

An
Bord
Pleanála

Board Direction
BD-019876-25
ABP-321600-25

The submissions on this file and the Inspector's report were considered at a Board meeting held on 04/06/2025.

The Board decided to refuse permission for the following reasons and considerations.

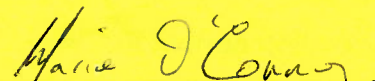
Reasons and Considerations

1. Having regard to the provisions of section 11.4 Residential Development – Quality Standards of the Limerick Development Plan 2022 -2028 and the Sustainable Urban Housing: Design standards for new apartments Guidelines for Planning Authorities (2022) the Board are not satisfied that the information provided, which did not include a daylight/sunlight assessment in response to the letter issued by the Board under section 132 of the Planning and Development Act 2000 (as amended), adequately addressed the concerns in relation to the provision of access to appropriate levels of natural/daylight in all habitable rooms within Dwelling no.6 and that the proposed development would result in an unsatisfactory standard of residential amenity for future occupants. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.
2. Having regard to section 11.3.6 Open Space Requirements of the Limerick Development Plan 2022-2028, the Board were not satisfied that the justification provided by the applicant for the lack of public open space was adequate in the absence of any details relating to consent from, or

engagement with, the owner of the adjacent open space (Limerick County Council). It is considered that the proposed development would seriously injure the residential amenity of future residents by reason of the lack of public open space. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

In deciding not to accept the Inspector's recommendation to grant permission, the Board agreed with the Inspector that the provision of an appropriate residential development of 7 units on the site which is in an area that has a L5 settlement designation in the County Development Plan is acceptable however, the Board were not satisfied that it had been demonstrated that the design and layout of Dwelling 6 would provide appropriate levels of natural/daylight as required in the Limerick Development Plan and that this could not be resolved by the imposition of a condition. Regarding the provision of public open space, while the Board accepted that there was adjoining open space to the east, the Board did not agree with the Inspector that this could be addressed by way of condition in the absence of evidence of consent or engagement with Limerick County Council or that privately owned and public open space in the surrounding area would address the open space requirements for residential developments in the Limerick Development Plan.

Board Member


Marie O'Connor

Date: 12/06/2025