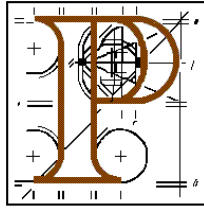


An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2016

Limerick City and County

Planning Authority Reference Number: EC16/48

An Bord Pleanála Reference Number: 91.RL.3522

WHEREAS a question has arisen as to whether the use of Unit number 1 (former Atlantic Homecare unit), Childers Road Retail Park, Limerick for the type and class of goods being sold by “The Range” is or is not development and is or is not exempted development:

AND WHEREAS the said question was referred to An Bord Pleanála by Limerick City and County Council on the 25th day of November, 2016:

AND WHEREAS An Bord Pleanála, in considering this referral, had regard particularly to –

- (a) Section 3(1) of the Planning and Development Act, 2000,
- (b) Articles 5(1) and 10(1) of the Planning and Development Regulations, 2001, as amended,
- (c) Part 4 of Schedule 2 to the Planning and Development Regulations, 2001, as amended,

- (d) the planning history of the site, including condition number 17 attached to planning permission granted by the planning authority under planning register reference number 03/181 and subsequent correspondence between the occupier of Unit number 1 and the planning authority regarding compliance with the terms of this planning permission, and
- (e) the pattern of development in the area:

AND WHEREAS An Bord Pleanála has concluded that -

- (a) insofar as can be determined from the information on file, the type and class of goods being sold by “The Range” is similar in nature to the type and class of goods being sold by the previous occupant of Unit number 1 (former Atlantic Homecare unit),
- (b) a change of use has not taken place at Unit number 1 (former Atlantic Homecare unit) and, therefore, no development has been undertaken:

NOW THEREFORE An Bord Pleanála, in exercise of the powers conferred on it by section 5 (4) of the 2000 Act, hereby decides that the use of Unit number 1 (former Atlantic Homecare unit), Childers Road Retail Park, Limerick for the type and class of goods being sold by “The Range”, is not development.

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.