



Planning and Development Acts 2000 to 2022

Planning Authority: Limerick City and County Council

Planning Register Reference Number: 2360914

Appeal by Angela O'Brien and others care of 48 Avondale Drive, Greystones, Limerick and by Greystones and District Residents Association care of Trevor Beacom of 17 Oakland Drive, Greystones, Ennis Road, Limerick against the decision made on the 11th day of March 2024 by Limerick City and County Council to grant, subject to conditions, a permission to John Cassidy care of Kruszelnicki Leetch Architects of 77 Sir John Rogerson's Quay, Dublin Docklands, Dublin in accordance with plans and particulars lodged with the said Council:

Proposed Development: The demolition of the existing side annex, shed, rear garden wall and partial demolition of the entrance way and construction of a new single storey rear extension to the existing house, construction of a new two-storey dwelling house with landscaping and car parking, new boundary wall to the rear and front to sub divide the site and all associated site works, at 49 Avondale Drive, Greystones, Ennis Road, Limerick.

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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.

Reasons and Considerations

Having regard to the residential zoning objective for the site and the provisions of the Limerick County Development Plan 2022-2028 which facilitates the provision of an additional dwelling in the side garden of an existing site, it is considered that, subject to the compliance with the conditions set down below, the proposed development would not detract from the character of the existing streetscape, or the visual or residential amenities of the area and would be acceptable in terms of traffic safety and convenience. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

Conditions

1. The proposed development shall be 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 20th day of February 2024, 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 development shall be carried out and completed in accordance with the agreed particulars.

Reason: In the interest of clarity.



2. The external finishes of the proposed development shall match the external finishes of the existing dwelling in terms of materials and colours, details to be submitted to and agreed in writing with the planning authority.

Reason: In the interest of visual amenity.

3. Prior to the commencement of any development on the site, the developer shall submit to, and agree in writing with, the planning authority, proposals for the protection and maintenance of the existing mature tree on the site.

Reason: In the interest of visual amenity.

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 and surface water management.

5. Prior to commencement of development, the developer shall enter into a water and wastewater connection agreement with Uisce Éireann.

Reason: In the interest of public health.

6. The footpath at the site entrances shall be suitably dished in accordance with details to be agreed, in writing, with the planning authority prior to the commencement of development on the site.

Reason: In the interest of traffic and pedestrian safety.



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: To safeguard the amenities of property in the vicinity.

8. The construction of the development shall be managed in accordance with a Construction Management Plan, which shall be submitted to, and agreed in writing with the planning authority prior to commencement of development. The plan shall provide details of the intended construction practice for the development, including noise and dust management measures and off-site disposal of construction and demolition waste.

Reason: In the interest of public health and residential amenity.

9. The developer shall institute appropriate measures to prevent material being drawn from the site onto the public road. No earth, soil or other material from the site shall be drawn or deposited onto the public road. Any damage to the public road during construction works shall be repaired at the developer's expense.

Reason: To avoid a traffic hazard and protect public property.



10. Prior to commencement of the development, the developer shall submit a revised layout plan for the written agreement of the planning authority, showing the bike and bin storage areas to serve the proposed new dwelling relocated to the rear of the site.

Reason: In the interest of visual amenity.

11. All service cables associated with the proposed development including electrical and telecommunications cables shall be located underground.

Reason: In the interest of visual amenity.

12. Prior to the commencement of any development on the site, the developer shall submit to, and agree in writing with, the planning authority, proposals for the screening from public view of the rear garden of the proposed new dwelling, as viewed from the public footpath along Hillcrest Drive.

Reason: In the interest of residential and visual amenity.



13. 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 the 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 the Board 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


Liam McGree

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

Dated this 21 day of October 2024.