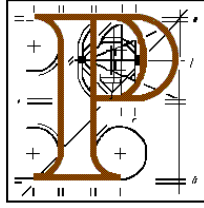


An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2017

Limerick City and County Council

Planning Register Reference Number: 17/392

An Bord Pleanála Reference Number: PL ABP-300058-17

APPEAL by Leszek Alexandrzak care of John G McMachon Architects of 35 Bloomfield, Annacotty, Limerick against the decision made on the 4th day of October, 2017 by Limerick City and County Council to refuse permission for the proposed development.

PROPOSED DEVELOPMENT: (1) Construct a single storey extension to side of house and (2) demolish existing boundary wall and construct new boundary along line of footpath on northern boundary of site at number 1 Ballysimon Crescent, Fairgreen, Limerick.

DECISION

REFUSE permission for the above proposed development based on the reasons and considerations 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

1. It is considered that the development would contravene the terms and conditions of the parent planning permission for the overall residential estate, (planning authority planning register reference number 93/770285), under which the land the subject of this application was set out as an area of open space serving the overall estate. Notwithstanding information submitted in respect of the current ownership of the piece of land, it is considered that a grant of planning permission in this instance would erode the open space amenities enjoyed by this established residential estate and would set an undesirable precedent for similar type developments in this mature estate. The proposed development, therefore, would be contrary to the proper planning and sustainable development of the area.
2. Having regard to the character and layout of the overall residential estate development, it is considered that the development if permitted, would result in the loss of an existing area of open space. While this open space is passive in nature, it provides a visual buffer and such areas cumulatively contribute to the overall quality of the environment. The proposed development would, therefore, be contrary to the policies of the Limerick City Development Plan 2010-2016 (as extended), specifically Policy LBR.12 which aims to protect existing green areas and public open spaces and to provide for the passive and active recreational needs of the population and Policy LBR.14 which aims to protect, retain, improve and provide for areas of public open space for recreation and amenity purposes. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

3. The proposed development would introduce a high boundary wall in close proximity to a road junction within this established residential estate and would impinge to an unacceptable extent on the sight lines available to car users approaching this junction. The proposed development would, therefore, endanger public safety by reason of traffic hazard.

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

Dated this day of 2018.