



An  
Bord  
Pleanála

## Inspector's Report

### ABP-320870-24

<b>Development</b>	Construction of a dwelling house and all associated site works.
<b>Location</b>	Croom, Co. Limerick
<b>Planning Authority</b>	Limerick City and County Council
<b>Planning Authority Reg. Ref.</b>	24266
<b>Applicant(s)</b>	Liam Bennett
<b>Type of Application</b>	Permission
<b>Planning Authority Decision</b>	Refuse Outline
<b>Type of Appeal</b>	First Party
<b>Appellant(s)</b>	Liam Bennett
<b>Observer(s)</b>	None
<b>Date of Site Inspection</b>	15 <sup>th</sup> August 2025
<b>Inspector</b>	Ronan O'Connor

# Contents

1.0 Site Location and Description .....	3
2.0 Proposed Development .....	3
3.0 Planning Authority Decision .....	3
3.1. Decision .....	3
3.2. Planning Authority Reports .....	3
3.3. Prescribed Bodies .....	4
3.4. Third Party Observations .....	5
4.0 Planning History.....	5
5.0 Policy Context.....	5
5.1. Development Plan.....	5
5.4. Natural Heritage Designations .....	9
5.5. EIA Screening .....	9
5.6. Appropriate Assessment.....	9
6.0 The Appeal .....	9
6.1. Grounds of Appeal .....	9
6.2. Planning Authority Response.....	11
6.3. Observations.....	11
7.0 Assessment.....	11
8.0 Recommendation.....	15
9.0 Reasons and Considerations.....	15
Appendix 1 - Form 1 - EIA Pre-Screening .....	17
Appendix 2 - Form 2 - EIA Preliminary Examination .....	19

## **1.0 Site Location and Description**

- 1.1. The site is located in the townland of Croom on the L14191 and approximately 700m west of Croom village centre.

## **2.0 Proposed Development**

- 2.1. Outline permission for the erection of dwelling house with all associated site works.

## **3.0 Planning Authority Decision**

### **3.1. Decision**

- 3.1.1. Refuse Outline Permission for 2 no. reasons.

1. Having regard to the Sustainable Rural Housing Guidelines for Planning Authorities 2005 in relation to ribbon development, it is considered that the development proposed on a local road with more than four existing houses within a continuous 250m section, would constitute and exacerbate the existing issue of ribbon development in a rural area outside lands zoned for residential development and would therefore be contrary to the proper planning and sustainable development of the area.

2. The site of the proposed development is located within the Area of Strong Urban Influence as defined in the Limerick Development Plan 2022-2028. It is considered that the applicant does not come within the scope of the housing need criteria as set out in Objective HO 020 (Rural Areas under Strong Urban Influence) of the Development Plan and as such, the proposed development would materially contravene the objectives of the Limerick Development Plan 2022-2028 in relation to rural settlement, militate against the preservation of the rural environment and be contrary to the proper planning and sustainable development of the area.

### **3.2. Planning Authority Reports**

- 3.2.1. Planning Reports

The Planner's Report [dated 26/08/24] is summarised below:

- Notes that applicant is living in a property in Croom, which he owns.
- Notes that it is stated that a family member is moving into his present house as they are unable to find accommodation elsewhere.
- Was considered that as the applicant already owns a dwelling approximately 2.5km northeast of the subject site that he would not come within the scope of the housing need criteria as set out in Objective HO O20.
- Furthermore, the applicant has only owned the site for 5 years.
- Was noted that while applicant states that he is involved in farming the land at the site location, there did not appear to be any evidence of same.
- Was considered that the proposed development displays the characteristics of ribbon development on both sides of the L14191.
- Was considered that the proposed development would result in an extension of an already exacerbated issue of undesirable ribbon development along the L14191.
- Was stated that the site would be the 7<sup>th</sup> dwelling in a stretch of 250m (not including an infill site).
- Proposed development would contribute to and exacerbate undesirable ribbon development.
- Was recommended planning permission was refused for the reasons as set out in Section 3.1 of this report.

