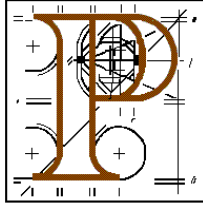


# An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2017

**Limerick City and County Council**

**Planning Register Reference Number: 17/890**

An Bord Pleanála Reference Number: ABP-300432-17

**APPEAL** by Joseph Quilligan care of Seamus McElligott of 5 High St., Caherconlish, County Limerick against the decision made on the 21<sup>st</sup> 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:** Amendment to permission granted under planning register reference number 17/464 including a change of site layout and change of two number house designs, temporary parking of a maximum of two caravans including associated site works at Chapel Lane, Rathkeale, County Limerick.

## DECISION

Having regard to the nature of the condition(s) 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 conditions numbers 4, and 5 (b) and 5(c) and the reasons therefor.

## **REASONS AND CONSIDERATIONS**

It is considered that: -

- (a) condition number 4 would be overly prohibitive at this time where adequate alternative caravan parking provisions remain unavailable and that the allowance of caravan parking on the site would be in accordance with the established pattern of development in the area,
- (b) the application of condition number 5(b) would be inconsistent with previously permitted development in the immediate vicinity of the site and the proposed window design would not be out of character with the pattern of development in the area, and
- (c) condition number 5(c) is unnecessary in an area where adequate private amenity space is being provided within the curtilage of the site to meet occupants' needs, the proposed development would not seriously injure the residential amenities of adjoining properties, and the proposed layout would provide a balanced approach to achieving an appropriate building line.

The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

## **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.

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

**Dated this      day of                      2018.**