

Planning and Development Acts 2000 to 2020

Planning Authority: Limerick City and County Council

Planning Register Reference Number: 20/1184

APPEAL by Joan McLoughlin of Farnane, Cappamore, County Limerick against the decision made on the 19th day of March, 2021 by Limerick City and County Council to grant subject to conditions a permission to Sharon Ryan and Stephen Cummins care of Joseph Barry of Castleconnell, County Limerick.

Proposed Development: A new single storey house complete with a domestic garage, effluent treatment system and a new site entrance at Farnane, Cappamore, 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.

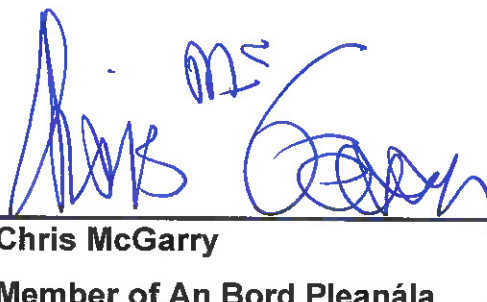
Reasons and Considerations

Having regard to the type of rural area which is an 'Area of Strong Agricultural Base' as set out in the Limerick County Development Plan 2010-2016, as extended, and the circumstances of the applicants which includes details provided as part of the planning application, of non-rural based employment for each applicant and including one workplace located within Limerick City and environs, and by reference to the provisions of 'Sustainable Rural Housing Guidelines for Planning Authorities' published in 2005 by the Department of Environment, Heritage and Local Government which states that areas characterised by ribbon development will in most cases be located on the edges of cities and will exhibit characteristics such as a high density of almost continuous road frontage type development, for example where five or more houses exist on any one side of a given 250 metres of road frontage, and that whether a proposal will exacerbate such ribbon development or could be considered will depend on inter alia, the type of rural area and circumstances of the applicant, the degree to which the proposal might be considered infill, the degree to which existing ribbon development would be extended, and noting the existence of four dwellings along this immediate stretch of the local rural road within a distance of 250 metres and on the same side as the subject site, as well as existence of ribbon development along the other side of this road in close proximity to the subject site, and notwithstanding the siting of the proposed dwelling between two of these dwellings along this stretch, it is considered that the receiving environment of the proposed development displays the characteristics of ribbon development and the proposed development would contribute to and exacerbate undesirable ribbon development at this specific location in a rural area outside lands zoned for residential development, within the catchment of Limerick city and would contribute to the encroachment of random rural development at this unserviced location. The proposed development would be contrary to these

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Ministerial Guidelines and would, therefore, be contrary to the proper planning and sustainable development of the area.

In deciding not to accept the Inspector's recommendation to grant permission, the Board considered that the nature of the proposed development and its specific location along a stretch of rural road where rural housing already exists, would contribute to and exacerbate ribbon development at this location, when considered by reference to the totality of the relevant provisions on ribbon development as set out in the 2005 Ministerial Guidelines. The fact that the site is between two existing rural houses, is not considered to be the sole determinant of whether or not the proposal would contribute to or exacerbate ribbon development. In this regard the Board considered that the commentary of the Inspector that the issue of ribbon development does not arise in this instance, does not reflect the totality the relevant provisions within the 2005 Guidelines. Specifically, it was noted that the addition of this proposed development at this rural location would result in five dwellings along a short stretch of local rural road and it was determined that such a proposal would 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  2021