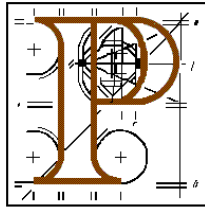


An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2014

Limerick City and County

Planning Register Reference Number: P.14/32

An Bord Pleanála Reference Number: PL 13.243461

APPEAL by Eoin Crowley and Rebecca O'Farrell care of James O'Donnell, Planning Consultancy Services of Gray Office Park, Headford Road, Galway against the decision made on the 13th day of May, 2014 by Limerick City Council to refuse permission in accordance with plans and particulars lodged with the said Council.

PROPOSED DEVELOPMENT: Retention of the conversion of the existing garage for a utility area, toilet, kitchen and a bay window for the sitting room at 134 Mayorstone Upper, Ennis Road, Limerick.

DECISION

GRANT permission for the above proposed development in accordance with the said plans and particulars based on the reasons and considerations under and subject to the conditions 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 established pattern of development on the site, it is considered that, subject to compliance with the conditions set out below, the development proposed for retention would not be prejudicial to public health and would, therefore, be in accordance with the proper planning and sustainable development of the area.

CONDITIONS

1. This grant of retention permission relates to the conversion of the existing garage and installation of a bay window to the front elevation only. It does not refer to any other structures or works on the site.

Reason: In the interest of clarity.

2. Notwithstanding the exempted development provisions of the Planning and Development Regulations, 2001, and any statutory provision replacing or amending them, no development shall be erected over or in the vicinity of the manhole to the rear of the converted garage.

Reason: In the interest of public health and the amenities of the area.

3. The developer shall pay to the planning authority a financial contribution in respect of public infrastructure and facilities benefiting development in the area of the planning authority that is provided or intended to be provided by or on behalf of the authority in accordance with the terms of the Development Contribution Scheme made under section 48 of the Planning and Development Act 2000, as amended. The contribution shall be paid within two months of the date of this order or in such phased payments as the planning authority may facilitate and shall be subject to any applicable indexation provisions of the Scheme at the time of payment. Details of the application of the terms of the Scheme shall be agreed between the planning authority and the developer or, in default of such agreement, the matter shall be referred to An Bord Pleanála to determine the proper application of the terms of the Scheme.

Reason: It is a requirement of the Planning and Development Act 2000, as amended that a condition requiring a contribution in accordance with the Development Contribution Scheme made under section 48 of the Act be applied to the permission.

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

Dated this day of 2014.