### 3.2.2. Other Technical Reports

Roads [report dated 25/07/24] – Recommends approval subject to conditions.

## 3.3. Prescribed Bodies

3.3.1. Irish Water [report dated 2<sup>nd</sup> August 2024]– No objections in principle.

3.3.2. TII [report dated 15<sup>th</sup> July 2024] – will rely on the planning authority to abide by official policy in relation to development on/affecting national roads.

### 3.4. Third Party Observations

3.4.1. None.

## 4.0 Planning History

### Subject site

4.1.1. 09/61: Mark Bennett refused permission for the construction of a dwelling, entrance and connection to existing mains services. Application was refused due to ribbon development and substandard road.

## 5.0 Policy Context

### 5.1. Development Plan

#### **Limerick Development Plan 2022-2028**

Objective HO O20 Rural Areas under Strong Urban Influence

It is an objective of the Council to consider a single dwelling for the permanent occupation of an applicant in the area under Strong Urban Influence, subject to demonstrating compliance with one of the criteria below:

1. Persons with a demonstratable economic need to live in the particular local rural area; Persons who have never owned a house in the rural area and are employed in rural-based activity such as farming/bloodstock, horticulture or other rural-based activity, in the area in which they wish to build, or whose employment is intrinsically linked to the rural area in which they build, or other persons who by the nature of their work have a functional need to reside permanently in the rural area close to their place of work (within 10km). (Minimum farm size shall be 12 hectares for farming or bloodstock). The applicant must demonstrate that they have been actively engaged in farming/bloodstock/horticulture or other rural activity, at the proposed location for a continuous period of not less than 5 years, prior to making the application. In the event of newly acquired land, to demonstrate that the proposed activity would be of a viable commercial scale, a detailed 5-year business plan will be required.

2. Persons with a demonstratable social need to live in a particular local rural area; Persons who have never owned a house in the rural area and who wish to build their first home on a site that is within 10km of where they have lived for a substantial period of their lives in the local rural area (minimum 10 years). The local rural area is defined as the area outside all settlements identified in Levels ABP-320165-24 Inspector's Report Page 6 of 21 1-4 of the Settlement Hierarchy. Excluding Level 4 Settlements, where there is no capacity in the treatment plant.

3. Persons with a demonstrable local exceptional need to live in a particular local rural area, examples include: (a) Returning emigrants who have never owned a house in the rural area, in which they lived for a substantial period of their lives (Minimum 10 years), then moved away or abroad and who now wish to return to reside in the local rural area (within 10km of where they lived for a substantial period of their lives). The local rural area is defined as the area outside all settlements identified in Levels 1-4 of the Settlement Hierarchy. Excluding Level 4 Settlements, where there is no capacity in the treatment plant. (b) A person who has lived a substantial period of their lives in the local rural area, (at least 10 years), that previously owned a home and is no longer in possession of that home, due to the home having been disposed of following legal separation/divorce/repossession and can demonstrate a social or economic need for a new home in the rural area.

Section 4.4 In all cases the consideration of individual sites, for rural housing will be subject to normal siting and design considerations, which will include, but not necessarily be limited to the following:

- Any proposed vehicular access would not endanger public safety by giving rise to a traffic hazard,
- That any proposed on-site wastewater disposal system is designed, located and maintained in a way which protects water quality,
- That the siting and design of new dwellings takes account of and integrates appropriately with its physical surroundings and other aspects of the natural and cultural heritage and,
- That the proposed site otherwise accords with the objectives of the Development Plan in general.

## Chapter 11: Development Management Standards Section

11.8.1 Access to Roads To protect the integrity of Limerick's road network the following applies: (inter alia)

- All applications seeking access on the road network will be assessed in accordance with national standards and guidance.
- Technical design of access and sightline visibility and stopping distances and general safety. Sight distances and stopping sight distances should be in compliance with current NTA road geometry standards and guidance documents listed above and any subsequent documents.

