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**Planning and Development Acts 2000 to 2019**

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

**Planning Register Reference Number: 19/296**

**APPEAL** by Neil Rushe of Blossomhill, Kilcornan, County Limerick against the decision made on the 22<sup>nd</sup> day of May, 2019 by Limerick City and County Council to grant subject to conditions a permission to Martin Kiely care of Morgan McDonogh of The Bog Road, Kildimo, County Limerick.

**Proposed Development** A single storey dwelling house, garage, on-site treatment system and percolation area, new entrance, well and associated site works, all at Blossomhill, Kilcornan, 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. Having regard to National Policy Objective 19 of the National Planning Framework which aims to facilitate the provision of single housing in the countryside, based on the viability of smaller towns and rural settlements, and taking account of the documentation submitted with the application and appeal, the Board is not satisfied that the applicant has a genuine and demonstrable economic or social need to live in this rural area. It is considered, therefore, that the applicant does not come within the scope of the housing need criteria, as set out in national policy, for a house at this location. The proposed development would be contrary to national policy, would contribute to the encroachment of random rural development in the area, militating against the preservation of the rural environment and the efficient provision of public services and infrastructure, would negatively impact on the viability of smaller towns and villages, and would, therefore, be contrary to the proper planning and sustainable development of the area.

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**Dave Walsh**

**Member of An Bord Pleanála**

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

**Dated this            day of            2019.**