



An  
Bord  
Pleanála

## Board Order ABP-321686-25

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**Planning and Development Acts 2000 to 2022**

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

**Planning Register Reference Number: 24/60088**

**Appeal** by Patrick Gammell care of Shaws Consulting Engineers Limited of 1 Lower Mallow Street, Limerick against the decision made on the 13<sup>th</sup> day of December, 2024 by Limerick City and County Council to refuse permission.

**Proposed Development:** Construction of a rear vehicular entrance from the existing dwelling on to the Deel Court Estate Road at Fairhill, Rathkeale, County Limerick.

### **Decision**

**GRANT permission for the above proposed development based on the reasons and considerations under and subject to the conditions set out below.**

## Reasons and Considerations

Having regard to the nature and scale of the proposed development, it is considered that, subject to compliance with the conditions set out below, the proposed development would not endanger public safety by reason of a traffic hazard, would not adversely impact on the residential amenities of the adjoining property, would be acceptable in terms of visual impact, and would otherwise be in accordance with the provisions of the Limerick Development Plan 2023-2029. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

In deciding not to accept the Inspector's recommendation to refuse permission, and in relation to the one specific issue raised in the Inspector's recommended refusal reason, that being that the proposed development would endanger public safety by reason of a traffic hazard because of the additional traffic movements the proposed development would generate at a point where sightlines are restricted in a northerly direction, the Board was satisfied that the existing constrained configuration and short length of the cul-de-sac serving Deel Court to the north inherently restricts the speed at which vehicles can travel from this direction such that a relaxation of the desirable minimum stopping sight distance is acceptable in this instance. Furthermore, the Board considered that the proposed vehicular access is intended to serve one dwellinghouse, thus no significant additional traffic movements will be generated as a result of the proposed development.

## Conditions

1. The proposed 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 proposed development shall be carried out and completed in accordance with the agreed particulars.

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

2. Details of the transfer of the strip of land to the east of the proposed development shall be agreed in writing with the planning authority prior to commencement of development.

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

3. (a) The wall shall be constructed in brick to match the brick used in the existing dwelling, or concrete block or similar durable materials and, if in concrete block, shall be suitably capped and rendered on the side facing Deel Court.  
(b) Gates shall open inwards and shall not obstruct the public domain.

**Reason:** In the interest of public safety.



Emer Maughan

Member of An Bord Pleanála

duly authorised to authenticate  
the seal of the Board.

Dated this 8<sup>th</sup> day of April 2025.