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**Planning and Development Acts 2000 to 2019**

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

**Planning Register Reference Number: 18/980.**

**Appeal** by Gerard and Geraldine Keane care of Jim Dundon and Associates of 44 Old Windmill Court, Lower Gerald Griffin Street, Limerick against the decision made on the 2<sup>nd</sup> day of May, 2019 by Limerick City and County Council to refuse permission for the proposed development.

**Proposed Development:** Retention of alterations to front of dwellinghouse and widening of the entrance onto the public road at 29 Garryowen 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 residential zoning objective for the area which seeks to protect the residential amenities of the area, the pattern of development in the vicinity and the scale, nature and design of the extension to be retained, it is considered that, subject to compliance with the conditions set out below, the development to be retained would not seriously injure the amenities of the area or of property in the vicinity and would not be prejudicial to public health. The development proposed for retention would, therefore, be in accordance with the proper planning and sustainable development of the area.

## Conditions

1. The development shall be retained in accordance with the plans and particular lodged with the application, as amended by the further plans and particulars submitted on the 8<sup>th</sup> day of April, 2019, 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 and the development shall be retained in accordance with the agreed particulars.

**Reason:** In the interest of clarity.

2. The roof of the extension to be retained shall be altered so that it does not oversail the shared boundary with the property to the north-west (number 28 Garryowen Road).

Revised plans and details with the necessary alterations shown thereon shall be submitted within two months of the date of this Order to the planning authority for written agreement. The works shall be carried out within a further two months of the date of agreement with the planning authority.

**Reason:** To protect the amenities of the adjoining residential property.

3. The north-western panel of the bay window shall be fitted with obscure glass within two months of the date of this Order.

**Reason:** To prevent overlooking of adjoining residential property.

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**Terry Ó Niadh**

**Member of An Bord Pleanála**

**duly authorised to authenticate**

**the seal of the Board.**

**Dated this            day of            2019.**