



An  
Bord  
Pleanála

**Board Direction**  
**BD-006395-20**  
**ABP-307384-20**

The submissions on this file and the Inspector's report were considered at a Board meeting held on 03/09/2020.

The Board decided to grant permission generally in accordance with the Inspector's recommendation, for the following reasons and considerations, and subject to the following conditions.

### **Reasons and Considerations**

Having regard to the Limerick City Development Plan 2010 – 2016 and the planning history of the site, the Board considers that, subject to conditions, the proposal would accord with the residential zoning of the site and relevant Development Plan advice on domestic extensions. Subject to the specification of obscure glazing to high level windows and the lowering of the rear extension to achieve a common floor level with that of the existing dwelling house, the proposed extensions would be compatible with the visual and residential amenities of the area. The proposal would therefore be in accordance with the proper planning and sustainable development of the area.

### **Conditions**

1.	The development shall be carried out and completed in accordance with the plans and particulars lodged with the application, as amended by the further plans and particulars submitted on the 3 <sup>rd</sup> day of April 2020, except as may otherwise be required in order to comply with the following conditions. Where such conditions require details to be agreed with the planning authority, the developer shall agree such details in writing with the
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	<p>planning authority prior to commencement of development and the development shall be carried out and completed in accordance with the agreed particulars.</p> <p><b>Reason:</b> In the interest of clarity.</p>
2.	<p>The proposed development shall be amended as follows:</p> <p>(a) The proposed rear extension shall be lowered in height to achieve a common floor level with that of the ground floor level to the existing dwelling house.</p> <p>(b) The high level windows in the eastern elevation of the proposed single storey rear extension shall be obscure glazed and thereafter such glazing shall be retained in-situ for the duration of this extension on the site.</p> <p>Revised drawings showing compliance with these requirements shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.</p> <p><b>Reason:</b> In the interests of visual and residential amenity.</p>
3.	<p>Prior to the commencement of development, a scheme for the disposal of surface water within the site in accordance with sustainable urban drainage methods shall be submitted to and agreed in writing with the Planning Authority.</p> <p><b>Reason:</b> In the interests of sustainable urban drainage.</p>
4.	<p>The proposed extensions shall be constructed in a position whereby a passageway with a minimum width of 781mm is consistently available along their combined eastern elevations.</p> <p><b>Reason:</b> In order to ensure the maintenance of external access between the front and rear of the extended dwelling house.</p>
5.	<p>Details of the materials, colours and textures of all the external finishes to the proposed extensions shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.</p> <p><b>Reason:</b> In the interest of visual amenity.</p>

6.	<p>Site development and building works shall be carried out only between the hours of 0800 to 1900 Mondays to Fridays inclusive, between 0800 to 1400 hours on Saturdays and not at all on Sundays and public holidays. Deviation from these times will only be allowed in exceptional circumstances where prior written approval has been received from the planning authority.</p> <p><b>Reason:</b> In order to safeguard the residential amenities of property in the vicinity.</p>
7.	<p>The construction of the development shall be managed in accordance with a Construction Management Plan, which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This plan shall provide details of intended construction practice for the development, including hours of working, noise management measures and off-site disposal of construction/demolition waste.</p> <p><b>Reason:</b> In the interests of public safety and residential amenity.</p>
8.	<p>The existing dwelling and proposed extension shall be jointly occupied as a single residential unit and the extensions shall not be sold, let or otherwise transferred or conveyed, save as part of the dwelling.</p> <p><b>Reason:</b> To restrict the use of the extensions, in the interest of residential amenity.</p>
9.	<p>The developer shall pay to the planning authority a financial contribution of €1239 (one thousand two hundred and thirty-nine euro) 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 prior to commencement of development 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. The</p>

	<p>application of any indexation required by this condition 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.</p> <p><b>Reason:</b> 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.</p>
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**Board Member**

**Date:** 03/09/2020

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Paul Hyde