



An
Coimisiún
Pleanála

Inspector's Report

PL-500851-LK-26

Development	Construction of dwelling, waste water treatment plant and associated site works.
Location	Caherline, Caherconlish, County Limerick
Planning Authority	Limerick City and County Council
Planning Authority Reg. Ref.	25/61302
Applicants	Katie Heelan & Frankie Herr
Type of Application	Permission
Planning Authority Decision	Refuse Permission
Type of Appeal	First Party
Appellants	Katie Heelan & Frankie Herr
Observer(s)	None
Date of Site Inspection	5 th May 2026
Inspector	Gary Farrelly

1.0 Site Location and Description

The subject site has a stated area of 0.2 hectares and is located within the rural townland of Caherline, County Limerick. This is situated approximately 3km south of the village of Caherconlish. The site is located within an agricultural field and is bounded to the south by the local road L-5145. The northern and southern sides of the public road are characterised by rows of one-off rural dwellings.

2.0 Proposed Development

- 2.1. Permission is sought to construct a dwellinghouse, wastewater treatment system and entrance off the public road. The proposed design of the dwelling comprises of a storey and a half structure. It is proposed to have a ridge height of 6.59 metres and a total floor area of 193sqm. The ground floor layout will comprise of an open plan kitchen, dining and living area, snug, bathroom and master bedroom and ensuite with the first floor level comprising of 2 no. bedrooms and w.c. Roof lights will serve the first floor level. External finishes will comprise of part smooth plaster and part natural stone to the walls with blue/black slates to the roof.
- 2.2. The application was accompanied by a site suitability assessment which recorded an onsite subsurface percolation value of 34.19 min/25mm. Water is proposed to be sourced from the Caherline-Newtown Group Water scheme. The application was also accompanied by a supplementary form for rural houses.

3.0 Planning Authority Decision

3.1. Decision

The planning authority (PA) decided to refuse to grant permission, by Order dated 11th February 2026, for the following reason.

Reason for Refusal

1. *The proposed development would result in a sixth house within a continuous 250m section of road within a rural area which would constitute and exacerbate ribbon development in this rural area to the detriment of the rural character of the area and would be likely to give rise to demands for the provision of urban type services*

which be both uneconomic and inappropriate to provide. The proposed development would therefore be contrary to the Sustainable Rural Housing Guidelines for Planning Authorities (2005), Table DM5 of the Limerick Development Plan 2022-2028 and the proper planning and sustainable development of the area.

3.2. Planning Authority Reports

Planning Report

The planning report on file from the area planner (AP) assessed the proposed development in terms of the principle (rural housing need), siting and design, access and traffic safety and flooding. The AP considered that a rural generated housing need was demonstrated by the applicant. However, the AP noted that the proposed dwelling would be the 6th over a 250 metre stretch of road which would constitute undesirable ribbon development. The AP also had concerns with the creation of two further infill sites which would further exacerbate ribbon development. A refusal was recommended which was endorsed by the Senior Executive Planner.

Other Technical Reports (*Appendix 4 of planning report*)

- Environment Section (*report dated 22/12/25*) – This report outlined no objection to the proposed development on environmental grounds.

3.3. Prescribed Bodies

None on file

3.4. Third Party Observations

None

4.0 Relevant Planning History

None

5.0 Policy Context

5.1. Limerick Development Plan 2022-2028

This Plan was adopted by elected members on 17th June 2022 and came into effect on 29th July 2022. There have been two variations to date, the first on 22nd May 2023

relating to amendments to Policy TR P11 (Road Safety and Carrying Capacity of the non-national Road Network) and Objective TR O37 (Land Uses and Access Standards), and the second on 30th March 2026 relating to a further amendment to Objective TR O37. A third proposed variation is currently on public display until 18th May 2026.

