



An
Bord
Pleanála

Board Direction
BD-017176-24
ABP-319021-24

WHEREAS a question has arisen as to whether the use of a garden room/pod by the homeowners to the rear of their dwelling on an appointment only basis (not exceeding 5 hours per week) for therapeutic counselling at 20 Lansdowne Park, Ennis Road, Limerick V94 XK4D is or is not development or is or is not exempted development:

AND WHEREAS the said question was referred to An Bord Pleanála by Laura and Cian Murphy on the 12th day of February, 2024

AND WHEREAS Laura and Cian Murphy requested a declaration on this question from Limerick City and County Council and the Council issued a declaration on the 02nd of February 2024, stating that the matter **was development and was not exempted development**

AND WHEREAS Laura and Cian Murphy referred this declaration for review to An Bord Pleanála on the 12th day of February 2024

AND WHEREAS An Bord Pleanála, in considering this referral, had regard particularly to sections 2, 3 and 4 of the Planning and Development Act, 2000 (as amended) and articles 6, 9, and 10 and Parts 1 and 4 of Schedule 2 of the Planning and Development Regulations, 2001 (as amended):

AND WHEREAS An Bord Pleanála has concluded that the use of the garden room / pod for therapeutic counselling does not come within the scope of section 4(1)(j) of the Planning and Development Act, 2000 (as amended) or Class 3 of Part 1 of Schedule 2 or the Classes of Use in Part 4 of Schedule of the Planning and Development Regulations 2001 (as amended), and constitutes a material change in the use of the structure:

NOW THEREFORE An Bord Pleanála, in exercise of the powers conferred on it by section 5 of the 2000 Act (as amended), hereby decides that the use of the garden room / pod for therapeutic counselling is development and is not exempted development.

Board Member


Liam Bergin

Date: 07/08/2024