



An
Bord
Pleanála

Board Direction
BD-017402-24
ABP-319441-24

The submissions on this file and the Inspector's report were considered at a Board meeting held on 02/09/2024.

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 provisions of the Limerick Development Plan 2022-28, and the scale, nature and suburban context of the residential development, it is considered that the proposed development, subject to compliance with the conditions set out below, would not seriously injure the residential or visual amenities 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 received by the planning authority on the 20th 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 interest of clarity.

2. The proposed development shall be amended as follows:

(a) The first-floor window in the west elevation of the extension shall be omitted, and shall be replaced by a rooflight, located in the west facing slope of the roof.

(b) A boundary treatment of 2.0 metres in height shall be provided along the length of the western boundary.

Revised drawings showing compliance with these requirements shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interests of residential amenity, to avoid undue overlooking, and to ensure mutual privacy.

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 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. 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.

4. The external finishes of the proposed extension (including roof tiles/slates) shall match those of the existing dwelling in respect of colour and texture.

Reason: In the interest of visual amenity.

5. The glazing to all bathroom and en-suite windows shall be manufactured opaque or frosted glass and shall be permanently maintained. The application of film to the surface of clear glass is not acceptable.

Reason: In the interest of residential amenity.

6. Site development and building works shall be carried out between the hours of 7 a.m to 7 p.m. Mondays to Fridays inclusive, between 8 a.m. and 2 p.m. on Saturdays and not at all on Sundays and public holidays. Deviation from these times shall only be allowed in exceptional circumstances where prior written agreement has been received from the planning authority.

Reason: To safeguard the amenity of property in the vicinity.

7. The disposal of surface water shall comply with the requirements of the planning authority for such works and services.

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

8. Prior to the commencement of any construction works, the applicant shall locate and protect any Uisce Éireann services within the site. There shall be no building over water mains, common pipes, or sewers, and if found the applicant shall contact Uisce Éireann with a proposal for alterations at the cost of the applicant.

Reason: to protect Uisce Éireann assets.

9. Within one month of Notification of Grant of Permission, a Refurbishment Demolition Asbestos Survey (RDAS) shall be carried out in accordance with section 8 of the Health and Safety Authority, Asbestos guidelines (Practical Guidelines on ACM Management and Abatement) and shall be submitted and agreed in writing with the Planning Authority. Development shall not commence until the RDAS has been agreed in writing with the Planning Authority.

Reason: In the interests of public safety and residential amenity.

10. Prior to the commencement of development, the developer or any agent acting on its behalf, shall prepare a site specific Resource Waste Management Plan (RWMP) as set out in the EPA's Best Practice Guidelines for the Preparation of Resource and Waste Management Plans for Construction and Demolition Projects (2021) including demonstration of proposals to adhere to best practice and protocols. The RWMP shall include specific proposals as to how the RWMP will be measured and monitored for effectiveness; these details shall be placed on the file and retained as part of the public record. The RWMP

must be submitted to the planning authority for written agreement prior to the commencement of development. All records (including for waste and all resources) pursuant to the agreed RWMP shall be made available for inspection at the site office at all times.

Reason: In the interest of sustainable waste management.

Board Member



Liam Bergin

Date: 05/09/2024