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**Planning and Development Acts 2000 to 2019**

**Planning Authority: Limerick City and County Council**

**Planning Register Reference Number: 18/883**

**APPEAL** by Kathleen and Michael Kennedy of Knockbrack East, Lisnagry, County Limerick against the decision made on the 22<sup>nd</sup> day of February, 2019 by Limerick City and County Council to grant subject to conditions a permission to Mary Hassett and Andrew Eacott care of O'Neill Architecture of Carhue, Ballycommon, Nenagh, County Tipperary.

**Proposed Development:** Construction of a two-storey dwelling house, detached domestic garage, wastewater treatment system, percolation area, entrance and all ancillary site works at Knockbrack East, Lisnagry, 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**

Having regard to the location of the site within an Area Under Strong Urban Influence as identified in the current Limerick County Development Plan and in the “Sustainable Rural Housing Guidelines for Planning Authorities” issued by the Department of the Environment, Heritage and Local Government in April 2005, and to National Policy Objective 19 of the National Planning Framework issued by the Department of Housing, Planning and Local Government in February 2018, which seeks to ensure that the provision of single housing in rural areas under urban influence is provided based upon demonstrable economic or social need to live in a rural area, it is considered that the applicant does not comply with National Policy Objective 19. As such, it is considered that the proposed development, in the absence of any identified locally based need for the house, would contribute to the encroachment of random rural development in the rural area, would militate against the preservation of the rural environment, and would be contrary to the provisions of the National Planning Framework. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

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**Terry Prendergast**  
**Member of An Bord Pleanála**  
**duly authorised to authenticate**  
**the seal of the Board**

**Dated this            day of            2019**