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**Planning and Development Acts 2000 to 2018**

**Planning Authority: Limerick City and County Council**

**Planning Register Reference Number: 18/423**

**Appeal** by Damien and Shelia Clancy care of Carr Associates Architects Limited of Unit 3 Chapel Court, Cathedral Place, Limerick against the decision made on the 25<sup>th</sup> day of June, 2018 by Limerick City and County Council to grant subject to conditions permission to John O’Leary care of Anne Marie O’Leary of 21 Auburn Street, Broadstone, Dublin in accordance with plans and particulars lodged with the said Council.

**Proposed Development:** Demolition of a single storey conservatory to the rear and construction of a single storey extension to the front and rear and a two storey extension to the side at Mazel, North Circular 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 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 compatible design and limited scale of the proposed development and the separation distances between the proposed development and neighbouring residential properties, it is considered that the proposed extension would not seriously injure the residential amenities of adjoining properties and would be in accordance with the provisions of the Limerick City Development Plan 2010-2016 (as extended). 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 external finishes of the proposed extension shall be agreed in writing with the planning authority prior to the commencement of development.

**Reason:** In the interest of visual amenity.

3. 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 and to ensure a proper standard of development.

4. 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.

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**Paul Hyde**

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

**Dated this            day of            2018.**