

An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2015

Limerick City and County

Planning Register Reference Number: 15/238

An Bord Pleanála Reference Number: PL 91.246568

APPEAL by Michael McGrath care of Dennany Reidy Associates of The Park, Lord Edward Street, Limerick against the decision made on the 8th day of April, 2016 by Limerick City and County Council to grant subject to conditions a permission to Lorna Ryan care of Stillwater Architecture of Ashville, Ballysheedy, County Limerick.

PROPOSED DEVELOPMENT: Construction of a dwellinghouse, garage, entrance, wastewater treatment system and all ancillary site works at Upper Ballycahane, Crecora, County Limerick.

DECISION

REFUSE permission for the above proposed development based on 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. Having regard to the location of the site 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 in April 2005, wherein it is the policy to distinguish between urban generated and rural generated housing need and to site’s location in an area where housing is restricted to persons demonstrating local need in accordance with the current Limerick City and County Development Plan, it is considered that the applicant has not demonstrated that she comes within the scope of the housing need criteria, as set out in the Guidelines or the Development Plan for a house at this location. The proposed development, in the absence of any identified rural based need for the house, would contribute to the encroachment of random residential development in the area and would militate against the preservation of the rural environment and the efficient provision of public services and infrastructure. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

