



An
Bord
Pleanála

Inspector's Report

ABP-321554-24

Development	Construction of porch, two-storey extension to the right-hand side of dwelling, single-storey extension to the rear and all associated site works
Location	Blossom Hill, 22 Shannonville, Ennis Road, Limerick
Planning Authority	Limerick City and County Council
Planning Authority Reg. Ref.	2460622
Applicant(s)	Una & Willen Brinkman
Type of Application	Permission
Planning Authority Decision	Grant Permission
Type of Appeal	Third Party
Appellant(s)	Cathal & Síle Minihane
Observer(s)	None
Date of Site Inspection	07 th February 2025
Inspector	Clare Clancy

Contents

1.0 Site Location and Description	4
2.0 Proposed Development	4
3.0 Planning Authority Decision	5
3.1. Decision	5
3.2. Planning Reports	5
3.3. Prescribed Bodies	6
3.4. Third Party Observations	7
4.0 Planning History	7
5.0 Policy Context	7
5.1. Limerick Development Plan 2022-2028	7
5.2. Natural Heritage Designations	9
6.0 EIA Screening	10
7.0 The Appeal	10
7.1. Grounds of Appeal	10
7.2. Applicant Response	12
7.3. Planning Authority Response	13
7.4. Observations	13
7.5. Further Responses	13
8.0 Assessment	13
8.1. Principle of Development	13
8.2. Design and Scale	14
8.3. Impact on Residential Amenity	16
8.4. Visual Impact and Impact on Character of Adjoining Area	17

8.5. Other Matters	17
9.0 AA Screening.....	19
10.0 Recommendation	20
11.0 Reasons and Considerations.....	20
12.0 Conditions	21
Appendix 1 – Form 1: EIA Pre-Screening	

1.0 Site Location and Description

- 1.1. The appeal site is located at Blossom Hill, Shannonville to the north of the Ennis Road R857, and forms part of a mature residential area in the northern suburbs of Limerick City. The site comprises of a two-storey semi-detached dwelling with an adjoining flat roof garage to the side, which adjoins the garage of the neighbouring dwelling to the south. It extends along the southern side of the dwelling to the rear aligning with the adjoining extension to the south, and facilitates the kitchen and back door access at the rear of the house. It is located among a row of similar houses fronting onto Shannonville road.
- 1.2. At the front of the site, the boundaries are defined by low block walls. To the rear of the site, there is a block wall c. 2 m in height extending from the rear building line of the flat roof kitchen extension, and the remainder of the southern boundary is defined by a concrete post and wire fence. Similarly, the north eastern boundary is defined by a block wall and a concrete post fence and wire fence. The rear back garden is generous in area with a depth of approx. 30 m.

2.0 Proposed Development

- 2.1.1. The appeal site has a stated area of 0.046 ha. The existing dwelling has a gross floor area of 165.90 m² and a max roof height of 8.05 m. Permission is sought for the following:
- The removal of the single storey garage to the side and rear of the existing dwelling and the removal of a chimney.
 - The construction of a two-storey extension to the southern side of the dwelling and a single storey extension to the rear.
 - The construction of a single storey flat roofed porch to the front elevation.
 - The construction of a workshop building to the rear of the dwelling, adjacent to the northern boundary of the site which will have a gross floor area of 34 m² and a max roof height of 3.85 m.
 - The widening of the existing entrance by 1.0 m, from 2.53 m to 3.53 m, and associated site works.

3.0 Planning Authority Decision

3.1. Decision

3.1.1. By Order dated 28th November 2024, Limerick City and County Council decided to grant planning permission subject to 10 conditions.

3.1.2. The conditions are standard conditions relating to development contributions, management of surface water run-off and the management of construction activities. The following conditions are of note:

- Condition 6 is a pre-development condition requiring the developer to locate and protect Uisce Éireann utility services.
- Condition 7 relates to construction stage and the safeguarding of adjoining neighbouring properties, and the prevention of rain water goods oversailing / overhanging of adjoining third party property.
- Condition 8 restricts the use of the domestic garage.
- Condition 10 relates to the design details of the public footpath.

