



Planning and Development Acts 2000 to 2019

Planning Authority: Limerick City and County Council

Planning Register Reference Number: 18/1153

APPEAL by Martin White of Ross Lodge, Clonshire, Adare, County Limerick against the decision made on the 29th day of January, 2019 by Limerick City and County Council to grant subject to conditions a permission to Jake Bell care of Sean R. McCarthy Consulting Engineers of The Orchard, Cork Road, Fermoy, County Cork.

Proposed Development: Construction of a house, effluent disposal system, entrance and associated site works, at Clonshire Beg Townland, Adare, County Limerick.

Decision

REFUSE 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

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, and proximate to smaller settlements, and also having regard to the documentation submitted with the application and appeal, including the correspondences from the applicant, received by the Board on the 13th day of June 2019, and the 5th day of July 2019, and specifically noting that the applicant’s work, which is not an agricultural based activity, is stated to be countrywide, the Board is not satisfied that the applicant has demonstrated an economic and social need to live at this specific rural location, or that the applicant’s housing needs could not be satisfactorily met in a smaller town or settlement.

Accordingly, it is considered that the applicant does not come within the scope of the housing need criteria as set out in the Guidelines and in national policy for a house at this location. The proposed development would, therefore, be contrary to the Ministerial Guidelines, to the over-arching national policy and to the proper planning and sustainable development of the area.

Chris McGarry

Member of An Bord Pleanála

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

Dated this day of 2019.