Section 4.4 Rural Housing

Limerick can be divided into two broad categories, in terms of defining the Rural Settlement Strategy as follows: Rural Housing Category 1 - Areas under Strong Urban Influence; and Rural Housing Category 2 – Rural Areas Elsewhere. The subject site is located within Category 1.

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 demonstrable 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 wish to 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 demonstrable 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 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.

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.

Section 11.4.6 One-off Housing in the Countryside

Table DM5: Design Guidelines for Rural Houses

- Applicants are required to refer to Limerick’s Rural Design Advice for Individual Houses in the Countryside updated in 2012¹ and any subsequent documents prepared by the Council.
- Note: Suburban-type and/or ribbon development is not acceptable in rural areas as set out in the Sustainable Rural Guidelines and any subsequent update.

5.2. National Guidelines

- Sustainable Rural Housing, Guidelines for Planning Authorities (2005)

5.3. Natural Heritage Designations

The subject site is not located within any designated site. The nearest designated site is the Lower River Shannon Special Area of Conservation (SAC) (Site Code 002165) which is located approximately 5.5km northeast of the subject site.

6.0 Environmental Impact Assessment (EIA) Preliminary Examination

The development subject to this application has been subject to preliminary examination for environmental impact assessment. I refer the Commission to Appendix 1 in this regard. Having regard to the characteristics and location of the development and the types and characteristics of potential impacts, it is considered that there is no real likelihood of significant effects on the environment. The development, therefore, does not trigger a requirement for environmental impact assessment screening and an Environmental Impact Assessment Report (EIAR) is not required.

7.0 The Appeal

7.1. Grounds of Appeal

A first party appeal was lodged to the Commission on 24th February 2026. The grounds of appeal are summarised as follows:

- The statement that the proposed dwelling is the sixth house within a continuous 250 metre section of road frontage is challenged. The length of road frontage in front of four houses to the east of the site is 166 metres. A map is provided

¹ https://www.limerick.ie/sites/default/files/rural_design_advice_for_individual_houses_july_2012.pdf (Accessed 12th May 2026)

showing the distance from the first house in the row to the east. To the west of the site, there are three other houses and a similar measurement of 250 metres applies.

- The rural design advice for individual houses in the countryside (page 23), prepared by the Council in 2012, outlines that it would not be acceptable to put a fifth house to the north of a row of four dwellings. This recommendation was taken on board in the selection of the subject site, by moving the dwelling 50 metres away from the dwelling to the east to break the ribbon, lessen the visual impact and create space to retain 50 metres of agricultural land on the road frontage.
- It is acknowledged that the Ribbon Development Guidelines mention that no more than 4 houses should be permitted within a 250 metre stretch, however, the decision is considered harsh due to the site being on the edge of the measurement. It is the only site available on the landholding. It is also highlighted that these are only guidelines and are not regulations. A common sense approach should be applied.
- Two cases are referenced which allowed for the creation of an infill site; ref. 19/857 in County Limerick and ref. 25/60898 in County Tipperary.
- The applicants have provided further information on their rural housing need.

7.2. Planning Authority Response

The PA did not issue a response to the grounds of appeal.

8.0 Assessment

- 8.1. 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 and national policies and guidance, I consider that the substantive issue in this appeal to be considered is in relation to ribbon development.
- 8.2. The Commission should note that having regard to the storey and a half scale of the dwelling designed to a ridge height of 6.59 metres and floor area of 193sqm, I have no

significant concerns with the proposed development in terms of design or impact on visual amenity. Having regard to the results of the submitted site characterisation form, which recorded a subsurface percolation value of 34.19min/25mm, I am satisfied that the proposed development can accommodate a wastewater treatment system and, therefore, would be acceptable in terms of public health.