3.2. Planning Reports

Two planning reports form the basis of the assessment and recommendation.

3.2.1. The first planning report dated 08th August 2024 assessed the proposed extension and considered it acceptable. The following is noted:

- Dormer windows to rear – the proposed dormer windows to serve the loft area of the extension would exceed the ridge height of the dwelling and would directly overlook the private amenity areas of the adjoining dwellings either side.
- Proposed porch – it was noted that the window did not assimilate with existing fenestration and a revised window proposal was to be requested by further information (FI) however this did not form part of the formal FI request.

- Widening of the existing entrance – No objection was raised noting the comments of the Roads Section who had also raised no objection to the proposal.
- Workshop – No objection in principle was raised. A revised roof proposal to replace the mono pitch roof and zinc roof finish was required.
- Details in relation to surface water management and rainwater goods were required to be submitted.

3.2.2. FI was requested to address the proposed dormer windows to the rear of the dwelling, the roof profile and roof finish of the proposed workshop, and surface water management details including rainwater goods.

3.2.3. In response to the FI request, revised plans and details were submitted on 01st November 2024. The second planning report dated 28th November 2024 noted the following:

- In relation to the proposed extension, the amended proposals entail the reconfiguration of the roof profile and the removal of dormer style windows to the rear, with the provision of 3 no. skylights on the amended 'A' pitched roof profile serving the loft space.
- In relation to the proposed workshop, the amended proposals provide for slate roof finish.
- The revised proposals in relation to surface water management, in particular the rainwater goods were considered to be acceptable.

3.2.4. Other Technical Reports

Roads Report – No objection raised subject to conditions relating to the public footpath, surface water management and construction management.

3.3. Prescribed Bodies

Uisce Éireann – No objection raised subject to standard conditions.

3.4. Third Party Observations

- 3.4.1. Six third party observations were received in regard to the proposed development. The issues raised are largely covered by the grounds of appeal.

4.0 Planning History

None.

5.0 Policy Context

5.1. Limerick Development Plan 2022-2028

The relevant policy and objectives of the current development plan include the following:

- Land Use Zoning

The appeal site is zoned 'Existing Residential'.

Objective: To provide for residential development, protect and improve existing residential amenity.

Purpose: This zone is intended primarily for established housing areas. Existing residential amenity will be protected while allowing appropriate infill development. The quality of the zone will be enhanced with associated open space, community uses and where an acceptable standard of amenity can be maintained, a limited range of other uses that support the overall residential function of the area, such as schools, creches, doctors surgeries, playing fields etc.

- Objective HO O3 Protection of Existing Residential Amenity

It is an objective of the Council to ensure a balance between the protection of existing residential amenities, the established character of the area and the need to provide for sustainable new development.

- Chapter 11 Development Management Standards

- Section 11.4.4.1.1 Front Extensions

Porch extensions, other than those deemed to be exempted development, should be of appropriate design and scale relative to the design of the original house and shall not dominate the front elevation of the dwelling. Front extensions, at both ground and first level will be considered acceptable in principle subject to scale, design and impact on visual and residential amenities. A break in the front building line will be considered subject to scale and design and impact on established residential and visual amenity. A minimum driveway length of 6 m. should be maintained where appropriate

- Section 11.4.4.1.2 Rear / Side Extensions

Ground floor rear/side extensions will be considered in terms of their length, height, proximity to mutual boundaries and quantum of usable rear private open space remaining.

First floor rear/side extensions will be considered on their merits and will only be permitted where the Planning Authority is satisfied that there will be no significant negative impacts on surrounding residential or visual amenities. In determining applications for first floor extensions, the following will be considered:

- Degree of overshadowing, overbearing and overlooking, along with proximity, height and length along mutual boundaries;
- Size and usability of the remaining rear private open space;
- Degree of setback from mutual side boundaries. No part of the extension shall encroach or overhang adjoining third party properties.

