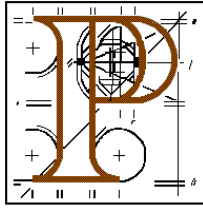


An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2017

Limerick City and County Council

Planning Register Reference Number: 16/1184

An Bord Pleanála Reference Number: ABP-300385-17

Appeal by Ballygrennan Homes Limited care of HRA Planning of 3 Hartstonge Street, Limerick against the decision made on the 7th day of November, 2017 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: Construction of a development of nine detached, sixty four semi-detached and nine terraced two-storey houses and associated site works at Ballygrennan, Bruff, County Limerick, as amended by the further public notice received by the planning authority on the 10th day of July, 2017.

Decision

Having regard to the nature of the conditions 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 ATTACH condition number 2 and the reason therefor, to REMOVE condition number 35 and the reason therefor and to AMEND conditions numbers 5, 6 and 7 so that they read as follows:

5. The playground shall be constructed in accordance with the drawings and particulars submitted on the 10th day of July 2017, and at the developer's expense. These works shall be carried out and completed, to the written satisfaction of the planning authority, before any of the proposed houses are made available by the developer for occupation.

Reason: To provide for the amenity requirements of future occupants of the proposed residential estate.

6. The development hereby permitted shall be carried out and completed at least to the taking-in-charge standards required by the planning authority. Prior to commencement of any development on the site, the developer shall submit a drawing to the planning authority, for its written consent, identifying all lands to be taken in charge by the local authority. This shall include all of the open spaces and also the lands to be reserved for completion of the Distributor Road including associated footpaths and cycle paths to the eastern site boundary. Pending the future construction of the Distributor Road to the eastern site boundary, the lands concerned shall be planted with grass and maintained temporarily as open space by the developer until the estate is taken in charge by the planning authority. At the time of taking in charge, the open spaces and the lands for the Distributor Road shall be vested in the local authority as open space. In default of agreement this matter shall be referred to An Bord Pleanála for determination.

Reason: To facilitate the completion of the Distributor Road, in accordance with the provisions of the Local Area Plan, and to ensure that the future construction of the Distributor Road by the local authority is facilitated by the reservation of these lands and their vesting upon taking in charge of the development.

7. The works to the R512 within the developer's landholding, comprising the removal and reinstatement of the roadside boundary wall, undergrounding of overhead cables, the installation of roadside footpath and installation of public lighting, shall be carried out at the developer's expense. These works shall be carried out and completed, to the written satisfaction of the planning authority, before any of the proposed houses are made available by the developer for occupation.

Reason: In the interest of pedestrian and traffic safety.