### 5.2. National Policy

Project Ireland 2040 – National Planning Framework (revised 2025) and National Development Plan 2021-2030

National Policy Objective 24 Support the sustainable development of rural areas by encouraging growth and arresting decline in areas that have experienced low population growth or decline in recent decades and by managing the growth of areas that are under strong urban influence to avoid over-development, whilst sustaining vibrant rural communities.

National Policy Objective 28 Ensure, in providing for the development of rural housing, that a distinction is made between areas under urban influence, i.e. within the commuter catchment of cities and large towns and centres of employment, and elsewhere: - In rural areas under urban influence, 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 and siting and design criteria for rural housing in statutory guidelines and plans, having regard to the viability of smaller towns and rural settlements; - In rural areas elsewhere, 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.

Climate Action Plan (CAP) 2025 / CAP 2024

Climate Action Plan 2025 builds upon last year's Plan by refining and updating the measures and actions required to deliver the carbon budgets and sectoral emissions ceilings and it should be read in conjunction with Climate Action Plan 2024.

### 5.3. **Regional Policy**

#### **Regional Spatial and Economic Strategy for the Southern Region**

RPO 27 Rural To support rural economies and rural communities through implementing a sustainable rural housing policy in the Region which provides a distinction between areas under urban influence and other rural areas through the implementation of National Policy Objective 19 regarding Local Authority County Development Plan Core Strategies.

Local authorities shall:

b. Have regard for the viability of smaller towns and rural settlements; Core Strategies shall identify areas under urban influence and set the appropriate sustainable rural housing policy response which facilitates the provision of single housing in the countryside based on the core consideration of demonstrable economic, social or local exceptional need to live in a rural area and siting, environmental and design criteria for rural housing in statutory guidelines and plans;

#### **National Guidelines**

#### **Sustainable Rural Housing, Guidelines for Planning Authorities (April 2005)**

Chapter 4: Rural Housing and Planning Applications Appendix 4:

#### **Ribbon Development**

Whether a given proposal will exacerbate such ribbon development or could be considered will depend on:

- The type of rural area and circumstances of the applicant,
- The degree to which the proposal might be considered infill development, and
- The degree to which existing ribbon development would be extended or whether distinct areas of ribbon development would coalesce as a result of the development.



## **5.4. Natural Heritage Designations**

- 5.4.1. Natural Heritage Designations The subject site is not located within any designated site. The nearest designated site is the Tory Hill SAC (Site Code 000439) which is located approximately 2.6km northeast of the subject site.

## **5.5. EIA Screening**

- 5.5.1. See completed Form 2 on file. Having regard to the nature, size and location of the proposed development, comprising the construction of a single house, there is no real likelihood of significant effects on the environment arising from the proposed development. The need for EIA can, therefore, be excluded at preliminary examination and a screening determination is not required.

## **5.6. Appropriate Assessment**

- 5.6.1. Having regard to the minor nature and scale of the proposed development, the site location outside of any protected site, the nature of the receiving environment and the proximity of the lands in question to the nearest European Site (Tory Hill SAC [Site Code 000439] which is located approximately 2.6km northeast of the subject site), it is my opinion that no Appropriate Assessment issues arise and that the proposed development would not be likely to have a significant effect, either individually or in combination with other plans or projects, on any Natura 2000 site.

## **6.0 The Appeal**

### **6.1. Grounds of Appeal**

- 6.1.1. 1 no. first-party appeal was received from Liam Bennett on 20/09/24. The grounds of appeal are summarised below:
- Applicant and his family have lived in the Croom area for four generations
  - Was born and went to school etc in Croom.
  - Only parcel of land that he can apply for Planning Permission that is located in close proximity to Croom with available public services.

