

Planning and Development Acts 2000 to 2020

Planning Authority: Limerick City and County Council

Planning Register Reference Number: 20/1106

APPEAL by Seamus MacLughadha care of Leahy Planning Limited of Mill Road House, Mill Road, Ennis, County Clare against the decision made on the 22nd day of April, 2021 by Limerick City and County Council to grant subject to conditions a permission to Brian Collins care of Lyons Designs Architectural Services of 14 Bellewood, Ballyneety, County Limerick.

Proposed Development: Construction of an entrance, dwellinghouse, garage, domestic waste water treatment system with polishing filter together with all associated site works at Annagh, Lisnagry, County Limerick. The proposed development was revised by further public notices received by the planning authority on the 4th day of February, 2021.

Decision

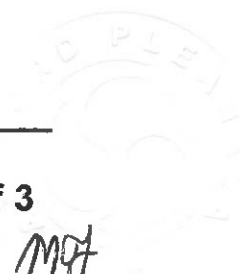
REFUSE permission for the above proposed development in accordance with the reasons and considerations set out below.

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. Having regard to the location of the site within an Area Under Strong Urban Influence in the Limerick County Development Plan (2009, as extended) and in the "Sustainable Rural Housing Guidelines for Planning Authorities" issued by the Department of Environment, Heritage and Local Government (2005), and to National Policy Objective 19 of the National Planning Framework (2018), which seeks to ensure that the provision of single housing in rural areas under urban influence are provided based on demonstrable economic or social need to live in a rural area, it is considered that the applicant does not come within the scope of the housing need criteria as set out in the Guidelines and National Policy Objective 19. 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 area and would militate against the preservation of the rural environment and the efficient provision of public services and infrastructure. Notwithstanding the applicant's links to the area, the Board was not satisfied that the applicant had demonstrated an economic or social need to live in this area in accordance with the overarching national policies of the Guidelines and the National Framework Plan. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.



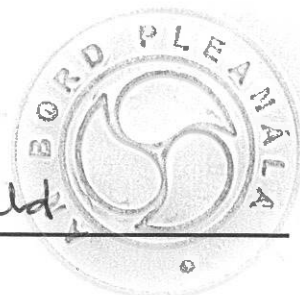
2. The site is located adjacent to two historic buildings, one of which is a Protected Structure, which are situated within an attractive rural landscape characterised by mature trees and hedgerows and where the overall area has been subject to intense development pressure in recent years. Having regard to the large scale and overly suburban design of the proposed dwelling, combined with the need to remove an extensive amount of mature roadside hedgerows, and taken in conjunction with existing level of development in the vicinity, it is considered that the proposed development would result in a discordant feature which would fail to adequately integrate into the landscape, would extend the pattern of suburban development and militate against the preservation of the rural environment, and would seriously injure the visual amenities of the area. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

DR. Maria FitzGerald

Maria FitzGerald

Member of An Bord Pleanála

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



Dated this 9th day of Sept. 2021.