# An Bord Pleanála



#### PLANNING AND DEVELOPMENT ACTS 2000 TO 2015

## **Limerick City and County**

Planning Register Reference Number: 15/217

An Bord Pleanála Reference Number: PL 91.245686

**APPEAL** by Claire Staunton care of HRA Planning of 3 Hartstonge Street, Limerick against the decision made on the 5<sup>th</sup> day of October, 2015 by Limerick City and County Council to grant subject to conditions a permission in accordance with plans and particulars lodged with the said Council.

**PROPOSED DEVELOPMENT:** Extension of opening hours from 2000 hours (currently) permitted to 2100 hours at the restaurant - "The Good Room", Main Street, Adare, County Limerick. This is a Protected Structure. A further public notice was received by the planning authority on the 30<sup>th</sup> day of July, 2015 which included retention of canopy structure on the east elevation.

## **DECISION**

Having regard to the nature of the condition the subject of the appeal, the Board is satisfied that the determination by the Board of the relevant application as if it had been made to it in the first instance would not be warranted and, based on the reasons and considerations set out below, directs the said Council under subsection (1) of section 139 of the Planning and Development Act, 2000 to AMEND condition number 2 so that it shall be as follows for the reason set out.

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2. The canopy and supporting structure erected to the side of the building shall be removed within two months of the date of this order.

**Reason**: In order to protect the character of the protected structure and the Architectural Conservation Area.

### **REASONS AND CONSIDERATIONS**

Having regard to the design and materials of the canopy proposed to be retained, it is considered that the canopy and supporting structure detract from the character and setting of the protected structure to which it is attached and does not contribute to or enhance the character of the Adare Architectural Conservation Area. The development to be retained would, therefore, be contrary to objectives EH 2 and EH 3 of the Adare Local Area Plan 2015-2021 which seek to resist development that would adversely affect the setting of the protected structure and the streetscape of the Architectural Conservation Area and would be contrary to the proper planning and sustainable development of the area.

#### **MATTERS CONSIDERED**

In making its decision, the Board had regard to those matters to which, by virtue of the Planning and Development Acts and Regulations made thereunder, it was required to have regard. Such matters included any submissions and observations received by it in accordance with statutory provisions.

Member of An Bord Pleanála duly authorised to authenticate the seal of the Board.

Dated this day of 2016.

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