- Applicant does own other lands measuring some 6Ha (20 Acres) located at Rathbranagh Td. Croom, Co Limerick.
- Will not be able to build on this land as it is currently bounded by the N20 existing Limerick to Cork Road
- Lands are going to be affected further by the new Cork to Limerick motorway project.
- Ribbon development is no longer applicable for this roadway and site, the road is approximately 560m long with an average width of 8.0m, there are approximately 21 No houses already built on this road plus a vacant site not built on.
- The planning guidelines of no more than four houses within a continuous 250m section has been well exceeded and can no longer be applied to any new applications.
- Precedent has already been broken and a new precedent set by the planning approval and the construction of ten houses immediately to the South /East
- This guideline is over eighteen years old and not in keeping with the current demands and in particular with regard to the shortage of suitable available housing.
- Six houses built immediately on the opposite side of the existing road from this application with a further house immediately next door to the South.
- Complies with the criteria for an economic need to live in this particular local area. family have farmed in the Croom area with a number of years and Mr Bennett has lived in the area all his life.
- Have land in the Croom area in conjunction with his farming activities
- Mr Bennett works in construction and has worked locally with a number of years and as a result he has a functional need to live in the area.

Encl:

Copy of Planning Appeal Form; Copy of the Council decision; Copy of Site Location Map; Copy of site survey showing existing Ground Levels; Copy of site Layout; Copy of extract from development Plan in Objective HO 020; Aerial photograph of land at Rathbranagh, Croom

## **6.2. Planning Authority Response**

6.2.1. None.

## **6.3. Observations**

6.3.1. None.

## **7.0 Assessment**

7.1.1. Having examined the application details and all other documentation on file, including all of the submissions received in relation to the appeal, the reports of the local authority, and having inspected the site, and having regard to the relevant local/regional/national policies and guidance, I consider that the substantive issues in this appeal to be considered are as follows:

- Rural Housing Policy
- Ribbon Development
- Other Issues

## **7.2. Rural Housing Policy**

7.2.1. The Board should note that the subject site is located within an area of strong urban influence as illustrated by the rural housing strategy map (Map 4.1) of the CDP. There is a requirement under objective HO O20 of the CDP (Rural Areas under Strong Urban Influence) for an applicant for a single dwelling to demonstrate compliance with one of three criteria.

7.2.2. The PA considered that the applicant failed to demonstrate eligibility with these criteria.

7.2.3. I will now proceed to assess the applicant's case against the criteria of objective HO O20.

Criterion 1 of Objective HO O20

7.2.4. I note that this relates to a demonstrable economic need to live in the rural area. Having reviewed the documentation provided by the applicant, including the application form, in which it is stated that the applicant owns the current

accommodation in which he is living, and which is located within the Croom area. It is stated within the application form that a family member is moving into his existing house as they cannot get accommodation elsewhere. In relation to same, I would note that Criterion 1 of objective HO O20 clearly states that it relates to *“persons who have never owned a house in the rural area”*. This does not apply in this instance, and there is no provision within this policy to allow for the scenario as outlined by the applicant.

- 7.2.5. The applicant has also set out that there is farmland at the site location although there is no evidence that the applicant is engaged in farming activity, and elsewhere it is stated that the applicant is in the construction business. Notwithstanding, the fundamental issue in this instance is that the applicant is already the owner of a dwelling house in the area. Therefore, having regard to this, and on the basis of the information submitted with the application, I consider that the applicant does not comply with this criterion.

#### Criterion 2 of Objective HO O20

- 7.2.6. This criterion relates to a demonstratable social need to live in the rural area. However, again, this criterion also specifies “persons who have never owned a house in the rural area” together with the following stipulation; “who wish to build their first home”.
- 7.2.7. The applicant has stated that he was born and went to school in Croom, and while there is little supporting documentation for this submitted, this has not been disputed by the Planning Authority. Notwithstanding, this does not overcome the fundamental issue of the applicant already owning a dwelling in the area. Therefore, I consider that the applicant does not comply with this criterion.

#### Criterion 3 of Objective HO O20

- 7.2.8. I note that this criterion relates to exceptional need to live in the rural area for returning emigrants who have never owned a house in the rural area or persons who have had their home disposed of following legal separation or repossession. Based on the information provided as part of the application and appeal, I note that the applicant does not come under this criterion.

