

Board Order PL 91.248277

Planning and Development Acts 2000 to 2017 Planning Authority: Limerick City and County Council Planning Register Reference Number: 16/713

**Appeal** by Brendan Peters care of Brian O'Donoghue of 12 Thornfield, Monaleen, Limerick against the decision made on the 1<sup>st</sup> day of March, 2017 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:** Retention of reconstructed fire damaged garage with change of use to study room. Changes for retention are: 1. New front window. 2. New front access door. 3. Removal of passage between the garage and dwelling, to now include this floor area, in the study room. 4. Changes to roof with study roof now connecting with dwelling roof, and overhang of roof at the front elevation. All at Lower Park, Corbally, Limerick.

## 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 REMOVE condition number 2 and the reason therefor.

## **Reasons and Considerations**

Having regard to the design and nature of the study/storage extension proposed to be retained and the existence of a variety of similar forms of development in the area, and also having regard to the existing dwelling and extension to be used as a single residential unit and the residential amenity being provided for by the development, it is considered that the extension would not adversely impact on the visual amenities of the area, would not set an undesirable precedent and would, therefore, be in accordance with 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 2017