Any planning application submitted in relation to extensions, basements or new first/upper floor level within the envelope of the existing building, shall clearly indicate on all drawings the extent of demolition/ wall removal required to facilitate the proposed development. In addition, a structural report, prepared by a competent and suitably qualified engineer, may be required to determine the integrity of walls/structures to be retained and outline potential impacts on adjoining properties. This requirement should be ascertained at preplanning stage.

- Section 11.4.4.1.3 Alterations at Roof/Attic Level

Roof alterations/expansions to main roof profiles (changing the hip-end roof of a semi-detached house to a gable/'A' frame end or 'half-hip' for example) and additional dormer windows will be assessed having regard to the following:

- The character and size of the structure, its position on the streetscape and proximity to adjacent structures;
 - Established streetscape character and roof profiles;
 - Dormer extensions to roofs, i.e. to the front, side and rear, will be considered with regard to impacts on existing character and form and the privacy of adjacent properties.
- Section 11.8.5 Parking in Front Gardens

Where the re-development of a drive-way is permitted, the following shall apply:

- Not have outward opening gates;
- Have a vehicular entrance not wider than 3 m;
- Have a vehicle entrance not wider than 50% of the width of the front boundary;
- Have an area of hardstanding (parking space of 2.5m x 5m). Suitably landscape the balance of the space taking into account the existing context;
- Dish and strengthen the footpath and relocate any services at the applicant's expense;
- The hardstand/paving areas shall comprise a permeable (or porous) surface which allows water to drain through, such as gravel, permeable concrete block paving or porous asphalt, unless the rainwater is directed to a lawn or border to drain naturally.

5.2. Natural Heritage Designations

- SAC: 002165 - Lower River Shannon SAC – approx. 445 m to the south.
- pNHA: 002048 - Fergus Estuary And Inner Shannon, North Shore – approx. 445 m to the south.
- SPA: 004077 - River Shannon and River Fergus Estuaries SPA – approx. 445 m to the south.

6.0 EIA Screening

The proposed development is not a class for the purposes of EIA as per the classes of development set out in Schedule 5 of the Planning and Development Regulations 2001 (as amended). No mandatory requirement for EIA therefore arises and there is also no requirement for a screening determination. Refer to Form 1 in Appendix 1 of report.

7.0 The Appeal

7.1. Grounds of Appeal

- 7.1.1. One third party appeal submission was received from Cathal and Síle Minihane 23 Shannonville whose site adjoins the appeal site to the south. The grounds of the appeal can be summarised as follows:

Procedural Grounds

- A submission was made by the appellant's on 14th November 2024 in regard to the applicant's response to the FI request. The council refused to accept this submission and did not afford the appellants an opportunity to comment. Having made an objection initially, they should have been allowed to comment on the FI response and that this appeal should be allowed on this procedural grounds.

Design & Scale

- Object to the overall size, design and scale of the proposed development which is excessive and would be more suitable for a detached dwellings on an individual site.

Front of House

- The WC windows proposed at the front of the house will not be aesthetically pleasing.
- The porch it will protrude significantly forward of the building line of the existing houses in the row.
- The proposed finishes to the front of the house will not match adjoining houses and will not be visually pleasing.

- The front of the proposed development will not follow the style and pattern of the existing house or adjoining houses.

Two-storey Extension

- Only two houses in the estate have a second storey extension above the garage and are end of row houses. In these cases, the garage is not adjoined to any other house at the side.
- It will affect the current and future use of the appellant's property to develop their property, limit their development options and would not be able to build on the shared boundary. Should they apply for a similar development on the shared boundary it would result in a terrace of 4 houses on one side of the road and semi-detached on the other side.
- The extension should be stepped back from the line of the front of the house and should not be flush.
- A dormer type window in a low height slanted roof similar to a house across the road would look better and be more in keeping with the estate.
- Shared boundary – if permitted it should be within the boundary of the site leaving a significant gap to allow the owners access to the two-storey gable to maintain and repair their property without encroaching on the appellant's property. It should not be positioned on the shared boundary of the existing garage.

