



---

**Planning and Development Acts 2000 to 2019**

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

**Planning Register Reference Number: 18/1047**

**APPEAL** by Chris and Eileen Hogan of Cahirguillamore, Bruff, County Limerick against the decision made on the 29<sup>th</sup> day of May, 2019 by Limerick City and County Council to grant subject to conditions a permission to Cathal Shinnors care of John Duggan of Ballyvonnaun, Doorra, Ennis, County Clare.

**Proposed Development:** Construction of a dwelling house, garage, effluent treatment system, vehicular access including all associated site works and services at Caherquillamore, Bruff, 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 subject site is located within 'an Area of Strong Agricultural Base' as identified in the Limerick County Development Plan, 2010-2016 (as extended), and a 'Stronger Rural Area' 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. In addition, it is national policy, as set out in National Policy Objective 19 of the National Planning Framework, issued by The Department of Housing, Planning and Local Government, in February 2018, to facilitate the provision of single housing in the countryside based on siting and design criteria for rural housing in statutory guidelines and plans, having regard to the viability of smaller towns and rural settlements. Having regard to the documentation submitted with the planning application, and noting the location of the applicant's current place of study and current place of residence and the absence of any confirmed rural work based activity currently being undertaken by the applicant which would require a residence at this specific location, the Board is not satisfied that the applicant has demonstrated a genuine rural need to live at this specific location, or that the applicant's housing needs could not be satisfactorily met in a smaller town or rural settlement. Accordingly, it is considered that the applicant does not come within the scope of rural housing need as set out in national policy for a house at this location. The proposed development would, therefore, contribute to the encroachment of random

development in this rural area, and would militate against the preservation of the rural environment and the efficient provision of public services and infrastructure and the viability of smaller towns and rural settlements. The proposed development would, therefore, be contrary 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**