7.2.9. Overall, I consider that the applicant has not demonstrated an economic, social or local exceptional housing need for a dwelling within this area under strong urban influence and therefore the proposed development would contravene objective HO O20 of the CDP. Therefore, it is my recommendation to the Board that permission should be refused in this regard.

### **7.3. Ribbon Development**

- 7.3.1. The PA's first reason for refusal related to ribbon development and would exacerbate the existing issue of ribbon development in a rural area outside lands zoned for residential development. The Planner's Report states that this dwelling would represent the 7<sup>th</sup> dwelling in a stretch of 250m.
- 7.3.2. In relation to same, the appellant has stated that ribbon development is no longer applicable for this roadway and site, as there are approximately 21 No houses already built on this road plus a vacant site not built on. It is stated that six houses have been built immediately on the opposite side of the existing road from this application with a further house immediately next door to the south. It is contended that the planning guidelines of no more than four houses within a continuous 250m section has been well exceeded and can no longer be applied to any new applications. It is further set out that the precedent has already been set with a new precedent set by the planning approval and the construction of ten houses immediately to the South /East. Furthermore, it is stated that this guideline is over eighteen years old and not in keeping with the current demands and in particular with regard to the shortage of suitable available housing.
- 7.3.3. I note the roadway in question is approximately 1km long from the junction of Church Road, to the termination of the road. I would accept the appellants contention there are approximately 21 no. houses along this road. I would also accept the Planner's view that this house would represent the 7<sup>th</sup> dwelling within a 250m stretch of Road.
- 7.3.4. Appendix 4 of the Sustainable Rural Housing Guidelines for Planning Authorities (2005) states that areas characterised by ribbon development will in most cases be located on the edges of cities and towns and will exhibit characteristics such as high density of almost continuous road frontage type development, for example where 5 or more houses exist on any one side of a given 250 metres of road frontage.

- 7.3.5. The Guidelines go on to state that, whether a given proposal will exacerbate such ribbon development or could be considered will depend on a number of criteria including
- The type of rural area and circumstances of the applicant
  - The degree to which the proposal might be considered infill development, and
  - The degree to which existing ribbon development would be extended or whether distinct areas of ribbon development would coalesce as a result of the development
- 7.3.6. In relation to the above, I would note that the site lies outside the defined development boundary of Croom (as defined within Croom LAP) and as such lies outside of any lands zoned for residential development. In relation to the circumstances of the applicant, as noted above the applicant is already the owner of a dwelling in the area and does not comply with the relevant rural housing policy as set out in the Development Plan.
- 7.3.7. I am not of the view the proposal would be considered infill development, as the would form a 'bookend' of a row of existing contemporary housing on the western side of the road.
- 7.3.8. In relation to the final criteria, it is clear that the provision of a dwelling on this site would extend existing ribbon development along the 250m stretch of road referred to by the Planner's Report, and as such would exacerbate existing ribbon development, in my view, placing additional pressures on the provision of public services within unzoned rural areas.
- 7.3.9. In relation to the applicability of the Guidelines, the applicant is of the view that they are outdated, having been published in 2005. In relation to same, I note the Guidelines remain applicable, and the Board are required to have regard to same, until they are replaced or updated, and as such they remain relevant to the consideration of applications such as this one.
- 7.3.10. Having regard to the above, and to the housing circumstances of the applicant as assessed in Section 7.2 above, it is my view that the proposed development would give rise to an excessive density of random housing development in a rural area which would give rise to demands for the provision of further public services and

community facilities and which would militate against the preservation of the rural environment. Therefore, it is my view that outline permission should be refused for this reason.

## **8.0 Recommendation**

- 8.1.1. I recommend to the Board that outline permission is Refused, for the reasons and considerations set out below.

