

An  
Bord  
Pleanála

## Board Order ABP-320822-24

**Planning and Development Acts 2000 to 2022**

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

**Planning Register Reference Number: 24/60018**

**Appeal** by Bernard and Kathleen Ryan of Dromsally, Cappamore, County Limerick against the decision made on the 28<sup>th</sup> day of August, 2024 by Limerick City and County Council to grant subject to conditions a permission to Michael O'Malley care of Don O'Malley of Albinton Enterprise Centre, Murroe, County Limerick in accordance with plans and particulars lodged with the said Council.

**Proposed Development:** Construction of a two-storey extension to dwelling and ancillary works, all at Dromsally, Cappamore, County Limerick.

### 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 design, nature and scale of the proposed development, the existing pattern of development in the area, and the provisions of the Limerick Development Plan 2022-2028, it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the residential amenities of the area or of property in the vicinity in terms of a reduction in sunlight and visual amenity, or other impacts, and 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 received by the planning authority on the 7<sup>th</sup> day of August, 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 proposed development shall be carried out and completed in accordance with the agreed particulars.

**Reason:** In the interest of clarity.

2. The additional window shown at upper level on the west-facing gable elevation shall be omitted and the elevational drawing updated to reflect the position of the window as shown on the plan. Revised drawings showing compliance with this requirement shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

**Reason:** In the interest of clarity.

3. The existing dwelling and extension shall be used solely as a single dwelling unit and shall not be subdivided in any way through sale, letting or by any other means.

**Reason:** To restrict the use of the extension in the interest of residential amenity and the proper planning and sustainable development of the area.

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.

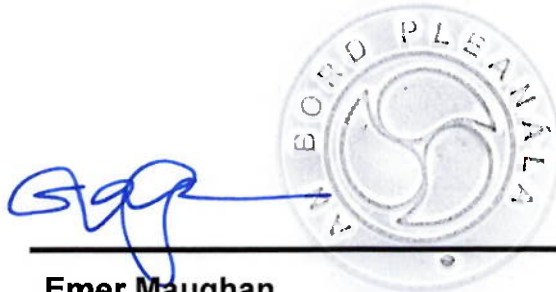
5. Site development and building works shall be carried only out between the hours of 0700 to 1900 Mondays to Fridays, inclusive, between 0800 to 1400 hours on Saturdays and not at all on Sundays or public holidays. Deviation from these times shall only be allowed in exceptional circumstances where prior written approval has been received from the planning authority.

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



6. 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 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.



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**Emer Maughan**

**Member of An Bord Pleanála**

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

Dated this **24<sup>th</sup>** day of **February** 2025.