



Planning and Development Acts 2000 to 2019

Planning Authority: Limerick City and County Council

Planning Register Reference Number: 18/865

APPEAL by John and Patrick Quilligan care of McElligott Consulting of “The Paddock”, Ballysally, Caherelly, Grange, Kilmallock, County Limerick against the decision made on the 23rd day of July, 2019 by Limerick City and County Council to refuse permission to the said John and Patrick Quilligan.

Proposed Development: Construction of two number two-storey semi detached dwellinghouses to include part installation of access roadway for overall site master plan, connection to existing services and associated site development works, all at Cattle Mart Site, New Line Road, 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. The proposed development, by reason of the proposed site layout and access arrangements, would be premature pending the development of the proposed link road between New Road and Main Street, Rathkeale, as identified in Section 10.3 – Opportunity Area 9 – of the current Rathkeale Local Area Plan. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.
2. Having regard to the location of the site within the Rathkeale Architectural Conservation Area as designated in the current Rathkeale Local Area Plan and the town centre, it is considered that the proposed development, involving the provision of a single pair of semi-detached houses, would establish an inappropriate precedent for other development within Opportunity Area 9 of the Plan, which should be the subject of a design approach that demonstrably takes cognisance of this Architectural Conservation Area and location within the town centre. In the absence of such an approach, to permit the proposal would risk the introduction of a form of development that would fail to

complement the character of the Architectural Conservation Area and so it would be likely to establish an adverse precedent for the area. The proposed development would, therefore, adversely affect an Architectural Conservation Area and would be contrary to the proper planning and sustainable development of the area.

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

Dated this day of 2019.