



Planning and Development Acts 2000 to 2018

Planning Authority: Limerick City and County Council

Planning Register Reference Number: 18/403

APPEAL by Marty Boylan of Murphys Cross, Adare, County Limerick against the decision made on the 20th day of June, 2018 by Limerick City and County Council to refuse outline permission.

Proposed Development: Outline permission for four two-storey dwellinghouses, wastewater treatment systems, entrances and site works at Cummeen, Adare, Co. 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 is within an area zoned agriculture in the current Adare Local Area Plan, the objective for which is to provide for the development of agriculture by ensuring the retention of agricultural uses, protect them from urban sprawl and ribbon development and to provide for a clear demarcation to the adjoining built up areas. Housing is generally not permitted, except for the long-term habitation of farmers and sons or daughters of the landowner where a rural housing need is demonstrated in accordance with the rural housing policy set out in the current Limerick County Development Plan. On the basis of the information submitted with the planning application and the appeal and in the absence of any identified rural generated need for the houses, the proposed development would materially contravene the zoning objective for the area, would contribute to the encroachment of random rural 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.

2. It is the policy of the planning authority as set out in the current local area plan to control urban sprawl and ribbon development. This policy is considered to be reasonable. The proposed development would be in conflict with this policy because, when taken in conjunction with development in the vicinity of the site, the proposed development would consolidate and contribute to the build-up of ribbon development in an open rural area. This would militate against the preservation of the rural environment and lead to demands for the provision of further public services and community facilities. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

3. It is considered that, taken in conjunction with existing development in the vicinity, the proposed development would result in an excessive concentration of development served by septic tanks in the area. The proposed development would, therefore, be prejudicial to public health.

Paul Hyde
Member of An Bord Pleanála
duly authorised to authenticate
the seal of the Board.

Dated this day of 2018.