



An
Bord
Pleanála

Board Order
ABP-313594-22

Planning and Development Acts 2000 to 2022

Planning Authority: Limerick City and County Council

Planning Register Reference Number: 22/233

Appeal by Thomas Kealy care of John Barrett of Gortboy, Newcastle West, County Limerick against the decision made on the 22nd day of April, 2022 by Limerick City and County Council to refuse permission for the proposed development.

Proposed Development: Retention of single storey dwelling house and permission to convert attic space to bedrooms with roof windows and all associated site works including two-metre-high screen wall, all at Pound Lane, Rathkeale, County Limerick.

Decision

REFUSE permission for the above proposed development in accordance with the reasons and considerations set out below.

Reasons and Considerations

1. The site of the proposed dwelling is located within an area covered by the zoning objective 'Existing Residential' in the Rathkeale Local Area Plan 2023 - 2029, the objective of which is to provide for residential development, protect and improve existing residential amenity. Having regard to the configuration of the site, its limited size and the proximity of the dwelling to site boundaries, it is considered that the proposed development would constitute overdevelopment of the site. Furthermore, the proposed development would result in the loss of a significant amount of the public open space provided as part of planning register reference number 12/102 and planning register reference number 14/1035 for the wider estate. The proposed development would, therefore, seriously injure the amenities of the residential properties in the vicinity, would set an undesirable precedent for similar development and would be contrary to the proper planning and sustainable development of the area.
2. The proposed development would contravene existing conditions (number 1 and 2) to a permitted development granted under planning register reference number 12/102 and would contravene existing conditions (numbers 1 and 3) to a permitted development granted under planning register reference number 14/1035 and would, therefore, be contrary to the proper planning and sustainable development of the area.





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

Dated this 8th day of September 2023.