



An
Bord
Pleanála

Board Order
ABP-318435-23

Planning and Development Acts 2000 to 2022

Planning Authority: Limerick City and County Council

Planning Register Reference Number: 2342

APPEAL by David Leahy care of Leahy Reidy Solicitors of Park Manor, Upper Mallow Street, Limerick against the decision made on the 17th day of October, 2023 by Limerick City and County Council to grant, subject to conditions, a permission to Claude Ashmore care of Gleeson McSweeney Architects of 99 O'Connell Street, Limerick in accordance with plans and particulars lodged with the said Council.

Proposed Development: Retention of the subdivision of portion of existing dwellinghouse to form a new two-storey mid-terrace dwellinghouse, the insertion of Velux rooflights on rear elevation, new chimney, connection to the existing wastewater treatment system and associated site works at Caherass Court, Croom, County Limerick (a Protected Structure).

Decision

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

Reasons and Considerations

Having regard to the information submitted with the application, the Board was not satisfied that the proposed subdivision of the existing permitted dwelling unit would provide adequate and satisfactory arrangements for private amenity/open space, parking and waste disposal facilities for the resultant two individual dwelling units. It is considered that the proposed sub-division would be contrary to the requirements of section 11.4.4.2 (sub-division of dwellings) of the Limerick City and County Development Plan 2022-28 and would seriously injure the established amenities of existing residents of the development. The retention of the development would, therefore, be contrary to the proper planning and sustainable development of the area.

In deciding not to accept the Inspector's recommendation to grant permission, the Board did not agree with the assessment of the Inspector that there was sufficient clarity in relation to the provision of private amenity/open space, parking and waste disposal facilities specifically related to the sub-division of the existing residential unit into two independent properties.



Stewart Logan

Member of An Bord Pleanála

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

Dated this 1st day of July 2024.