Ribbon Development

- 8.3. The PA's sole reason for refusal of the application was due to the proposed development representing the sixth house within a continuous 250 metre section of road, thereby constituting and exacerbating ribbon development. I note that Section 11.4.6 (One-Off Housing in the Countryside) of the Limerick Development Plan 2022-2028 (herein referred to as "*the LDP*") outlines that the suitability of a rural site for any development will be evaluated according to criteria set out in Table DM5 (Design Guidelines for Rural Houses). This also includes a note stipulating that ribbon development is not acceptable in rural areas, as set out in the Sustainable Rural Housing Guidelines 2005 (herein referred to as "*the Guidelines*").
- 8.4. The Commission should note that Appendix 4 of the Guidelines sets out the definition of ribbon development. It includes areas that exhibit characteristics such as a high density of almost continuous road frontage type development, for example where five or more houses exist on any side of a given 250 metres of road frontage. I note that there are 4 no. existing dwellings located to the east of the subject site (on the same side of the road) and 3 no. to the west within 250 metres of the site. Whilst I acknowledge that the applicants do not dispute that ribbon development would occur as a result of the proposed development they have challenged the interpretation of where the PA has applied the 250 metre distance east of the site and as a result including a fifth house in its measurement.
- 8.5. The applicants contend that the proposed development would represent the fifth dwelling within 250 metres, when measured from the eastern boundary of the curtilage of the dwelling the furthest to the east of the subject site (i.e. the first house in the row). The Commission should note that Appendix 4 outlines that the purpose of preventing ribbon development is for a variety of reasons including relating to road safety, future demands for provision of infrastructure and visual impact. Therefore, on this basis, it is my view a more accurate measurement of ribbon development would be from the

frontage directly in front of the first house, which also happens to be at the location of its entrance, and thus not from the curtilage/garden boundary as suggested by the applicants. However, the Commission should note in any case the proposed development would result in the creation of ribbon development as defined by the Guidelines.

- 8.6. Whilst I note that Table DM5 states that ribbon development is not acceptable in rural areas as set out in the Guidelines, it should be noted that Appendix 4 of the Guidelines does provide circumstances where it could be considered acceptable taking into account certain criteria. The first relates to the type of rural area and the circumstances of the applicant. The second relates to the degree to which the proposal might be considered infill development. Finally, the third relates to 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. Therefore, I will proceed to assess whether the proposed development could be considered in accordance with the Guidelines.

Circumstances of the applicant

- 8.7. Firstly, the subject site is located within an area of the county designated as an 'area of strong urban influence'. I note that the PA was satisfied that the applicant demonstrated a rural generated housing need and, therefore, was in compliance with Objective HO O20 (Rural Areas under Strong Urban Influence) of the LDP. On the basis of the information submitted with the application and appeal, the Commission should note that I am satisfied that the applicant has demonstrated compliance with Objective HO O20(Criterion 2) of the LDP.

Degree of Infill Development

- 8.8. The Commission should note that the proposed development is sited within a plot taken from a larger agricultural field. It has been sited approximately 38 metres from the property boundary of an existing dwelling to the west and approximately 48 metres from the property boundary of an existing dwelling to the east. Accordingly, having regard to the siting and layout and separation distances, I do not consider that the proposed development could be considered an infill development site. As noted by the PA, I have similar concerns that the siting would create potential for two further infill plots to be developed, which in my view, would potentially further exacerbate ribbon

development in the area. Whilst I note the precedent cases cited by the applicants, I note that the Limerick case (ref. 19/857) was considered an infill site by the PA and, thus, is not similar to this case which does not represent such an infill site. Furthermore, I note the other application cited is not located within the county of Limerick and thus the assessment was not subject to the policies and objectives of the LDP. Notwithstanding this, the Commission should note that each case is determined on its own merits.

Degree of extension or coalescent of ribbon development

- 8.9. I note the case put forward by the applicants in terms of siting the proposed development further away from the existing dwelling to the east having reviewed site selection advice set out in page 23 of the Rural Design Advice for Individual Houses in the Countryside (2012). I note that said advice illustrates a site which would contribute or exacerbate ribbon development. I cannot accept the applicants' rationale as I consider that the proposed development site would clearly extend, and not coalesce, ribbon development. Additionally, as stated above, I have serious concerns that it would further exacerbate the ribbon development issue due to the creation of potentially two further infill plots.