## **9.0 Reasons and Considerations**

1. Having regard to the location of the site within a 'Rural Area under Strong Urban Influence', as identified in the Limerick Development Plan 2022-2028, and on the basis of submissions made in relation to the planning application and appeal, it is considered that a rural housing need has not been satisfactorily demonstrated by the applicant given the fact the applicant already lives in a rural house proximate to the site of the proposed development. It is considered that the proposed development would contravene Objective HO O20 of the Limerick Development Plan 2022-2028 in this regard and would, therefore, be contrary to the proper planning and sustainable development of the area.
2. Taken in conjunction with existing residential development in the area, the proposed development would give rise to an excessive density of random housing development in a rural area outside lands zoned for residential development and lacking certain public services and community facilities. The proposed development would, therefore, give rise to demands for the provision of further public services and community facilities, would militate against the preservation of the rural environment and accordingly would be contrary to the proper planning and sustainable development of the area.

I confirm that this report represents my professional planning assessment, judgement and opinion on the matter assigned to me and that no person has

influenced or sought to influence, directly or indirectly, the exercise of my professional judgement in an improper or inappropriate way.

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Ronan O'Connor  
Senior Planning Inspector

15<sup>th</sup> September 2025



## Appendix 1 - Form 1 - EIA Pre-Screening

**[EIAR not submitted]**

<b>An Bord Pleanála Case Reference</b>	ABP-320870-24		
<b>Proposed Development Summary</b>	Construction of a dwelling house and all associated site works.		
<b>Development Address</b>	Croom, Co. Limerick		
<b>1. Does the proposed development come within the definition of a 'project' for the purposes of EIA?</b> (that is involving construction works, demolition, or interventions in the natural surroundings)		<b>Yes</b>	X
		<b>No</b>	
<b>2. Is the proposed development of a class specified in Part 1 or Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended) and does it equal or exceed any relevant quantity, area or limit where specified for that class?</b>			
<b>Yes</b>			
<b>No</b>	X		Proceed to Q.3
<b>3. Is the proposed development of a class specified in Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended) but does not equal or exceed a relevant quantity, area or other limit specified [sub-threshold development]?</b>			
		<b>Threshold</b>	<b>Comment (if relevant)</b>
<b>No</b>			
<b>Yes</b>	X	Class (10)(b) of Schedule 5 Part 2 Construction of more than 500 dwelling units;  Urban development which would involve an area greater than 2 ha in the case of a business district, 10	1 dwelling house on a site of 0.232 Ha. The applicable site area threshold is 20ha.
			<b>Conclusion</b>

		ha in the case of other parts of a built-up area and 20 ha elsewhere		
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4. Has Schedule 7A information been submitted?		
No	X	Preliminary Examination required
Yes		Screening Determination required

Inspector: \_\_\_\_\_

Date: \_\_\_\_\_

## Appendix 2 - Form 2 - EIA Preliminary Examination

<b>An Bord Pleanála Case Reference</b>	320870-24	
<b>Proposed Development Summary</b>	Construction of a dwelling house and all associated site works.	
<b>Development Address</b>	Croom, Co. Limerick	
<b>The Board carries out a preliminary examination [Ref. Art. 109(2)(a), Planning and Development Regulations 2001 (as amended)] of, at least, the nature, size or location of the proposed development having regard to the criteria set out in Schedule 7 of the Regulations.</b>		
	<b>Examination</b>	<b>Yes/No/ Uncertain</b>
<b>Nature of the Development</b> Is the nature of the proposed development exceptional in the context of the existing environment?  Will the development result in the production of any significant waste, emissions or pollutants?	<p>The proposed development is for a dwelling house. There are existing dwelling houses in proximity to the site. The proposed development would therefore not be exceptional in the context of the existing environment in terms of its nature.</p> <p>The development would not result in the production of any significant waste, emissions or pollutants.</p>	<p>No</p> <p>No</p>
<b>Size of the Development</b> Is the size of the proposed development exceptional in the context of the existing environment?	<p>The proposed dwelling is a single storey dwelling house. The development would generally be consistent with the scale of surrounding developments and would not be exceptional in scale in the context of the existing environment.</p>	<p>No</p>



**Inspector:** \_\_\_\_\_

**Date:** \_\_\_\_\_