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**Planning and Development Acts 2000 to 2019**

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

**Planning Register Reference Number: 19/102**

**APPEAL** by James Boswell care of Patterson Design of Churchtown, Newcastlewest, County Limerick against the decision made on the 2<sup>nd</sup> day of April, 2019 by Limerick City and County Council to refuse permission.

**Proposed Development:** Formation of a new entrance with gate to side of existing house and to brick pave yard area to side of house inside existing wall for car parking. The building of a concrete block wall to boundary to rear of house to a height not exceeding existing boundary wall to front of property. All at 'The Gate Lodge', Orchard Avenue, Enniscoush, Rathkeale, County Limerick.

**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. Having regard to the open plan nature of the housing estate of which the proposed development forms an integral part, the design concept of which is based on open plan front gardens with no boundary walls or fences, it is considered that the proposed development which would introduce a wide vehicular gateway and an associated expanded driveway to the front of the dwelling would result in additional parking areas which would detract from the character of the housing estate and would seriously injure the visual and residential amenities of the properties in the vicinity. The proposed development would, therefore, be contrary to the provisions of the Rathkeale Local Area Plan (2012-2018 as extended) and the Limerick County Development Plan 2010-2016 (as extended) and to the proper planning and sustainable development of the area.

2. The proposed development is in an area which is at risk of flooding, by reference to the current Local Area Plan for Rathkeale. The Board is not satisfied, on the basis of the information lodged with the planning application and the appeal, that the proposed development would not give rise to a heightened risk of flooding either on the proposed development site itself, or on other lands. The proposed development would, therefore, be prejudicial to public health and contrary to the proper planning and sustainable development of the area.

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**Michelle Fagan**

**Member of An Bord Pleanála**

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

**Dated this            day of            2019.**