



Planning and Development Acts 2000 to 2018

Planning Authority: Limerick City and County Council

Planning Register Reference Number: 18/398

Appeal by Bridget and Dennis Dempsey care of Noel Kerley Associates Limited of 6 The Crescent, Limerick and by Aoife O'Connell and John McManus of "Newburn", North Circular Road, Limerick against the decision made on the 18th day of June, 2018 by Limerick City and County Council to grant subject to conditions a permission to the said Bridget and Dennis Dempsey in accordance with plans and particulars lodged with the said Council:

Proposed Development: Demolition of an existing house and the construction of a new replacement two-storey detached dwellinghouse, detached garage, relocation of vehicular entrance from the North Circular Road, and a new rear vehicular entrance from the Ennis Road and all ancillary site works at Moyarta, North Circular Road/ Ennis Road, 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 condition 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 zoning provisions for the site as set out in the current Limerick City Development Plan and to the design, character and layout of the development proposed, the Board considered that, subject to compliance with the conditions set out below, the proposed dwelling would not adversely impact on the residential amenities of adjoining properties, would be acceptable in terms of traffic safety, and would otherwise be in accordance with the provisions of the current Limerick City Development Plan. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

Conditions

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application 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 front building line of the replacement house shall match that of the existing detached dwelling to the east of the site.

Reason: In the interest of clarity.

3. Details of the materials, colours and textures of all the external finishes to the proposed dwelling 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. The proposed vehicular entrance onto Ennis Road and the proposal to relocate the existing vehicular entrance onto North Circular Road shall be omitted and the existing vehicular entrance shall be retained as the sole vehicular entrance to serve the replacement dwelling.

Reason: In the interest of traffic safety.

5. Water supply and drainage arrangements, including the disposal of surface water, shall comply with the requirements of the planning authority for such works and services.

Reason: In the interest of public health.

6. The developer shall pay to the planning authority a financial contribution in respect of public infrastructure and facilities benefiting development in the area of the planning authority that is provided or intended to be provided by or on behalf of the authority in accordance with the terms of the Development Contribution Scheme made under section 48 of the Planning and Development Act 2000, as amended. The contribution shall be paid prior to commencement of development or in such phased payments as the planning authority may facilitate and shall be subject to any applicable indexation provisions of the Scheme at the time of payment. Details of the application of the terms of the Scheme shall be agreed between the planning authority and the developer or, in default of such agreement, the matter shall be referred to An Bord Pleanála to determine the proper application of the terms of the Scheme.

Reason: It is a requirement of the Planning and Development Act 2000, as amended, that a condition requiring a contribution in accordance with the Development Contribution Scheme made under section 48 of the Act be applied to the permission

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

Dated this day of 2018.