



Planning and Development Acts 2000 to 2018

Planning Authority: Limerick City and County Council

Planning Register Reference Number: 17/1212

Appeal by Nathalie Petite of 5 Saint Joseph's Terrace, Limerick and by others against the decision made on the 18th day of April, 2018 by Limerick City and County Council to grant subject to conditions a permission to Sharon Drost care of Dom O'Riordan Architectural Services of 26 Ascot Terrace, O'Connell Avenue, Limerick in accordance with plans and particulars lodged with the said Council.

Proposed Development: Re-arrange the internal layout, build a single storey extension to the rear, a dormer window to the rear, velux rooflights to the front and other associated site works at number 6 Little Saint Joseph's Street, Saint Joseph's Street, 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 nature and limited scale of the proposed development, the pattern of development in the vicinity and the amendments to the development proposed as part of the further information submitted to the planning authority, it is considered that the proposed development, subject to compliance with the conditions set out below, would not seriously injure the residential amenities of property in the vicinity and would be generally acceptable in relation to residential amenities of future occupants of the proposed development. The proposed development would, therefore, be in accordance with the proper planning and sustainable of the area.

In deciding not to accept the Inspector's recommendation to refuse permission, the Board considered, having regard to the existing pattern of development in the vicinity, that it would not be reasonable to restrict the extent of development allowable on this site, and further considered that the residential amenities of future occupants of the proposed development would be enhanced by the imposition of condition number 2 of its order.

Conditions

1. The development shall be carried out 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 March 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 the 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 study on the first floor shall be omitted and the proposed shower room/w.c. shall be relocated to the location of the study, thereby increasing the size of the proposed first floor bedroom.

Reason: In the interest of the residential amenities of the future residents of the proposed development.

3. Details of the materials, colours and textures of all the external finishes to the proposed development shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interest of visual amenity.

4. No part of the proposed development shall encroach or overhang the adjoining property to the south. All works shall be carried out within the confines of the applicant's site.

Reason: In the interest of orderly development.

5. Any damage to the public footpaths during the construction works shall be repaired by the developer.

Reason: In the interest of orderly development.

6. Site development and building works shall be carried out only between the hours of 0800 and 2000 Mondays to Fridays inclusive, between 0800 and 1600 hours on Saturdays and not at all on Sundays and public holidays. Deviation from these times will only be allowed in exceptional circumstances where prior written approval has been received from the planning authority.

Reason: In order to safeguard the residential amenities of property in the vicinity.

7. No surface water run-off shall be discharged onto public roads, foul sewers or adjacent property.

Reason: In the interest of residential amenity.

8. All surface water run-off from roofs, entrances and parking areas within the site shall be collected and disposed of within the site to surface water drainage system and shall be discharged to the public surface water sewer. No such surface waters shall discharge onto adjoining properties or the public road.

Reason: In the interests of public health, traffic safety and amenity and to prevent flooding.

9. The integrity, operation and access to the foul sewer and watermain systems shall not be compromised by the proposed development works.

Reason: In the interest of proper planning and sustainable development.

10. The proposed development works shall not adversely affect the operation of the foul sewer watermain systems for the neighbouring properties.

Reason: In the interest of proper planning and sustainable development.

11. No surface water from the proposed development shall enter the foul sewer.

Reason: In the interest of proper planning and sustainable development.

Terry Ó Niadh

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

Dated this day of 2018.