

An
Bord
Pleanála

Board Order
ABP-311733-21

Planning and Development Acts 2000 to 2021

Planning Authority: Limerick City and County Council

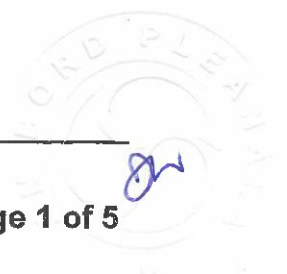
Planning Register Reference Number: 21/1003

Appeal by Liam and Monique Hassett of Ballyvarra, Lisnagry, County Limerick against the decision made on the 7th day of September, 2021 by Limerick City and County Council to grant subject to conditions a permission to Seamus Doyle care of Joseph Barry of Castleconnell, County Limerick in accordance with plans and particulars lodged with the said Council:

Proposed Development: Construction of a new shed consisting of a horse walker and tractor storage. Retention of a wellness/sauna room and a flood light and pole at Ballyvarra, Lisnagry, 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.

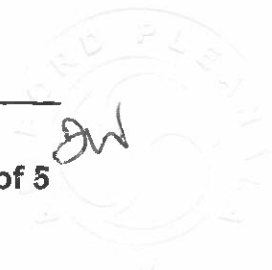


Matters Considered

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 provisions of the Limerick County Development Plan 2010 to 2016 (As Extended), and to the nature, and scale of the proposed development and the development proposed for retention, it is considered that subject to compliance with the following conditions set out below, the proposed development and the development proposed for retention would not seriously injure the amenities of the area or of property in the vicinity or give rise to a traffic hazard. 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 proposed development and the development proposed for retention shall be retained, carried out and completed in accordance with the plans and particulars lodged with the application, as amended by the further plans and particulars submitted on the 14th day of September, 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 prior to commencement of development and the proposed development and the development proposed for retention shall be retained, carried out and completed in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. The operational hours of the floodlight shall not extend beyond 2130 hours (9.30 pm) with automatic cut-off of floodlighting at that time.

Reason: In the interest of residential amenity.

3. The floodlight shall be directed onto the horse-riding arena and away from adjacent housing and their associated lands. The floodlight shall be directed and cowled such as to reduce, as far as possible, the light scatter outside the horse-riding arena and outside the boundaries of the site. Within three months from the date of this Order, details of cowling measures shall be submitted to, and agreed in writing with, the planning authority.

Reason: In the interest of residential amenity and traffic safety.

4. The sheds and wellness/sauna shall be only used for purposes ancillary to the enjoyment of the dwelling house and not for any commercial purposes.

Reason: In the interest of residential amenity.

5. The external finishes of the proposed shed shall be either black, dark grey, dark green or dark brown. Within three months from the date of this Order, details of the proposed external finishes shall be submitted to, and agreed in writing with, the planning authority.

Reason: In the interest of the visual amenities of the area.

6. Animal waste generated by the proposed development shall be disposed of by spreading on land, or by other means acceptable in writing to the planning authority. The location, rate and time of spreading (including prohibited times for spreading) and the buffer zones to be applied shall be in accordance with the requirements of the European Union (Good Agricultural Practice for Protection of Waters) (Amendment) Regulations 2018.

Reason: To ensure the satisfactory disposal of waste material, in the interest of amenity, public health and to prevent pollution of watercourses.

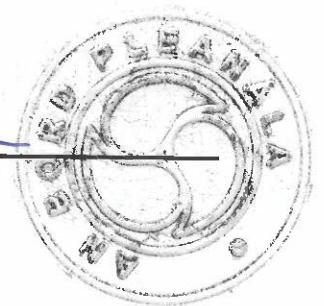
7. All surface water shall be collected and disposed of within the curtilage of the site. No surface water from roofs, paved areas or otherwise shall discharge onto the public road or adjoining properties.

Reason: In the interest of clarity, orderly development and the amenities of the area.



Dave Walsh

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



Dated this 4th day of March 2022