

An
Coimisiún
Pleanála

Commission Order
ABP-322681-25

Planning and Development Act 2000, as amended

Planning Authority: Limerick City and County Council

Planning Register Reference Number: 25/60232

Appeal by D.R.M. Construction Limited care of Leahy Planning Limited of Mill Road House, Mill Road, Ennis, County Clare against the decision made on the 15th day of May, 2025 by Limerick City and County Council to refuse permission for the proposed development.

Proposed Development: Construction of a two-storey detached dwelling house with attic accommodation entrance from estate road granted under P.R.16-689, ancillary site works and connection to services granted under P.R.16-689 at Barnakyle Gardens, Barnakyle, Patrickswell, 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 and the pattern and character of development in the vicinity, and to the policies of the Limerick Development Plan 2022-2028 and the Patrickswell Local Area Plan 2024-2030, as well as national guidance as set out in the "Sustainable Residential Development and Compact Settlements Guidelines for Planning Authorities" issued by the Department of Housing, Local Government and Heritage in January, 2024, it is considered that, subject to compliance with the conditions set out below, the proposed development would not have a significant adverse effect, would not be out of character with the residential development in the area, would not seriously injure the amenities of adjacent residential property 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 development shall be carried out and completed in accordance with the plans and particulars lodged with the application, 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. Drainage requirements, including surface water collection and disposal, shall comply with the requirements of the planning authority for such works and services.

Reason: In the interest of public health and to ensure a proper standard of development.

3. Prior to the commencement of development, the developer shall enter into a Connection Agreement (s) with Uisce Éireann (Irish Water) to provide for a service connection(s) to the public water supply and/or wastewater collection network.

Reason: In the interest of public health and to ensure adequate water/wastewater facilities.

4. Details of the materials, colours and textures of all the external finishes to the proposed dwelling shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development

Reason: In the interest of visual amenity and to ensure an appropriate high standard of development.

5. All service cables associated with the proposed development (such as electrical, telecommunications and communal television) shall be located underground. Ducting shall be provided by the developer to facilitate the provision of broadband infrastructure within the proposed development.

Reason: In the interests of visual and residential amenity.

6. Site development and building works shall be carried out only between the hours of 0700 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.

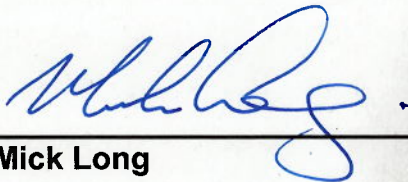
Reason: In order to safeguard the residential amenities of property in the vicinity

7. The applicant shall submit for the agreement of the planning authority a numbering scheme to serve the proposed development.

Reason: In the interests of orderly street naming and numbering, to enhance urban legibility and to retain local place name associations

8. 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 An Coimisiún Pleanála 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.



Mick Long

Planning Commissioner of An Coimisiún

**Pleanála duly authorised to authenticate
the seal of the Commission.**



Dated this 6th day of October 2025.