



An
Bord
Pleanála

Board Order
ABP-308332-20

Planning and Development Acts 2000 to 2020

Planning Authority: Limerick City and County Council

Planning Register Reference Number: 20/667

Appeal by Garrett and Teresa Hartney care of Gilleece McDonnell O'Shaughnessy Limited, Architectural Consultants and Chartered Surveyors of Cyprus House, Cyprus Avenue, Dooradoyle Road, County Limerick against the decision made on the 10th day of September, 2020 by Limerick City and County Council to grant subject to conditions a permission to Margaret Clifford care of Morgan McDonogh of The Bog Road, Kildimo, County Limerick in accordance with plans and particulars lodged with the said Council:

Proposed Development: Demolition of existing garage to side of dwelling, two-storey extension to side of existing dwelling which will contain a granny flat connected to existing dwelling at ground floor level and bedroom extension to house on first floor level, single storey extension to rear of existing dwelling and extension of porch to front of dwelling and associated site works at Glenbeg, North Circular 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 zoning objective of the site and the scale and design of the proposed development it is considered that, subject to compliance with the conditions set out below, the proposed development would be acceptable and would not seriously injure the amenities of the area, in terms of visual impact and overshadowing. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

Conditions

1. 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.

Reason: In the interest of clarity.

2. Site development and building works shall be carried out only between the hours of 0700 to 1900 Mondays to Fridays inclusive, between 0800 to 1400 hours on Saturdays and not at all on Sundays and public holidays. Deviation from these times will only be allowed in exceptional circumstances where prior written approval has been received from the planning authority.

Reason: In order to safeguard the amenities of property in the vicinity.

3. Water supply and drainage arrangements, including the attenuation and disposal of surface water, shall comply with the requirements of the planning authority for such works and services.

Reason: In the interest of public health.

4. The proposed granny flat extension shall be used solely for that purpose and shall revert to use as part of the main dwelling on the cessation of such use.

Reason: To protect the amenities of property in the vicinity.

5. Details of the materials, colours and textures of all the external finishes to the proposed development shall be submitted to and agreed in writing with the planning authority prior to commencement of development.

Reason: In the interest of visual amenity.

6. The developer shall pay to the planning authority a financial contribution in respect of public infrastructure and facilities benefiting development in the area of the planning authority that is provided or intended to be provided by or on behalf of the authority in accordance with the terms of the Development Contribution Scheme made under section 48 of the Planning and Development Act 2000, as amended. The contribution shall be paid prior to commencement of development or in such phased payments as the planning authority may facilitate and shall be subject to any applicable indexation provisions of the Scheme at the time of payment. Details of the application of the terms of the Scheme shall be agreed between the planning authority and the developer or, in default of such agreement, the matter shall be referred to An Bord Pleanála to determine the proper application of the terms of the Scheme.

Reason: It is a requirement of the Planning and Development Act 2000, as amended, that a condition requiring a contribution in accordance with the Development Contribution Scheme made under section 48 of the Act be applied to the permission.

Michelle Fagan

Member of An Bord Pleanála

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

Dated this day of 2021