

# An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2015

**Limerick City and County**

**Planning Register Reference Number: 16/228**

An Bord Pleanála Reference Number: PL 91.246659

**APPEAL** by Brian Condon care of HRA Planning of 3 Hartstonge Street, Limerick against the decision made on the 5<sup>th</sup> day of May, 2016 by Limerick City and County Council to refuse permission in accordance with plans and particulars lodged with the said Council.

**PROPOSED DEVELOPMENT:** Retention of the following alterations to the detached garage previously granted under planning register reference number 01/2757: (a) insertion of six new dormer windows, four to the west and two to the east; (b) extension of the length of the garage; (c) insertion of high level gable windows; (d) insertion of glazed sliding garage doors, all at Griston East, Ballylanders, County 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 rural location of the site, to the planning history pertaining to the garage on site, to the nature, scale and design of the proposed development, to the pattern of existing and permitted development in the area and to the provisions of the Limerick County Development Plan 2010-2016 it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the residential or visual amenities of the area or of property in the vicinity and would respect the existing character of the area. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

## CONDITIONS

1. The development shall be retained, carried out and completed in accordance with the plans and particulars lodged with the application, 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 and the development shall be retained, carried out and completed in accordance with the agreed particulars.

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

2. The permitted garage shall only be used for purposes ancillary to the enjoyment of the main dwelling and shall not be used for commercial, trade or business purposes.

**Reason:** In the interest of proper planning and sustainable development and to protect the amenities of property in the vicinity.

3. The proposed development shall be amended as follows:
  - (a) The six dormer windows, four to the west (front elevation) and two to the east (rear elevation) shall be removed and replaced with velux style windows flush with the roof.
  - (b) The glazed sliding garage doors (by 2) shall be removed and replaced with opaque sectional or roller doors comprising either timber, fiberglass or metal.

Revised drawings showing compliance with these requirements shall be submitted to, and agreed in writing with, the planning authority within three months of the date of this order.

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

4. 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 three 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.

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

**Dated this            day of            2016.**