



Planning and Development Acts 2000 to 2019

Planning Authority: Limerick City and County Council

Planning Register Reference Number: 18/371

Appeal by James Muckell care of Kildimo Planning Services of Meadow Oaks, Ballyculhane, Kildimo, County Limerick against the decision made on the 3rd day of April, 2019 by Limerick City and County Council to refuse permission.

Proposed Development: Relocation of existing entrance and amendment of existing roadside boundary wall with all associated site works at Kyletaun, Rathkeale, County 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 established use of the site for residential purposes served by an existing access, to the location of the site within the 50 km/h speed limit of Rathkeale town, and to the provisions of condition number 3 of An Bord Pleanála's Board Order under planning appeal register reference number PL 13.236837 for the proposed development at the adjacent property at Kyletaune, Rathkeale, County Limerick which required improvements to the roadside boundary to be carried out in the interest of traffic safety, it is considered that, subject to compliance with the conditions set out below, the proposed development including the relocation of the existing entrance to the south, would provide improved sightlines from those at the existing entrance, and would not endanger public safety by reason of traffic hazard or obstruction of road users. The proposed development would, therefore, would be in accordance with the proper planning and sustainable development of the area.

Conditions

1. (a) 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.

- (b) In the interest of clarity, the relocated site entrance shall be at the “proposed entrance” location shown on the site layout plan received by the planning authority on the 18th day of April, 2019.

Reason: In the interest of clarity.

2. The development to which this permission relates is limited to the plans and details accompanying the planning application only and does not refer to any other works within the site.

Reason: In the interest of clarity.

3. Surface water from the site shall not be permitted to drain onto the adjoining public road.

Reason: In the interest of traffic safety.

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

Dated this day of 2019.