



Planning and Development Acts 2000 to 2017

Planning Authority: Limerick City and County Council

Planning Register Reference Number: 17/264

APPEAL by Shane O'Connor and Jacqueline Quirke of The Hill, Abbeyfeale, County Limerick against the decision made on the 23rd day of October, 2017 by Limerick City and County Council to grant subject to conditions a permission to Rory Flahive care of Design and Drafting Solutions of Unit 3, Saint Mary's Terrace, Askeaton, County Limerick.

Proposed Development

Retention for increase the storage capacity of depolluted end of life vehicles on site from 20 cars to 70 cars under existing waste permit no. WFP/L/2016/22B/T1, as amended by the revised public notice received by the planning authority on the 19th day of July, 2017; Abbeyfeale West, Abbeyfeale, Co Limerick

Decision

REFUSE permission for the above proposed development in accordance with 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. The site of the proposed development is located on lands zoned 'Existing Residential' in the Abbeyfeale Local Area Plan, 2014-2020. The purpose of this zoning is to ensure that new development is compatible with adjoining uses and to protect the amenity of existing residential areas. Car repair facilities are generally not permitted within this zone. Furthermore, it is a provision of the current Limerick County Development Plan relating to small scale business in residential areas that uses which might negatively impact on residential amenity, such as the repair of vehicles, will not be permitted in a residential area. It is considered that the proposed development, which seeks to intensify the garage use and increased external storage of vehicles, would contravene the zoning objective, would conflict with the provisions of the Plan relating to small scale business within residential areas, and would seriously injure the amenity of residential properties in the area by reason of noise, vehicular traffic movements, and adverse visual impacts. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

2. The proposed development would contravene a condition attached to the existing parent planning permission which governs the development on this site, namely condition number 3 attached to the permission granted by Limerick County Council under planning register reference number 08/1847, which prohibited further expansion/intensification of the existing business or any other commercial development on the lands.

3. It is considered that the intensification of vehicular traffic and traffic turning movements associated with the proposed development would endanger public safety by reason of traffic hazard due to the road serving the site being seriously substandard in terms of width and alignment.

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

Dated this day of 2018.