Overall Conclusion on ribbon development

- 8.10. Having regard to the above, to Table DM5 (Design Guidelines for Rural Houses) of the LDP which stipulates that ribbon development is not acceptable in rural areas and to the Sustainable Rural Housing, Guidelines for Planning Authorities (2005), and specifically Appendix 4 and the criteria set out therein, I consider that the proposed development would create and exacerbate ribbon development in this rural area. I consider that this would militate against the preservation of the rural environment and lead to demands for the provision of further public services and community facilities. Therefore, it is my recommendation to the Commission that the PA's sole reason to refuse permission is upheld.

9.0 Appropriate Assessment (AA) Screening

- 9.1. I have considered the project in light of the requirements of Section 177U of the Planning and Development Act 2000, as amended. The closest European site, part of the Natura 2000 Network, is the Lower River Shannon SAC (Site Code 002165) which

is located approximately 5.5km northeast of the proposed development. Having considered the nature, scale and location of the proposed development, I am satisfied that it can be eliminated from further assessment because it could not have any effect on a European site. The reason for this conclusion is as follows:

- The small scale and domestic nature of the development.
- The separation distance and intervening lands from the nearest European sites and lack of hydrological connection.
- Taking into account the screening determination of the PA.

9.2. I conclude, on the basis of objective information, that the proposed development would not have a likely significant effect on any European site, either alone or in combination with other plans or projects. Likely significant effects are excluded and therefore Appropriate Assessment (stage 2) under Section 177V of the Planning and Development Act 2000, as amended, is not required.

10.0 **Water Framework Directive (WFD) Screening**

10.1. An assessment of the proposed development has been undertaken with regard to the objectives set out in Article 4 of the European Union Water Framework Directive, together with relevant guidelines published by the Environmental Protection Agency (EPA), including applicable codes of practice for the protection of water quality. Having considered the nature, scale and location of the proposed development, it is concluded that the proposal will not result in any risk of deterioration in the status of any water body, including surface waters (rivers and lakes), groundwater, transitional waters, or coastal waters. This applies to both qualitative and quantitative status, and in respect of temporary and permanent effects.

10.2. The proposed development has been designed in accordance with EPA codes of practice and best practice guidance, ensuring that appropriate measures are incorporated to prevent pollution, control runoff, and protect both surface water and groundwater receptors. Furthermore, the development will not adversely affect the achievement of established environmental objectives, including the maintenance or attainment of good ecological status/potential and good chemical status, as required

under the Directive. Accordingly, the proposed development is considered to be compliant with the requirements of Article 4.

11.0 Recommendation

It is my recommendation to the Commission that permission should be **refused** for the reasons and considerations set out below.

12.0 Reasons and Considerations

1. Having regard to the siting and layout of the proposed development, to Table DM5 (Design Guidelines for Rural Houses) of the Limerick Development Plan 2022-2028, which stipulates that ribbon development is not acceptable in rural areas, and to the Sustainable Rural Housing Guidelines for Planning Authorities (2005) and in particular the criteria set out in Appendix 4, it is considered that the proposed development, when taken in conjunction with existing development in the vicinity of the site, would extend and contribute to the build-up of ribbon development in this rural area which would militate against the preservation of the rural environment and lead to demands for the provision of further public services and community facilities. The proposed development would contravene the provisions of the Limerick Development Plan 2022-2028 and would, therefore, be contrary to the proper planning and sustainable development of the area.

Declaration

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 me, directly or indirectly, following my professional assessment and recommendation set out in my report in an improper or inappropriate way.