Impact on Character of Area

- The proposal is out of character with the adjoining houses in the estate which has a distinct style.

Workshop

- The scale of the proposed workshop in terms of height and size is significant and will detract from the appellants enjoyment of their house and garden as it will be visible from the kitchen window, patio and garden.
- Due to the size of the proposed workshop it is possible that it will be modified and turned into additional accommodation, will remove the garden space and adversely affect nature and the environment in the gardens of the estate.

Precedent

- None of the houses in the surrounding estates have a two-storey side extension.

Residential Amenities

- It will result in loss of light to the gable window and will overshadow the front and rear gardens.
- The back garden, patio will be overlooked by the additional second storey window at the back of the extension impacting on privacy.

Impact on Infrastructure

- The proposed extension appears to build over and on top of the sewer thereby restricting access. This would be contrary to the Water Services Act 2007 which prohibits building over common pipes or sewers.
- The provision of 3 toilets will increase pressure and strain on the existing water and sewage and drainage infrastructure in the estate.

7.2. Applicant Response

A response to the third party appeal was received from the applicants which is summarise as follows:

- A number of concerns raised in the appeal are dealt with by way of condition; condition 8 relating to the use of the workshop, condition 3 and 7 relating to overhanging and rainwater goods and condition 6 to address water infrastructure.
- In relation to the existing single storey boundary wall to the right hand side, it is not proposed to remove or use this boundary wall for construction. The new gable wall of the extension will be constructed within the site boundary. It is proposed to engage with the owners of no. 23 regarding the works, to provide as-built engineering drawings of the gable wall foundations and construction, for information purposes. Construction methods will be undertaken that do not require access to neighbouring properties.
- Regarding the aesthetics of the proposed development, although 25% of the immediate neighborhood is already double fronted in nature, the proposed development will differ only slightly from the existing local architecture, but through

careful and detailed execution this will add interest to the surrounding built environment.

7.3. Planning Authority Response

No further comments made outside of the assessment already carried out in the planning report.

7.4. Observations

None.

7.5. Further Responses

8.0 Assessment

Having examined the application details and all other documentation on file, including all of the submissions received in relation to the appeal, the reports of the local authority, and having inspected the site, and having regard to the relevant local/regional/national policies and guidance, I consider that the substantive issues in this appeal to be considered are as follows:

- Principle of Development
- Design and Scale
- Impact on Residential Amenity
- Visual Impact and Impact on Character of Adjoining Area
- Other Matters

8.1. Principle of Development

- 8.1.1. Having regard to the zoning objective of the site which is 'Existing Residential', and to the provisions of the development plan which supports proposals for extensions to domestic dwellings, in particular Section 11.4.4.1 and Section 11.4.4.1.2, I am satisfied that the overall principle of the proposed development is acceptable subject to the amenities of surrounding properties being protected and the scale and design of a

development respecting the character of the area. These matters will be considered below.

8.2. Design and Scale

- 8.2.1. The substantive issue arising in this case relates to the suitability of the design and scale of the proposed extension and impacts arising on the amenities of adjoining property.
- 8.2.2. The appeal site is located within a mature residential area. The general layout of the estate comprises of two-storey semi-detached dwellings maintaining a building line which is parallel to the adjoining internal access road.
- 8.2.3. The proposed development includes the removal of the existing flat roof garage to the side of the existing dwelling which incorporates the kitchen and backdoor entrance to the rear. A two-storey extension will be constructed in its place which will align with the existing gable of the house for a depth of 8.6 m. It will accommodate an ensuite and stairwell at first floor level and storage and loft space at second floor level. I note that the footprint of the two-storey extension will not extend beyond that of the north facing gable of the appellants dwelling.
- 8.2.4. A flat roof extension is proposed at ground floor level extending from the rear building line adding an additional 2.3 m to the footprint depth of the existing dwelling. I note that part of the kitchen area of the proposed extension will align with the rear building line of the appellant's dwelling and will also marginally extend beyond by approx. 1 m.
- 8.2.5. At first floor level windows will be provided on the front elevation of the dwelling which will serve a stairwell and an ensuite bathroom to the rear. Roof lights will be provided at roof level serving the loft space. The overall floor area for the proposed works is stated to be 71.4 m² and the demolition works comprising of 31.8 m².
- 8.2.6. To the front of the dwelling, it is proposed to construct an extension at ground floor level that will accommodate a ground floor w.c. and a new porch. It is flat roof in design and will contain windows. One of the windows is larger and I note that in the planning authority's assessment, the proposed fenestration was not considered to be in keeping with the existing. However, I have no objection to the window as it appears as a feature window serving the porch, is located at ground floor level and is acceptable.

