



Planning and Development Acts 2000 to 2018

Planning Authority: Limerick City and County Council

Planning Register Reference Number: 17/581

Appeal by Kieran O'Donoghue of 50 Thomas Street, Limerick against the decision made on the 23rd day of February, 2018 by Limerick City and County Council to grant subject to conditions a permission to Burgerchickcork Limited care of Cunnane Stratton Reynolds of Copley Hall, Cotters Street, Cork in accordance with plans and particulars lodged with the said Council:

Proposed Development: Retention for three number vent, air handling unit and associated development works 49/50 Thomas Street and Augustinian Lane, Limerick.

Decision

GRANT permission for the above proposed development in accordance with the said plans and particulars based on the reasons and considerations under and subject to the conditions 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 provisions of the Limerick City Development Plan 2010-2016 (as extended), to the nature and scale of the development to be retained, and to the existing pattern of development in this central city location, it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the amenities of the area, or of property in the vicinity and would, therefore, be in accordance with the proper planning and sustainable development of the area.

Conditions

1. The development shall be retained and completed in accordance with the plans and particulars lodged with the application, as amended by the further plans and particulars submitted on the 26th day of January, 2018 and the 31st day of January, 2018, except as may otherwise be required in order to comply with the following conditions. Where such conditions require details to be agreed with the planning authority, the developer shall agree such details in writing with the planning authority prior to commencement of development and the development shall be carried out and completed in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. The proposed development shall be amended as follows:
- (a) The air handling unit to be retained shall be relocated at least three metres to the south of its existing position on the east facing wall of the two-storey rear extension.
 - (b) Any redundant or obsolete plant, equipment, vents and ducts shall be removed from the rear walls and flat roof area of the premises within three months of the date of this Order. Details of items that are to be removed shall be agreed in writing with the planning authority prior to removal.

Revised drawings showing compliance with these requirements shall be submitted to, and agreed in writing with, the planning authority within one month of the date of this Order.

Reason: In the interest of the residential amenities of the occupiers of the adjacent residential units.

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

Dated this day of 2018.