



Planning and Development Acts 2000 to 2018

Planning Authority: Limerick City and County Council

Planning Register Reference Number: 18/126

APPEAL by Sheila Cree of 8 Bridge View, Railway Road, Abbeyfeale, County Limerick against the decision made on the 18th day of January, 2019 by Limerick City and County Council to grant subject to conditions a permission to Patrick Mulcahy care of Michael Enright of New Street, Abbeyfeale, County Limerick.

Proposed Development: Erection of a two-storey dwelling house with connections to local authority services and all ancillary works at site number 9, Bridge View, Railway Road, Abbeyfeale, County Limerick. The proposed development was revised by further public notices received by the planning authority on the 14th day of December, 2018.

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

1. It is considered that the applicant has failed to demonstrate that the proposed dwelling house would be capable of being accessed and provided with the requisite car parking space on lands that are under his control. He has also failed to demonstrate that the siting of the dwelling house close to the side boundaries of the site would facilitate external movement between the front and rear of this dwelling house.

Furthermore, the submitted Flood Risk Assessment fails to demonstrate, by means of Ordnance Datum, that the proposed finished ground floor level for this dwelling house would be an appropriate mitigation response to the flood risk attendant upon the site. It also fails to establish the extent to which the site may contribute to flood storage and to identify any site-specific compensatory measures that may thus be appropriate.

Accordingly, in the absence of the above cited information, the Board considers that it would be premature to permit the proposed dwelling house and so to do so would be contrary to the proper planning and sustainable development of the area.

2. It is considered that the design and layout of the proposed dwelling house would lead to a sub-optimal outcome for the developed site, in terms of its streetscape presence and the achievement of both satisfactory standards of amenity for neighbours and future occupiers of this dwelling house.

Accordingly, any future provision of the additional information cited under reason number 1 above, should be brought forward in conjunction with a new design approach to the development of the site, in order to ensure the proper planning and sustainable development of the area.

John Connolly

Member of An Bord Pleanála

**duly authorised to authenticate
the seal of the Board.**

Dated this day of 2019.