

An  
Bord  
Pleanála

**Board Direction**  
**BD-017884-24**  
**ABP-319390-24**

The submissions on this file and the Inspector's report were considered at a Board meeting held on 11/10/2024.

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 residential zoning objective for the site and the provisions of the Limerick County Development Plan 2022-2028 which facilitates the provision of an additional dwelling in the side garden of an existing site, it is considered that subject to the compliance with the conditions set down below, the proposed development would not detract from the character of the existing streetscape, or the visual or residential amenities of the area, would be acceptable in terms of traffic safety and convenience, and would therefore be in accordance with the proper planning and sustainable development of the area.

### **Conditions**

1. The proposed 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 20<sup>th</sup> day of February 2024, 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 planning authority prior to commencement of development and the development shall be carried out and completed in accordance with the agreed particulars.

**Reason:** In the interests of clarity.

2. The external finishes of the proposed development shall match the external finishes of the existing dwelling in terms of materials and colours, details to be submitted to and agreed in writing with the planning authority.

**Reason:** In the interests of visual amenity.

3. Prior to the commencement of any development on the site, the developer shall submit and agreed in writing with the planning authority proposal for the protection and maintenance of the existing mature tree on the site.

**Reason:** In the interest of visual amenity.

4. The disposal of surface water shall comply with the requirements of the planning authority for such works and services. Prior to the commencement of development, the developer shall submit details for the disposal of surface water from the site for the written agreement of the planning authority.

**Reason:** To prevent flooding and in the interests of sustainable drainage.

5. Prior to the commencement of development, the developer shall enter into a Connection Agreement with Uisce Éireann (Irish Water) to provide for a service connection to the public water supply and/or wastewater collection network.

**Reason:** In the interest of public health and to ensure adequate water/wastewater facilities.

The footpath at the site entrances shall be suitably dished in accordance with details to be agreed in writing with the planning authority prior to the commencement of development on the site.

**Reason:** In the interests of traffic and pedestrian safety.

7. Site development and building works shall be carried out only between the hours of 08.00 to 19.00 Mondays to Fridays inclusive, between 08.00 to 14.00 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.

**Reason:** To safeguard the amenities of property in the vicinity.

8. 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. The plan shall provide details of the intended construction practice for the development, including noise and dust management measures and off-site disposal of construction and demolition waste.

**Reason:** In the interests of public health and residential amenity.

9. The developer shall institute appropriate measures to prevent material being drawn from the site onto the public road. No earth, soil or other material from the site shall be drawn or deposited onto the public road. Any damage to the public road during construction works shall be repaired at the developer's expense.

**Reason:** To avoid a traffic hazard and protect public property.



10. Prior to commencement of the development, the developer shall submit a revised layout plan for the written agreement of the planning authority showing the bike and bin storage areas to serve the proposed new dwelling relocated to the rear of the site.

**Reason:** In the interest of visual amenity.

11. All service cables associated with the proposed development including electrical and telecommunications cables shall be located underground.

**Reason:** In the interest of visual amenity.

12. Prior to the commencement of any development on the site, the developer shall submit and agreed in writing with the planning authority proposal for the screening from public view of the rear garden of the proposed new dwelling, as viewed from the public footpath along Hillcrest Drive.

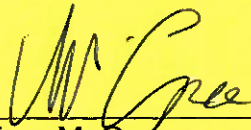
**Reason:** In the interest of residential and visual amenity.

13. 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. The contribution shall be paid prior to the 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. 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 the Board to determine the proper application of the terms of the Scheme.

**Reason:** It is a requirement of the Planning and Development Act 2000 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

**Board Member**

  
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Liam McGree

**Date:** 16/10/2024