Gary Farrelly

Planning Inspector

12th May 2026

Appendix 1: EIA Preliminary Examination

Form 1 - EIA Pre-Screening

Case Reference	PL-500851-LK-26
Proposed Development Summary	Construction of dwelling, waste water treatment plant and associated site works
Development Address	Caherline, Caherconlish, County Limerick
In all cases check box /or leave blank	
1. Does the proposed development come within the definition of a 'project' for the purposes of EIA? (For the purposes of the Directive, "Project" means: - The execution of construction works or of other installations or schemes, - Other interventions in the natural surroundings and landscape including those involving the extraction of mineral resources)	<input checked="" type="checkbox"/> Yes, it is a 'Project'. Proceed to Q2.
	<input type="checkbox"/> No, No further action required.
2. Is the proposed development of a CLASS specified in Part 1, Schedule 5 of the Planning and Development Regulations 2001 (as amended)?	
<input type="checkbox"/> Yes, it is a Class specified in Part 1.	
<input checked="" type="checkbox"/> No, it is not a Class specified in Part 1. Proceed to Q3	
3. Is the proposed development of a CLASS specified in Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended) OR a prescribed type of proposed road development under Article 8 of Roads Regulations 1994, AND does it meet/exceed the thresholds?	
<input type="checkbox"/> No, the development is not of a Class Specified in Part 2, Schedule 5 or a prescribed type of proposed road development under Article 8 of the Roads Regulations, 1994.	
<input type="checkbox"/> Yes, the proposed development is of a Class and meets/exceeds the threshold.	

<input checked="" type="checkbox"/> Yes, the proposed development is of a Class but is sub-threshold.	Part 2, Class 10(b)(i): Construction of more than 500 dwelling units.

4. Has Schedule 7A information been submitted AND is the development a Class of Development for the purposes of the EIA Directive (as identified in Q3)?	
Yes <input type="checkbox"/>	Screening Determination required (Complete Form 3)
No <input checked="" type="checkbox"/>	Pre-screening determination conclusion remains as above (Q1 to Q3)

Form 2 - EIA Preliminary Examination

This preliminary examination should be read with, and in the light of, the rest of the Inspector's Report attached herewith.	
<p>Characteristics of development</p> <p>(In particular, the size, design, cumulation with existing/ proposed development, nature of demolition works, use of natural resources, production of waste, pollution and nuisance, risk of accidents/disasters and to human health).</p>	<p>The development site measures 0.2 hectares. The size of the development is not exceptional in the context of the existing environment. Localised construction impacts are expected, soil removal etc.</p> <p>There is no real likelihood of significant cumulative effects with existing and permitted projects in the area.</p>
<p>Location of development</p> <p>(The environmental sensitivity of geographical areas likely to be affected by the development in particular existing and approved land use, abundance/capacity of natural resources, absorption capacity of natural environment e.g. wetland, coastal zones, nature reserves, European sites, densely populated areas, landscapes, sites of</p>	<p>The site is located approximately 5.5km southwest of Lower River Shannon SAC. My appropriate assessment screening above concludes that the development would not likely result in a significant effect on any designated site.</p> <p>The site is located outside Flood Zones A and B for coastal or fluvial flooding. There are no known archaeological or cultural constraints associated with the site.</p>

historic, cultural or archaeological significance).	
<p>Types and characteristics of potential impacts</p> <p>(Likely significant effects on environmental parameters, magnitude and spatial extent, nature of impact, transboundary, intensity and complexity, duration, cumulative effects and opportunities for mitigation).</p>	Having regard to the scale of the proposed development and limited nature of construction works associated with the development, to its location removed from any environmentally sensitive sites, to the absence of any cumulative effects with existing or permitted projects in the area, there is no potential for significant effects on the environment.
Conclusion	
Likelihood of Significant Effects	Conclusion in respect of EIA
There is no real likelihood of significant effects on the environment.	EIA is not required.

Inspector: _____
Gary Farrelly

Date: 12th May 2026