- 8.2.7. The proposed finishes comprise of wet dash finish to external walls, and tiles to match the existing dwelling.
- 8.2.8. I consider that the proposed development by reason of its design and limited scale is appropriate. The two-storey element aligns with the gable of the adjoining property to the south. It adequately integrates with the existing dwelling in terms of its design, scale and massing and it would not be unduly overbearing or intrusive when viewed from surrounding properties. As it will align and mirror the existing gable elevation of the dwelling and will also align with the gable of the adjoining dwelling to the south, I do not consider that it will be unduly overbearing from the appellants property. The suggestion by the appellant to amend the design of the proposed development are not proposals which need to be considered as I am satisfied having viewed the sites that the impact of overbearing and visual dominance is not significant.
- 8.2.9. In relation to the proposed attic space, I note that it is intended to use the attic for loft / storage space. The planning authority did not include a condition in the final grant restricting the use of the attic for such purposes and in that regard, I recommend that such a condition is included should the Board decide to grant permission, as the floor to ceiling height is limited for habitable accommodation.

Workshop

- 8.2.10. It is raised in the grounds of appeal that the proposed workshop due to its height and size will be visible from the appellants garden area and kitchen window and will detract from the enjoyment of the house and garden. The proposed workshop structure will have a gross floor area of 34 m² and a max roof height of 3.85 m.
- 8.2.11. Arising from the FI request, it was modified to provide a tiled roof as opposed to a zinc roof finish. Although the roof profile was requested to be revised from mono pitch to 'A' pitch, I note that the revised details submitted were considered to be acceptable, including the proposed solar panels that are to be mounted on the southwest facing aspect of the roof. I note that the proposed structure will be setback by approx. 3.9 m from the dividing boundary between the appellants property and the appeal site. I consider that the proposed workshop structure is of an acceptable design and scale and I further consider that a mono pitch roof profile would have a lesser impact than an 'A' pitched roof. In this case, I do not consider that it will unduly impact on the adjoining residential amenities of the properties to the north or south.

8.2.12. In relation to its use, the planning authority included a standard condition to restrict its use for purposes ancillary to that of the existing dwelling and I recommend that a similar condition is included should the Board decide to grant permission.

8.3. Impact on Residential Amenity

8.3.1. The existing side elevation (south) contains a window at first floor which serves the staircase. I note that there is a similar window on the gable elevation (north) of the appellants property. The proposed extension at first floor level will not provide windows to the gable elevation. Therefore no overlooking occurs in this regard.

8.3.2. The grounds of appeal note that loss of light will occur to the gable window on their north facing elevation located at first floor. Having regard to the configuration of the dwellings on each of the sites arising from their layout whereby the gable end of the dwellings are aligned with one another, I do not consider that significant issues from loss of light arise. In this regard, I note that there does not appear to be windows serving habitable rooms on the appellants gable elevation. Therefore the impacts arising will not directly affect residential amenities overall, but may have a level of impact on ambient light on the northeast facing elevation of no. 23.

