

An
Bord
Pleanála

Board Direction
BD-008799-21
ABP-309962-21

The submissions on this file and the Inspector's report were considered at a Board meeting held on 26/07/2021.

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

Reasons and Considerations

Having regard to the type of rural area which is an 'Area of Strong Agricultural Base' as set out in the Limerick County Development Plan 2010-2016 as extended, and the circumstances of the applicants which includes details provided as part of the planning application, of non-rural based employment for each applicant and including one workplace located within Limerick City and environs, and by reference to the provisions of 'Sustainable Rural Housing, Guidelines for Planning Authorities' published in 2005 by the Department of Environment, Heritage and Local Government which states that areas characterised by ribbon development will in most cases be located on the edges of cities and will exhibit characteristics such as a high density of almost continuous road frontage type development, for example where five or more houses exist on any one side of a given 250 metres of road frontage, and that whether a proposal will exacerbate such ribbon development or could be considered will depend on *inter alia*, the type of rural area and circumstances of the applicant, the degree to which the proposal might be considered infill, the degree to which existing ribbon development would be extended, and noting the existence of four dwellings along this immediate stretch of the local rural road within a distance of 250 metres and on the same side as the subject site, as well as existence of ribbon development along the other side of this road in close proximity to the subject site, and notwithstanding the siting of the proposed dwelling between two of these dwellings along this stretch, it is considered that the receiving environment of the proposed development displays the

characteristics of ribbon development and the proposed development would contribute to and exacerbate undesirable ribbon development at this specific location in a rural area outside lands zoned for residential development, within the catchment of Limerick city and would contribute to the encroachment of random rural development at this unserviced location. The proposed development would be contrary to these Ministerial Guidelines and would, therefore, be contrary to the proper planning and sustainable development of the area.

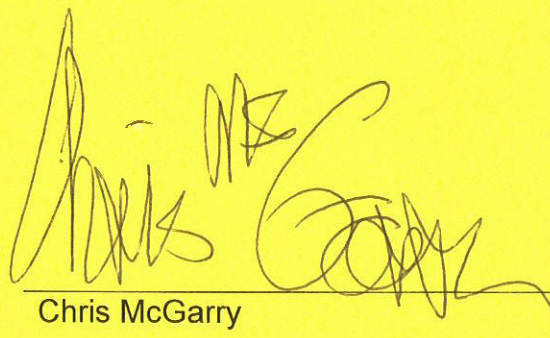
In deciding not to accept the Inspector's recommendation to grant permission, the Board considered that the nature of the proposed development and its specific location along a stretch of rural road where rural housing already exists, would contribute to and exacerbate ribbon development at this location, when considered by reference to the totality of the relevant provisions on ribbon development as set out in the 2005 Ministerial Guidelines. The fact that the site is between two existing rural houses, is not considered to be the sole determinant of whether or not the proposal would contribute to or exacerbate ribbon development. In this regard the Board considered that the commentary of the Inspector that the issue of ribbon development does not arise in this instance, does not reflect the totality the relevant provisions within the 2005 Guidelines. Specifically, it was noted that the addition of this proposed development at this rural location would result in five dwellings along a short stretch of local rural road and it was determined that such a proposal would be contrary to the proper planning and sustainable development of the area.

Note:

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, it is national policy, as set out in National Policy Objective 19 of the National Planning Framework, 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 and, in rural areas elsewhere, having regard to the viability of smaller

towns and rural settlements. Having regard to the location of the subject site, within the catchment of Limerick City, within an 'area of strong agricultural base' as set out in the Limerick County Development Plan 2010-2016 as extended, and proximate to smaller settlements, and having regard to the documentation submitted with the application and appeal, and specifically noting that the applicants' work roles, which are not agricultural based activities and which in at least one case is located within the Limerick City and environs, the Board was not satisfied that the applicants had demonstrated an economic and 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. Accordingly, it was considered that the applicants do not come within the scope of the housing need criteria as set out in the Guidelines and in overarching national policy for a house at this location. The proposed development would be contrary to the Ministerial Guidelines and to the over-arching national policy and would, therefore, be contrary to the proper planning and sustainable development of the area. However as this would constitute a new issue in the context of the current appeal and given the substantive reason for refusal as set out above, it was decided not to pursue this issue in the context of the current appeal.

Board Member



Chris McGarry

Date: 26/07/2021

