

An
Coimisiún
Pleanála

Commission Order

ABP-322081-25

Planning and Development Acts 2000 to 2022

Planning Authority: Limerick City and County Council

Planning Register Reference Number: 24/61148

Appeal by Tony McGrath of Rivermount, Clarina, County Limerick against the decision made on the 26th day of February, 2025 by Limerick City and County Council to grant subject to conditions a permission to Maurice O'Carroll care of Lyons Designs Architectural Services of 14 Bellewood, Ballyneety, County Limerick.

Proposed Development: Retention of the replacement dwellinghouse as constructed (in lieu of existing derelict dwellinghouse on site) and planning permission is also being sought for the following: construction of a new vehicular entrance, block up existing vehicular access, demolish remainder of existing derelict house, installation of a new proprietary domestic wastewater treatment system with polishing filter together with all associated site works, all at Cloghatacka, Rivermount, Clarina, County Limerick.

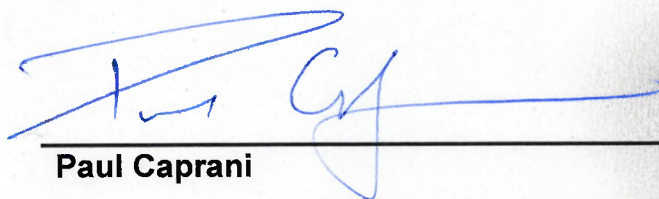
Decision

REFUSE permission for the above development for the reasons and considerations set out below.

Reasons and Considerations

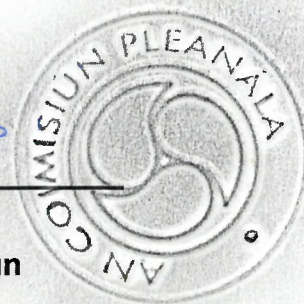
1. It appears from the information contained on file that the dwellinghouse for which retention of planning permission is sought seeks to replace a smaller unauthorised residential unit which previously was located on the site. It is considered that the location of the unauthorised structure within the site, in such close proximity to the western boundary of the site, would adversely impact on the residential amenities of the adjoining residential dwelling by reason of being overbearing and overshadowing. The development proposed to be retained and proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.
2. It is considered that the overall design of the dwelling proposed to be retained is inappropriate incorporating a mono-pitched roof together with the gable end of the dwelling fronting onto the public road. The development proposed to be retained, as constructed, would constitute an incongruous design that would adversely impact on the visual amenities of the area and of property in the vicinity of the site. The development proposed to be retained and proposed 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 Commission had regard to the location of the dwellinghouse within the site and the proximity of the dwellinghouse to adjacent dwellings and the overbearing nature and structure in the context of adjoining sites. The Commission also had concerns regarding the orientation and design of the house and the fact that the structure proposed to be retained does not face onto the public road. The orientation of the structure proposed to be retained is considered incongruous in layout and design terms and adversely impacts on the visual amenities of the area. The Commission was of the opinion that if a development of this nature was proposed in the first instance that planning permission would be refused for the reasons set out above.



Paul Caprani

**Planning Commissioner of An Coimisiún
Pleanála duly authorised to authenticate
the seal of the Commission.**



Dated this 1st day of July 2025.