8.3.3. In terms of overlooking, I note that the original design proposal was modified on foot of the FI request to address possible impacts on adjoining residential amenities. This resulted in modifying the roof profile to the rear of the dwelling along with the replacement of box style dormer windows with roof lights that would integrate within the roof itself. I note that the floor to ceiling height of the loft area is 2.1 m. For habitable spaces to be located in an attic the minimum floor to ceiling height would be 2.4 m, but as the loft area is not a habitable or living space, I do not consider that direct overlooking arises from these roof lights, given the direction that they are positioned in which is to the rear of the property or southeast.

8.3.4. I note at first floor level that an additional window is proposed on the southwest facing elevation of the existing dwelling to serve an ensuite. It will align with that of the existing windows on the rear elevation which face in the direction of the rear private amenity space of the dwelling. I am satisfied that there is no significant additional overlooking effects in this urban area.

8.4. Visual Impact and Impact on Character of Adjoining Area

- 8.4.1. The provisions of the development plan as set out in Sections 11.4.4.1 and 11.4.4.2 facilitate the provision of an extension to the front, side and rear of an existing dwelling, subject to certain requirements including design and relationship with the existing dwelling and adjoining property.
- 8.4.2. The grounds of appeal raise issue in regard to the impact that the proposed development will have on the established character of the area. I note that the streetscape of Shannonville comprises of a mature residential area that is characterised by two-storey semi-detached dwellings with adjoining garages.
- 8.4.3. Pursuant to my site inspection, I noted that the immediate area and the streetscape has been altered by the addition of porches, extensions to the front of dwelling(s), the conversion of garages, the provision of dormer extensions above garages, the removal of chimneys, and the modernisation of properties including the installation of newer modern windows of varying sizes. In particular, such an example exists on the opposite side of the road where a relatively new extension has been constructed forward of the front building line of the existing dwelling. As a result, I conclude that the original form and design of dwellings and the streetscape of the area has evolved and altered over time. I also note that Shannonville is not a designated Architectural Conservation Area.
- 8.4.4. I note that the proposed material finishes will generally assimilate with that of the existing dwelling. This is depicted in the street elevation on DWG 102 revision B. Having regard to the provisions of Sections 11.4.4.1 and 11.4.4.2 and objective HO O3 of the development plan, I consider that the proposed development is acceptable, and I do not consider that it would significantly detract from the character or the visual amenities of the area, if permitted.

8.5. Other Matters

Shared Boundary

- 8.5.1. The appellants raise concern at the location of the proposed extension relative to the shared boundary between the appeal site and no. 23 stating that it should not be positioned on the shared boundary and a gap provided to enable access to the rear of

the property. It is further stated that the proposed development would limit their development options should they decide to build a similar development.

- 8.5.2. The submitted drawings do not indicate that the proposed development will encroach or over-sail the existing boundary and I note that the issue was raised by the planning authority at FI stage. I note that matters relating to shared boundaries and boundary disputes are a civil matter, having regard to the provisions of Section 34(13) of the Planning and Development Act 2000 (as amended). Party wall agreements are covered under separate legislation and are not a matter for the Board. In any case, should the Board decide to grant permission, I recommend the inclusion of a condition similar to condition 7 of the final grant to prevent overhanging / oversailing of the adjoining property.
- 8.5.3. I note the concerns raised in the grounds of appeal in respect to the location of the proposed development relative to the appellants property limiting the potential to develop their property, however this is not considered to be a material planning issue in relation to the proposed development. Therefore, having regard to the assessment and conclusions set out above, I am satisfied that the proposed development would not seriously injure the amenities of the area to such an extent that would adversely affect the adjoining property.

Procedural Matters

- 8.5.4. The appellants have stated that they submitted an observation / submission to the response / details submitted by the applicant in relation to the FI request, but that their submission of the 14th November 2024 was not accepted by the council.
- 8.5.5. I note the provisions in relation to the submission of revised plans / modified plans as per Article 34 of the Planning and Development Regulations 2001 (as amended), and Article 35 of the same regulations which relates to significant additional details submitted in response to an FI request. I note that the planning authority did not determine that the revised details submitted to the FI request as 'significant additional data' and in that regard, there was no requirement to inform prescribed bodies or persons who made submissions or observations or invite submissions. I acknowledge the issue raised and I am satisfied that my assessment of the proposed development has given due consideration to the issues raised in the grounds of appeal and in the planning application.

