



An
Bord
Pleanála

Board Order ABP-319732-24

Planning and Development Acts 2000 to 2022

Planning Authority: Limerick City and County Council

Planning Register Reference Number: 23/60814

Appeal by Rachel Guerin and others care of 49 Monaleen Heights, Castletroy, Limerick against the decision made on the 25th day of April, 2024 by Limerick City and County Council to grant, subject to conditions a permission Deepak Jayaram care of Paul Conroy of Ballymalone More, Ballina, Killaloe, County Tipperary.

Proposed Development: Demolition of extension to the side of dwelling and subdivide existing site and construction of a new two-storey dwellinghouse, entrance and all ancillary site works at 44 Monaleen Heights, Castletroy, Limerick.

Decision

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

Reasons and Considerations

1. Having regard to the scale, mass and height of the proposed house on a narrow restricted site with minimal separation distances to side boundaries, it is considered that the proposed development would be overbearing and unduly dominant in proximity to the existing house and out of conformity with the scale and character of the surrounding development. It is considered that the proposed development due to its size, design and relationship with the existing house and adjoining properties does not satisfy the development plan requirements for a house in the side garden of the existing house as set out in Section 11.4.4.3 of the Limerick Development Plan 2022-2028 and would seriously impact on the visual amenities of the area and set an undesirable precedent for similar development in the vicinity. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

2. Having regard to the scale, mass and height of the proposed development on a narrow restricted site, the proximity to the existing house and the height of existing boundary walls and vegetation to the rear and side of the site, it is considered that the proposed area of private open space to the rear of the house would be significantly overshadowed which would impact on the quality and usability of the open space and would seriously impact on the amenity of the proposed house. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

Mary Gurrie

Mary Gurrie

Member of An Bord Pleanála

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

Dated this 30 day of October 2024