



Planning and Development Acts 2000 to 2020

Planning Authority: Limerick City and County Council

Planning Register Reference Number: 20/531

Application for Leave to Appeal against the decision of the planning authority by Pat and Carolyn O'Byrne of Marleen, Ashbourne Park, South Circular Road, Limerick, having an interest in land adjoining the land in respect of which Limerick City and County Council decided on the 16th day of October, 2020 to grant subject to conditions a permission to Mary Immaculate College care of Quinn Architects of 12 Barrington Street, Limerick.

Proposed Development: The conversion of existing outbuilding to two bed apartment associated with existing student residential accommodation, minor alterations to elevations and all associated site works on a site at O'Dwyer House, South Circular Road, Courtbrack Avenue, Limerick.

Decision

GRANT leave to appeal under section 37 (6) of the Planning and Development Act, 2000, as amended, based on the reasons and considerations set out below.

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.

Reasons and Considerations

Having regard to the submissions and documents received in connection with the application for leave to appeal and the conditions set out in the planning authority's decision, it is considered that it has been shown that -

- (i) the development, in respect of which a decision to grant permission has been made, will differ materially from the development as set out in the application for permission by reason of condition number 3 imposed by the planning authority to which the grant is subject, and
- (ii) the imposition of condition number 3 will materially affect the applicant's enjoyment of the land adjoining the land in respect of which it has been decided to grant permission or reduce the value of the land.

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

Dated this day of 2020