



An  
Bord  
Pleanála

**Board Direction  
ABP-311946-21**

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The submissions on this file and the Inspector's report were considered at a Board meeting held on 22/03/2023.

The Board decided by a majority 2:1 vote, as set out in the following Order, that

Board Order as follows:-

**WHEREAS** a question has arisen as to whether the change of use of part of the residential dwelling house to use as a part-time beautician by appointment only at 6 Coolrairie Heights, Old Cratloe Road, Limerick is or is not development and is or is not exempted development,

**AND WHEREAS** Carolyn Ryan care of Adam Kearney Associates of Millside, Mill Road, Corbally, Limerick requested a declaration on the said question from Limerick City and County Council and the said Council issued a declaration on the 21<sup>st</sup> day of October, 2021 stating that the said matter is development and is not exempted development,

**AND WHEREAS** Carolyn Ryan referred the declaration for review to An Bord Pleanála on the 11<sup>th</sup> day of November, 2021,

**AND WHEREAS** An Bord Pleanála, in considering this referral, had regard particularly to –

- (a) sections 2(1), 3(1), and 4(1)(j) of the Planning and Development Act 2000, as amended,
- (b) Part 4 of the Second Schedule to the Planning and Development Regulations 2001, as amended,
- (c) the pattern of development in the area,
- (d) the scale, nature and layout of the house and integrated room used for the intermittent and limited provision of beauty treatment, the nature of the use carried on therein, including the sole operation by a single resident, the absence of employees, the absence of machinery or nuisance, and the restricted and controlled access to the premises by visiting clients,
- (e) the absence of signage at the property and any external works as observed by the Inspector during the site visit, and
- (f) the report of the Inspector.

**AND WHEREAS** An Bord Pleanála has concluded that:

- (a) The use of part of the house for limited and appointment-based beauty treatment is incidental to the use of the property as a house as defined at Section 2(1) of the Planning and Development Act 2000, as amended, and, therefore, does not constitute a material change of use.

- (b) The change of use of part of the house for intermittent and limited beauty treatment does not raise issues which are material in relation to the proper planning and sustainable development of the area and this change of use does not constitute a material change of use having regard to the considerations outlined above and is, therefore, not development.

**NOW THEREFORE** An Bord Pleanála, in exercise of the powers conferred on it by Section 5 (4) of the Planning and Development Act 2000, as amended, hereby decides that the change of use of part of the residential dwelling house to use as a part-time beautician by appointment only is not development.

Board Member: Patricia Calleary Date: 22/03/2023  
Patricia Calleary

