

An
Coimisiún
Pleanála

Direction
ABP-319535-24

The submissions on this file and the Inspector's report were considered at a meeting held on 18/06/2025.

The Commission decided, as set out in the following Order, that

WHEREAS a question has arisen as to whether the change of use of 20 number dwelling houses at Drominbeg, Rhebogue Limerick to use as student accommodation is or is not development and is or is not exempted development;

AND WHEREAS Limerick City and County Council referred this declaration for review to An Coimisiún Pleanála, on the 17th day of April 2024;

AND WHEREAS An Coimisiún Pleanála, in considering this referral, had regard particularly to:

- (a) Sections 2(1), 3(1) and 4(1) of the Planning and Development Act, 2000, as amended,
- (b) article 6(1) of the Planning and Development Regulations, 2001, as amended, and
- (c) the planning history of the subject site and in particular planning permission Reg. Ref.17/800 & ABP-300188-17,
- (d) the provisions of the Limerick City and County Development Plan 2022-2028.

AND WHEREAS An Coimisiún Pleanála has concluded that:

- (a) Having regard to the specific facts of this case, alterations to the dwellings have resulted in changes to the characteristics of the dwellings and an intensification of use through the conversion of living space to bedroom space;
- (b) The dwellings are being used for the sole purpose of student accommodation and therefore a change of use has occurred having regard to the definition of student accommodation under Section 2 of the Planning and Development Act 2000 (as amended);
- (c) the change of use of 20 number dwellings in an entire residential scheme to use as student accommodation would raise material issues relevant to the proper planning and sustainable development of the area, including differing levels of pedestrian and vehicular traffic, demand for additional car parking, and the potential for impacts on residential amenity and thus would constitute a material change of use, and would, therefore, be development;
- (d) there are no provisions, in the Planning and Development Act 2000 (as amended) and the Planning and Development Regulations, 2001 (as amended), whereby such development would constitute exempted development.

NOW THEREFORE An Coimisiún 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 20 number dwelling houses at Drominbeg, Rhebogue Road, Rhebogue, Limerick to use as student accommodation is development and is not exempted development.

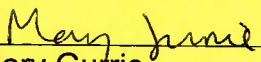
Note:

The Commissioners noted the proposed rephrasing of the referred question put forward by Plassey Trust Company CLG, namely to refer to 'use as accommodation for students' rather than 'to use as student accommodation'. The Commission considered that the phrasing proposed by Plassey Trust Company CLG would result in a substantially different question not relevant to the facts of this case.

Planning

Commissioner:

Date: 30/06/2025



Mary Gurrie