



An  
Bord  
Pleanála

**Board Order**  
**ABP-314314-22**

---

**Planning and Development Acts 2000 to 2022**

**Planning Authority: Limerick City and County Council**

**Planning Register Reference Number: 21/1835**

**Appeal** by Aine Mulcahy care of HRA Planning of 3 Hartstonge Street, Limerick against the decision made on the 15<sup>th</sup> day of July, 2022 by Limerick City and County Council to grant subject to conditions a permission in accordance with plans and particulars lodged with the said Council.

**Proposed Development:** Retention of alterations site boundaries from those previously permitted under planning application reference number 19/959 and retention of dwelling house and garage as constructed at Castlemungret, Mungret, County Limerick.

## **Decision**

Having regard to the nature of the condition the subject of the appeal, the Board is satisfied that the determination by the Board of the relevant application as if it had been made to it in the first instance would not be warranted and, based on the reasons and considerations set out below, directs the said Council under subsection (1) of section 139 of the Planning and Development Act, 2000 to REMOVE condition number 3 and the reason therefor.

## Reasons and Considerations

Having regard to the location of the site within the development boundary for the Limerick City and Suburbs, the land use zoning of 'Existing Residential' under the Limerick Development Plan 2022-2028, the design of the house, particularly the distance from the western and southern elevations to neighbouring properties, it is considered that the development would not have a significant negative impact on residential amenities of the area and that the planning authority's condition number 3 requiring the omission of first floor windows is, therefore, not warranted.

In deciding not to accept the inspector's recommendation, the Board considered that the development would not have a significant negative impact on residential amenities of the area having regard to the design of the house, particularly the distance from the western and southern elevations to neighbouring properties.



**Martina Hennessy**

**Member of An Bord Pleanála**

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

Dated this 7<sup>th</sup> day of July 2023