

PLANNING & ENVIRONMENTAL SERVICES

DC-049-20

Jeremiah Horan
17 Revington Park
North Circular Road
Limerick

WARNING LETTER

**UNDER SECTION 152(1) OF THE PLANNING AND DEVELOPMENT ACTS
2000 as amended**

Dear Sir/Madam,

- (A) You are the owner/occupier of certain lands, situate at 33 Strandville Gardens, O' Callaghan Strand, Limerick (hereinafter referred to as "the said lands") which lands are shown coloured red on the map attached hereto.
- (B) It has come to the attention of Limerick City & County Council as the Planning Authority that an unauthorised development may have been/is being/or may be carried out on the said lands, namely construction of an entrance driveway from the public roadway on Clanmaurice Gardens across a public grass margin and non compliance with condition no. 9 attached to Planning Permission reference 19/584.
- (C) You being the person served with this warning letter may make submission or observations in writing to the said Planning Authority regarding the purported offence referred to in paragraph (B) not later than four weeks from the date of service of this warning letter

- (D) You are advised that if the said Planning Authority considers that an unauthorised development is being carried out an Enforcement Notice under the provisions of Section 154 of the Planning and Development Act 2000 as amended may be issued.
- (E) Officials of the said Planning Authority may at all reasonable times, enter the said lands for the purposes of inspection.
- (F) We also wish to point out that in the event of the Court holding that an offence has been committed under Section 151 or Section 154 you can be liable: -
- a. On conviction on indictment, to a fine not exceeding €12,697,380.78, or to imprisonment for a term not exceeding 2 years, or to both, or
 - b. On summary conviction, to a fine not exceeding €5,000, or to imprisonment for a term not exceeding 6 months, or to both.
- (G) The costs reasonably incurred by the said Planning Authority in relation to Enforcement proceedings may be recovered from you in the event of an Enforcement Notice being served on you or where a Court action is taken.

Any queries in relation to this matter should be addressed to Pat Campbell, Development Inspector.

Dated this 25th day of March 2020

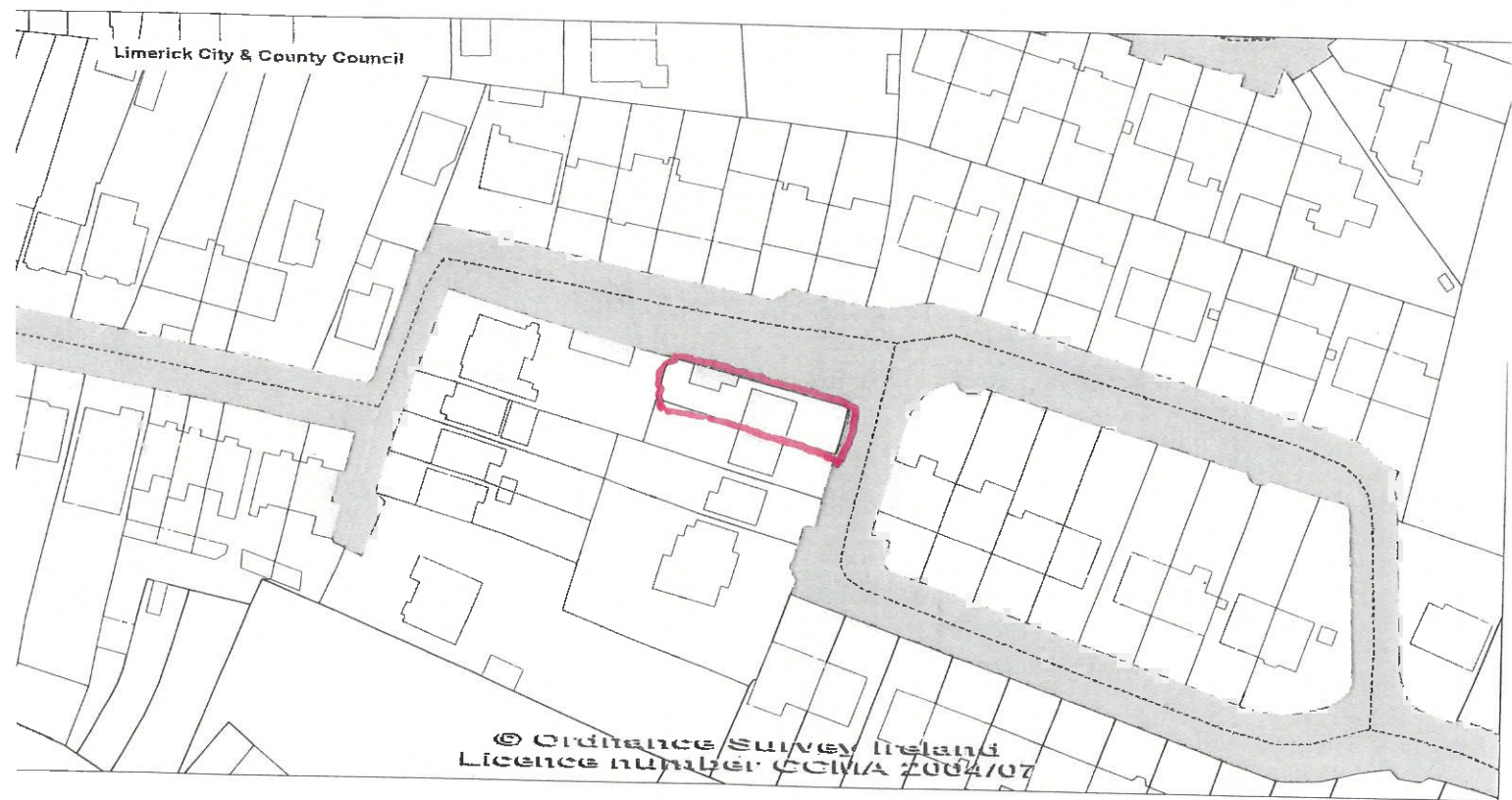
Signed on behalf of the said Council.



