



Planning and Development Acts 2000 to 2021

Planning Authority: Limerick City and County Council

Planning Register Reference Number: 21/708

Appeal by Chestnut Gardens Management Company Limited of 1 Mount Kennett Place, Henry Street, Limerick against the decision made on the 23rd day of September, 2021 by Limerick City and County Council to grant subject to conditions a permission to Volodymyr Senyshyn and Olana Goshko care of Chris Casey of 60 Daar River Walk, Newcastle West, County Limerick in accordance with plans and particulars lodged with the said Council:

Proposed Development: Retention of works to balcony consisting of removal of existing railing, construction of balcony wall and pillars and permission to complete works to balcony to include a flat roof canopy and all associated site works at 10 Chestnut Gardens, Bothar Bui, Newcastle West, 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 pattern of development in the area and to the scale and nature of the design, it is considered that, subject to compliance with the conditions set out below, the proposed development and the development proposed for retention would not seriously injure the residential or visual amenities of the area or of property in the vicinity and would respect the existing character of the area. The proposed development and 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 and completed in accordance with the plans and particulars lodged with the application, as amended by further plans and particulars submitted on the 30th day of August 2021, 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 within three months of the date of this Order and the development shall be retained and completed in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. Drainage arrangements, including the 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.

3. The external finishes of the development to be retained and completed shall be the same as those of the existing dwelling in respect of colour and texture. Samples of the proposed materials shall be submitted to, and agreed in writing with, the planning authority within three months of the date of this Order.

Reason: In the interest of visual amenity.

A handwritten signature in black ink is written over a circular official stamp. The stamp contains the text 'AN BORD PLEANÁLA' around the perimeter. The signature is a stylized, cursive 'G'.

4. 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 residential amenities of property in the vicinity.



John Connolly

Member of An Bord Pleanála

duly authorised to authenticate

the seal of the Board.

Dated this *28th* day of *FEBRUARY* 2022.