

An
Bord
Pleanála

Board Order
ABP-310270-21

Planning and Development Acts 2000 to 2020

Planning Authority: Limerick City and County Council

Planning Register Reference Number: 20/1379

APPEAL by Angela O'Brien and Others care of Gleeson McSweeney of 99 O'Connell Street, Limerick against the decision made on the 23rd day of April, 2021 by Limerick City and County Council to grant subject to conditions a permission to John Cassidy care of Dom O'Riordan of 26 Ascot Terrace, O'Connell Avenue, Limerick.

Proposed Development: Construction of a dwelling to the south of the site, form a new entrance, create a new boundary to sub-divide the site, make minor changes to the existing dwelling and carry out ancillary works at 49 Avondale Drive, Greystones, Limerick. The proposed development was revised by further public notices received by the planning authority on the 30th day of March, 2021.

pm

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

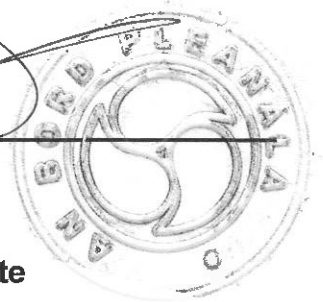
Having regard to the Sustainable Residential Development in Urban Areas Guidelines for Planning Authorities issued by the Department of Environment, Heritage and Local Government in May 2009, and to the Limerick City Development Plan 2010–2016 (as extended), the Board considered that, due to the siting, size, and design of the proposed dwellinghouse, and, in particular, to its proximity to the dwellinghouse at number 48 Avondale Drive and the existing dwellinghouse on the site at number 49 Avondale Drive, the proposed development would be overbearing and unduly dominant and would lead to a loss of light, through overshadowing and the obstruction of direct sunlight, at these existing dwellinghouses.

Furthermore, the measures incorporated within the design of the dwellinghouse to mitigate against overlooking would appear anomalous and incongruous. The proposed development would, therefore, seriously injure the amenities of residential properties in the vicinity of the site and would be contrary to the proper planning and sustainable development of the area.



Paul Hyde

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



Dated this 18th day of OCTOBER 2021.