For Director of Service
Planning & Environmental Services

Limerick City & County Council

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LIMERICK CITY & COUNTY COUNCIL

ENFORCEMENT REPORT

TO:	Donogh O'Donoghue, A/Senior Executive Planner.
FILE REF:	DC-049-20
LANDOWNER/DEVELOPER:	Jeremiah Horan
SITE LOCATION:	33 Strandville Gardens, O' Callaghan Strand

PLANNING HISTORY: 19/584

NATURE OF COMPLAINT: Unauthorised works and non compliance

INSPECTOR'S REPORT: I carried out an inspection of the site and of the Planning Register on the 20th March 2020 and I found that an entrance gate and driveway had been installed from the public road at Clanmaurice Avenue.
These developments are unauthorised however, as the entrance gate is in place over seven years it is not possible to prosecute.
Condition no. 9 attached to Planning Permission reference 19/584 has not been complied with.

RECOMMENDATION: I therefore recommend that a Warning Letter be issued.

SIGNED:

Pat Campbell
Pat Campbell

Date:

24th March 2020

Development Inspector.

PLANNING & ENVIRONMENTAL SERVICES

DC-049-20

REG POST:

Jeremiah Horan
17 Revington Park
North Circular Road
Limerick

ENFORCEMENT NOTICE

UNDER SECTION 154 OF THE PLANNING AND DEVELOPMENT ACTS 2000 as amended

The City & County Council of Limerick, the Planning Authority for Limerick, hereby gives you notice that you have carried out development of lands namely:

Alterations and construction of an extension to the rear of the property situate at 33 Strandville Gardens, O' Callaghan Strand, Limerick more particularly described on map annexed hereto (hereinafter referred to as "the site") authorised by Planning Permission reference no. 19/584.

WHEREAS the development has not been carried out in compliance or conformity with the said Planning Permission in so far as **condition no's 1 and 9 attached to the said permission have not been complied with. Also the removal of portion of the public green area and the subsequent hardcoring of the portion of public green area for the purpose of providing access from the public road to the rear of your property.**

FURTHER TAKE NOTICE that you are required within **one month** and thereafter of service of this notice (hereinafter called "the Notice period") to:

- (i) **Remove the red coloured roof tiles and replace with dark coloured tiles as agreed under plans submitted in order to comply with condition no. 1 attached to the said Planning Permission.**

- (ii) **Submit a site specific waste management plan for the recovery/disposal of all wastes arising from the demolition, refurbishment and /or construction related activities of this development in order to comply with condition no. 9 attached to the said Planning Permission.**
- (iii) **Remove the unauthorised hardcore.**
- (iv) **Return the area to public green area by levelling, topsoiling and seeding the area to the satisfaction of the Planning Authority.**
- (v) **Refund to the Planning Authority the costs and expenses of €400 incurred to date in the investigation/detection and the issuing of Enforcement proceedings. Please note that, in the event of non-compliance, you may be liable to additional costs.**

You are further warned that under the provisions of Section 154(5)(c) of the Planning & Development Acts 2000 as amended that if you do not fulfill the above requirements within the Notice period then the Limerick City & County Council may enter on the site and take such steps in order to carry out the above works and may recover any reasonable expenses incurred.

You are further advised that under the provisions of Section 154(5)(d) of the said Planning & Development Acts 2000 as amended that you will be required to refund to the Planning Authority the costs and expenses reasonably incurred by the Authority in relation to the investigation, detection and issue of this Enforcement Notice (and any warning letter issued under Section 152 of the said Acts) including costs incurred in respect of the remuneration and other expenses of employees, consultants and advisors.

Finally, the Planning Authority is obliged to warn you as the person served with this Enforcement Notice that if, within the Notice period specified the steps that you are required to carry out in compliance with this notice are not taken, that you may be guilty of an offence under the provisions of the Planning and Development Acts, 2000 as amended.

Any further queries in relation to this matter should be addressed to Pat Campbell, Development Inspector.

