

An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2015

Limerick City and County

Planning Register Reference Number: 16/65

An Bord Pleanála Reference Number: PL 91.246929

APPEAL by John Quinn of 151 Ballinacurra Gardens, Limerick against the decision made on the 29th day of June, 2016 by Limerick City and County Council to grant subject to conditions a permission in accordance with plans and particulars lodged with the said Council.

PROPOSED DEVELOPMENT: Development consisting of proposed shed and side extension roof upgrade and all ancillary site works. In addition, the retention of existing stone cladding to front façade of the side ground floor existing extension, all at 151 Ballinacurra Gardens, Limerick, as amended by the revised public notice received by the planning authority on the 14th day of June, 2016.

DECISION

Having regard to the nature of the condition the subject of the appeal, the Board is satisfied that the determination by the Board of the relevant application as if it had been made to it in the first instance would not be warranted and, based on the reasons and considerations set out below, directs the said Council under subsection (1) of section 139 of the Planning and Development Act, 2000 to REMOVE condition number 3 and the reason therefor.

REASONS AND CONSIDERATIONS

Having regard to the nature, scale and design of the proposed pitched roof and to the existence of similarly designed side extensions incorporating a range of external finishes in the immediate vicinity of the site, it is considered that the proposed development would not seriously injure the visual amenities of the area. Accordingly, it is considered that condition number 3, as attached to the planning authority's notification of decision to grant planning permission is unwarranted in this instance.

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.

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

Dated this day of 2016.