



An  
Bord  
Pleanála

**Board Order**  
**ABP-321271-24**

---

**Planning and Development Acts 2000 to 2022**

**Planning Authority: Limerick City and County Council**

**Planning Register Reference Number: 24/60871**

**APPEAL** by T.J. O'Dea care of Shaw Consulting Engineers Limited of 1 Lower Mallow Street, Limerick against the decision made on the 22<sup>nd</sup> day of October, 2024 by Limerick City and County Council to refuse permission.

**Proposed Development:** Retention of extension to granny flat and permission for widening of the vehicular entrance and installation of electric gate at Palm Court, North Circular Road, Limerick.

## **Decision**

**REFUSE** permission for the above proposed development in accordance with the reasons and considerations set out below.

## Reasons and Considerations

1. Having regard to the information provided on file, the planning history of the site, and the submissions made in connection with the planning application and the appeal, the Board is not satisfied that the existing pitched roof structure has permission for use as a granny flat. It is considered therefore that to permit retention permission of an extension to the said structure in this instance would facilitate and consolidate an intensification of an unauthorised development on the site and would, therefore, be contrary to the proper planning and sustainable development of the area.
2. Notwithstanding the reason set out above, in addition, the Board is also not satisfied that it has been adequately demonstrated that the extension proposed for retention would not constitute substandard living accommodation with respect to internal layout, daylight and sunlight, and in its relationship with the existing dwelling on site.
3. Having regard to the existing vehicular entrance at 3.1 metres, the Board considers that any further widening of the proposed width of the entrance would be contrary to Section 11.8.5 of the Limerick Development Plan 2022-2028.

In deciding not to accept the Inspector's recommendation for a split decision, the Board noted that Section 11.8.5 of the development plan set out a number of criteria that shall all be met with respect to re-development of a driveway including inter alia that a vehicular entrance not be wider than 3 metres. As the existing entrance is indicated to be 3.1 metres in Drawing Number 2024 - 001, the Board considered that further widening would be contrary to the development plan requirements.

*Eamonn James Kelly*

**Eamonn James Kelly**

**Member of An Bord Pleanála**

**duly authorised to authenticate  
the seal of the Board**



Dated this *10<sup>th</sup>* day of *March*, 2025