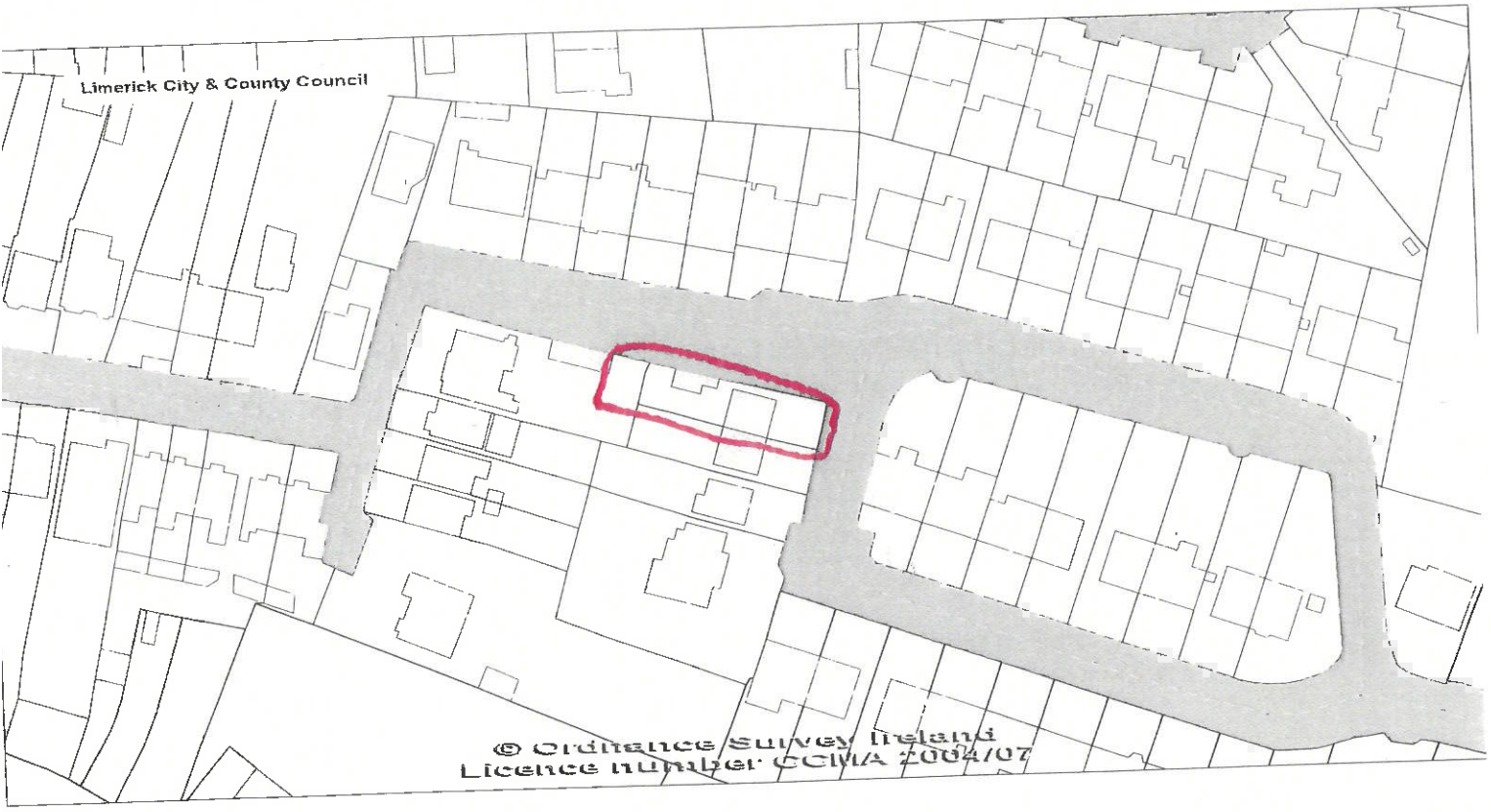
Dated this 13th day of July, 2020

Signed on behalf of the said Council:

pp V. Ronan
For Director of Service
Planning & Environmental Services

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Limerick City & County Council



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LIMERICK CITY & COUNTY COUNCIL

ENFORCEMENT REPORT

TO:	Stephane Duclot, A/Senior Planner.
FILE REF:	DC-049-20
LANDOWNER/DEVELOPER:	Jeremiah Horan
SITE LOCATION:	33 Strandville Gardens, O' Callaghan Strand

PLANNING HISTORY: 19/584

NATURE OF COMPLAINT: Unauthorised works and non compliance

INSPECTOR'S REPORT: A Warning Letter dated 25th March 2020 was issued to Mr. Horan regarding unauthorised developments and works taking place. Following further complaints, I carried out an inspection of the site and on 01st July 2020. I found that the roof of the approved extension was covered with red tile in breach of the plans approved by the permission and condition no. 1. A site specific waste management plan has not been submitted. A section of the green area to the rear of the property has been hardcored creating a driveway to the rear of the property. There is no record of a Planning Permission being granted for this development.

RECOMMENDATION: I therefore recommend that an Enforcement Notice be served.

SIGNED:

Pat Campbell

Pat Campbell
Development Inspector.

Date:

8th July 2020

01/07/2020 16:06



01/07/2020 14:08





01/07/2020 14:08



14/07/2020 14:54

3 Clanmaurice Gardens



Image capture: Jul 2019 © 2020 Google

Limerick, County Limerick



Street View



