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**Planning and Development Acts 2000 to 2019**

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

**Planning Register Reference Number: 19/772**

**APPEAL** by Michelle Quigley of 18 Castlerock Mews, Castleconnell, County Limerick against the decision made on the 27<sup>th</sup> day of September, 2019 by Limerick City and County Council to refuse permission.

**Proposed Development:** Construction of a dormer style house, detached domestic garage, septic tank, percolation area, entrance and all ancillary site works at Ruan, Castleconnell, 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**

1. 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, wherein it is policy to distinguish between urban-generated and rural-generated housing need. Furthermore, the subject site is located in an area that is designated under urban influence, where 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, based on the core consideration of demonstrable economic or social need to live in a rural area, having regard to the viability of smaller towns and rural settlements. Having regard to the documentation submitted with the planning application and the appeal, the Board is not satisfied that the applicant comes within the scope of the housing need criteria as set out in the Guidelines nor has a demonstrable economic or social need to live in this rural area. Furthermore, the Board is not satisfied that the applicant/appellant’s housing needs could not be satisfactorily met in an established smaller town or village/settlement centre. It is considered, therefore, 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 and to the over-arching national

policy and having regard to the provisions of the Limerick County Development Plan 2010 – 2016. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

2. Under Objective IN 09 of the Limerick County Development Plan 2010 – 2016, the local road, which would serve the developed site is, due to its single lane form and horizontal and vertical alignments, substandard. Accordingly, the introduction of additional traffic movements generated by the proposed development, and the further additional traffic movements that may result from the adverse precedent that would be established by this development, would contravene the general prohibition upon additional traffic movements underlying this Objective. The proposed development would, therefore, be contrary to the principles of good traffic management and would, therefore, be contrary to the proper planning and sustainable development of the area.

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**Terry Ó Niadh**

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

**Dated this            day of            2020.**