Widening Entrance

- 8.5.6. It is proposed to increase the width of the existing entrance from 2.53 m to 3.53 m. I note the provisions of Section 11.8.5 of the development which sets out a number of criteria to be met in regard to the re-development of a driveway entrance. This includes inter alia, that a vehicular entrance should not be wider than 3 metres. I note that the existing entrance will be increased to 3.53 metres, which would exceed the requirements of Section 11.8.5 Parking in Front Gardens, and therefore would be contrary to the development plan requirements. In that regard, I consider that the widening of the existing entrance should not be greater than 3 meters, and I recommend a condition to this effect, should the Board decide to grant permission.

Infrastructure

- 8.5.7. Issues are raised regarding the demand that will be placed on public utilities arising from the proposed development, and the possibility of construction works building over existing Uisce Éireann assets. I note that details of the application were referred to Uisce Éireann who have raised no objection and recommended standard conditions. I also note the location of the existing garage which may already be built over existing services. In that regard, I recommend the inclusion of a similar condition to condition 6 of the final grant of the planning authority, should the Board decide to grant permission.

9.0 AA Screening

- 9.1.1. I have considered the proposed development in light of the requirements of S177U the Planning and Development Act 2000 as amended.

The subject site is located approx. 445 m to the south of the SAC: 002165 Lower River Shannon SAC, SPA: 004077 River Shannon and River Fergus Estuaries SPA, and pNHA: 002048 Fergus Estuary And Inner Shannon, North Shore.

- 9.1.2. The proposed development comprises the removal of an existing garage to the side of the existing dwelling and the construction of a two-storey extension to side, and a single storey extension to the rear of the existing dwelling. It is proposed to provide a workshop garage to the rear of the dwelling and to widen the existing access to the dwelling.

- 9.1.3. No conservation concerns were raised in the planning appeal.
- 9.1.4. Having considered the nature, scale and location of the proposed development I am satisfied that it can be eliminated from further assessment because there is no conceivable risk to any European Site.

The reason for this conclusion is as follows:

- Small scale and domestic nature of the development.
 - The location of the development in a serviced urban area.
 - Location-distance from nearest European Sites and lack of connections.
 - Taking into account the AA Screening determination by the planning authority.
- 9.1.5. I conclude that on the basis of objective information, that the proposed development would not have a likely significant effect on any European site either alone or in combination with other plans or projects.
- 9.1.6. Likely significant effects are excluded and therefore appropriate assessment (stage 2) (under Section 177V of the Planning and Development Act 2000 as amended) is not required.

10.0 Recommendation

I recommend that permission for the development is granted subject to the following conditions.

11.0 Reasons and Considerations

Having regard to the residential zoning objective for the area, the pattern of development in the vicinity and the scale, nature and design of the proposed extension and the provisions of the Limerick City and County 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 amenities of the area or of property in the vicinity and would, therefore, be in accordance with the proper planning and sustainable development of the area.

12.0 Conditions

1.	<p>The proposed development shall be carried out and completed in accordance with the plans and particulars lodged with the application on the 24th of June 2024 and as amended by Further Information received on the 01st November 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. In default of agreement, the matter(s) in dispute shall be referred to An Bord Pleanála for determination.</p> <p>Reason: In the interest of clarity.</p>
2.	<p>The external finishes of the proposed extension (including roof tiles/slates) shall harmonise with those of the existing dwelling in respect of colour and texture.</p> <p>Reason: In the interest of visual amenity</p>
3.	<p>The existing dwelling and the proposed extension shall be jointly occupied as a single residential unit and the extension shall not be used, sold, let or otherwise transferred or conveyed, save as part of the dwelling.</p> <p>Reason: To restrict the use of the extension in the interest of residential amenity.</p>
4.	<p>The attic / loft space shall be for storage purposes only. It shall not be used for human habitation.</p> <p>Reason: In the interest of clarity.</p>
5.	<p>The proposed development shall not overhang any adjoining third party properties.</p> <p>Reason: To safeguard residential amenity and in the interest of orderly development.</p>

