

An
Bord
Pleanála

Board Order
ABP-317460-23

Planning and Development Acts 2000 to 2022

Planning Authority: Limerick City and County Council

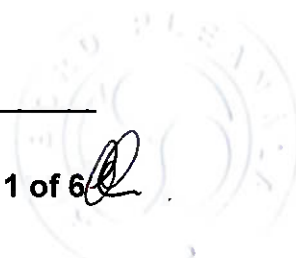
Planning Register Reference Number: 22/756

Appeal by Gillian Hugh of “Wilmar”, North Circular Road, Limerick against the decision made on the 14th day of June, 2023 by Limerick City and County Council to grant subject to conditions an outline permission to Emer Hardiman care of Mac Mahon and Hardiman Consulting Engineers Limited of 8 The Grove, Dooradoyle Road, Limerick in accordance with plans and particulars lodged with the said Council.

Proposed Development: Outline permission for construction of a detached house with associated site works at “Inis Cealtra”, North Circular Road, Limerick.

Decision

GRANT outline 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.



Reasons and Considerations

Having regard to the location of the site within an established, mature housing area in close proximity to Limerick City Centre, which is zoned 'Existing Residential' in the Limerick City and County Development Plan 2022-2028 (as varied), and to the national and local policy objectives to encourage more compact and consolidated growth through infill development in such locations, it is considered that, subject to compliance with the conditions set out below, the proposed development would be acceptable in terms of residential amenity and traffic safety. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

Conditions

1. This permission refers only to the outline development as described in the documents lodged with the application, as modified by further information submitted on the 2nd day of December, 2022 and the 23rd day of May 2023, except as may otherwise be required by the following conditions.

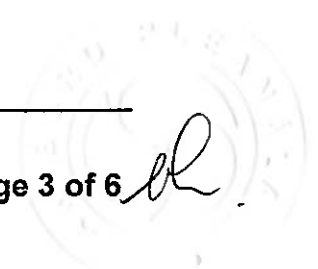
Reason: In the interest of clarity of the plans and particulars for which permission is granted.

2. The plans and particulars to be submitted by way of a separate application for permission consequent shall include the following:
- (i) a comprehensive site survey, to a scale of not less than 1:500, including contours at intervals of 0.5 metre, showing all existing trees, boundaries and other features,
 - (ii) a site layout plan to a scale of not less than 1:500 showing the layout of the house, driveway and SUDS features,
 - (iii) proposals to protect the privacy and amenity of existing adjacent properties,
 - (iv) design proposals which have regard to the design and character of the built environment in the vicinity,
 - (v) the finished ground floor level of the house by reference to existing site levels and road level at the proposed entrance,
 - (vi) proposals for the landscaping of the site (including planting), and
 - (vii) details of a new roadside boundary, in accordance with drawing number 2021.150.03 Rev. A submitted on the 23rd day of May, 2023. The new roadside boundary including capping shall have a maximum height of 1.05 metres.

Reason: In the interest of clarity and to define the subject matter for consideration at permission consequent stage.

3. Prior to commencement of development, the developer shall enter into water and/or wastewater connection agreement(s) with Uisce Éireann.

Reason: In the interest of public health.



4. Drainage arrangements, including the attenuation and 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.

5. Details of the materials, colours and textures of all the external finishes to the proposed development, shall be submitted to, and agreed in writing with the planning authority at permission consequent stage.

Reason: In the interest of visual amenity.

6. All service cables associated with the proposed development (such as electrical, telecommunications and communal television) shall be located underground. Ducting shall be provided by the developer to facilitate the provision of broadband infrastructure within the proposed development. All existing over ground cables shall be relocated underground as part of the site development works.

Reason: In the interests of visual and residential amenity.

7. Site development and building works shall be carried out only between the hours of 0800 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.


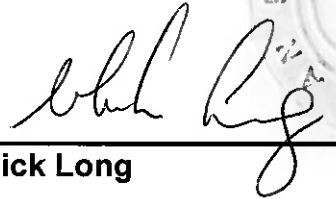
Reason: In order to safeguard the residential amenities of property in the vicinity.

8. The developer or any agent acting on its behalf, shall prepare a Resource Waste Management Plan (RWMP) as set out in the EPA's Best Practice Guidelines for the Preparation of Resource and Waste Management Plans for Construction and Demolition Projects (2021) including demonstration of proposals to adhere to best practice and protocols. The RWMP shall include specific proposals as to how the RWMP will be measured and monitored for effectiveness; these details shall be placed on the file and retained as part of the public record. The RWMP must be submitted to the planning authority for written agreement at permission consequent stage. All records (including for waste and all resources) pursuant to the agreed RWMP shall be made available for inspection at the site office at all times.

Reason: In the interest of sustainable waste management.

9. The developer shall pay to the planning authority a financial contribution in respect of public infrastructure and facilities benefiting development in the area of the planning authority that is provided or intended to be provided by or on behalf of the authority in accordance with the terms of the Development Contribution Scheme made under section 48 of the Planning and Development Act 2000, as amended. The contribution shall be paid prior to commencement of development or in such phased payments as the planning authority may facilitate and shall be subject to any applicable indexation provisions of the Scheme at the time of payment. Details of the application of the terms of the Scheme shall be agreed between the planning authority and the developer or, in default of such agreement, the matter shall be referred to An Bord Pleanála to determine the proper application of the terms of the Scheme.

Reason: It is a requirement of the Planning and Development Act 2000, as amended, that a condition requiring a contribution in accordance with the Development Contribution Scheme made under section 48 of the Act be applied to the permission.



Mick Long

Member of An Bord Pleanála

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

Dated this *25* day of *October*. 2023.