



An
Bord
Pleanála

Board Order PL 91.248917

Planning and Development Acts 2000 to 2017

Planning Authority: Limerick City and County Council

Planning Register Reference Number: 17/166

Appeal by the Ballykeeffe Residents Association care of Peter O'Dowd of 49 Ballykeeffe Estate, Ballykeeffe, Dooradoyle, Limerick against the decision made on the 29th day of June, 2017 by Limerick City and County Council to grant subject to conditions a permission to Tom Maher care of Michael Maher of Glascurram, Clarina, County Limerick in accordance with plans and particulars lodged with the said Council:

Proposed Development: Demolition of domestic garage and tall front garden wall, and construction of a two-storey dwelling, site entrance and all associated site works above and below ground at 72a Ballykeeffe Estate, Dooradoyle, 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 pattern of development in the vicinity, it is considered that the proposed development, subject to compliance with the conditions set out below, would not seriously injure the amenities of the area or of residential property in the vicinity, would be acceptable in terms of traffic safety and convenience and would be in accordance with the proper planning and sustainable development 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 submitted on the 2nd day of June 2017, 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 window in the first floor dormer to the utility room shall be centred in

the first floor dormer.

Reason: In the interest of visual amenity.

3. The external finishes of the proposed new house (including roof tiles/slates) shall be the same as those of the existing dwelling in respect of colour and texture.

Reason: In the interest of visual amenity.

4. Notwithstanding the exempted development provisions of the Planning and Development Regulations, 2001, and any statutory provision replacing or amending them, no development falling within Class 1 of Schedule 2, Part 1 of those Regulations, shall take place within the curtilage of either the proposed new house or the existing house, without a prior grant of planning permission.

Reason: In order to ensure that a reasonable amount of rear garden space is retained for the benefit of the occupants of the proposed and the existing houses on this site, in the interest of the amenities of the area.

5. A two metres high concrete block wall, capped, and plastered on both sides, shall be erected along the entire length of the new boundary between the rear gardens of the proposed and the existing houses.

Reason: In the interest of residential amenity.

6. Water supply and drainage arrangements, including the attenuation and disposal of surface water, shall comply with the requirements of the planning authority for such works and services.

Reason: In the interest of public health.

7. The developer shall pay to the planning authority a financial contribution in

