the Limerick County Development Plan 2010-2016, and would, therefore, be contrary to the proper planning and sustainable development of the area.
2. Objective IN 09 of the planning authority, as set out in the Limerick County Development Plan 2010-2016, seeks to ensure that development on sub-standard roads will only be considered in exceptional circumstances. Having regard to the location of the site on a minor road that is seriously sub-standard in terms of its narrow width and surface condition, and the failure to demonstrate that exceptional circumstances apply in this case, it is considered that the proposed development would contravene the stated objective of the Development Plan, and would, therefore, be contrary to the proposed planning and sustainable development of the area.

Notes:

- (a) The appeal site is located within an 'Area Under Strong Urban Influence' as identified in the "Sustainable Rural Housing Guidelines for Planning Authorities" issued by the Department of the Environment, Heritage and Local Government (2005), and in an 'Area of Strong Agricultural Base' where housing is restricted to persons demonstrating local need in accordance with the provisions of the Limerick County Development Plan 2010 - 2016. The Board considered the serious concerns identified by the planning authority in relation to the compliance of the applicant with the criteria for rural housing at this location, which was one of the reasons for deciding to refuse permission, and which concerns were shared by the Inspector. In this instance, the relevant documentation was not all forwarded to An Bord Pleanála by the planning authority; however, having regard to the substantive reasons for refusal, the Board decided not to seek the documents in question.

- (b) Taking in conjunction with existing housing development in the vicinity, the Board had serious concerns that the proposed development might exacerbate the excessive concentration of housing in the vicinity and contribute to an increasing pattern of suburbanisation of this rural area that is lacking certain public services and community facilities; however, it was also considered that this would constitute a new issue in relation to the appeal, and having regard to the substantive reasons for refusal, the Board decided not to pursue this matter further.

Please circulate a copy of this Direction with the Board Order.

Board Member: _____ Date: 22nd March 2016
Fionna O' Regan