6.	<p>The use of the workshop shall be for private domestic use only, solely incidental to the enjoyment of the dwellinghouse. It shall not be used for any commercial or trade purposes or for human habitation.</p> <p>Reason: In the interest of clarity.</p>
7.	<p>(a) The vehicular entrance shall not exceed a width of 3.0 metres.</p> <p>(b) The footpath and kerb shall be dished at the access and the widened entrance provided in accordance with the requirements of the planning authority.</p> <p>Revised plans and elevations incorporating the above amendments shall be submitted to the Planning Authority for written agreement, prior to commencement of development. In default of agreement, the matter(s) in dispute shall be referred to An Board Pleanála for determination.</p> <p>Reason: In the interest of pedestrian safety and residential amenity.</p>
8.	<p>Water supply and drainage arrangements including the attenuation and disposal of surface water, shall comply with the requirements of the planning authority for such works and services.</p> <p>Reason: In the interest of public health and surface water management.</p>
9.	<p>Prior to the commencement of any construction works the applicant shall locate and protect any Uisce Éireann services within the red line boundary of the site. There shall be no building over water mains, pipes, or sewers, and if encountered, the applicant shall contact Uisce Éireann with a proposal for altering at the cost of the applicant.</p> <p>Reason: In the interest of orderly and sustainable development</p>
10.	<p>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.</p> <p>Deviation from these times will only be allowed in exceptional circumstances where prior written approval has been received from the planning authority.</p>

	Reason: In order to safeguard the residential amenities of property in the vicinity.
11.	<p>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. This plan shall provide details of intended construction practice for the development, including hours of working, noise management measures and off site disposal of construction demolition waste.</p> <p>Reason: In the interests of public safety and residential amenity.</p>
12.	<p>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 the 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. The application of any indexation required by this condition shall be agreed between the planning authority and the developer or, in default of such agreement, the matter shall be referred to An Bord Pleanála to determine.</p> <p>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.</p>

I confirm that this report represents my professional planning assessment, judgement and opinion on the matter assigned to me and that no person has influenced or sought to influence, directly or indirectly, the exercise of my professional judgement in an improper or inappropriate way.

Clare Clancy
Planning Inspector

18th February 2025

Form 1

EIA Pre-Screening

An Bord Pleanála Case Reference	ABP-321554-24		
Proposed Development Summary	Construction of porch, two-storey extension to the right-hand side of dwelling, single-storey extension to the rear and all associated site works		
Development Address	Blossom Hill, 22 Shannonville, Ennis Road, Limerick		
1. Does the proposed development come within the definition of a 'project' for the purposes of EIA? (that is involving construction works, demolition, or interventions in the natural surroundings)		Yes	✓
		No	Tick if relevant. No further action required
2. Is the proposed development of a CLASS specified in Part 1 or Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended)?			
Yes		State the Class here.	Proceed to Q3.
No	✓		Tick if relevant. No further action required
3. Does the proposed development equal or exceed any relevant THRESHOLD set out in the relevant Class?			
Yes		State the relevant threshold here for the Class of development.	EIA Mandatory EIAR required
No	✓		Proceed to Q4

4. Is the proposed development below the relevant threshold for the Class of development [sub-threshold development]?			
Yes		State the relevant threshold here for the Class of development and indicate the size of the development relative to the threshold.	Preliminary examination required (Form 2)

5. Has Schedule 7A information been submitted?		
No	✓	Pre-screening determination conclusion remains as above (Q1 to Q4)
Yes		Screening Determination required

Inspector: _____ Date: _____