



Planning and Development Acts 2000 to 2017

Planning Authority: Limerick City and County Council

Planning Register Reference Number: 17/995

APPEAL by Danny Sheridan care of Seamus McElligott of Lombardstown, Caherconlish, County Limerick against the decision made on the 21st day of December, 2017 by Limerick City and County Council to refuse permission to the said Danny Sheridan.

Proposed Development: Construction of dwelling, plot entrance, connect to services, including associated site works; all at Fairhill, Rathkeale, 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

Having regard to the restricted site area of this backland site, which is further constrained by the permitted development of four detached dwellings on the adjacent sites to the north and east and by the proximity of existing residential property to the south, it is considered that the proposed development would result in overdevelopment of the site, which would seriously injure the residential amenities of these properties by reason of overlooking and overbearing impact, and would result in inadequate useable private amenity space for the future occupiers of the site. Furthermore, by reason its form and bulk, and the proximity of the proposed structure to the site boundaries, it is considered that the design of the proposed development would be of poor quality and would be unacceptable in its context. The proposed development would, therefore, be contrary to the provisions of the Rathkeale Local Area Plan 2012-2018 (as extended) and the Limerick County Development Plan 2010-2016 (as extended) and to the proper planning and sustainable development of the area.

Philip Jones

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

Dated this day of 2018.