



Planning and Development Acts 2000 to 2017

Planning Authority: Limerick City and County Council

Planning Register Reference Number: DC-167-16/PC/CL

WHEREAS a question has arisen as to whether the construction of a tree house in the rear garden at Rosbrien Road, Limerick is or is not development or is or is not exempted development:

AND WHEREAS the said question was referred to An Bord Pleanála by Limerick City and County Council of Dooradoyle, Limerick on the 25th day of January, 2017:

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

- (a) sections 2, 3 and 4 of the Planning and Development Act, 2000, as amended,
- (b) Article 6(1) and 9 (1)(a)(i) of the Planning and Development Regulations, 2001, as amended,
- (c) Class 3 of Part 1 of Schedule 2 to the Planning and Development Regulations, 2001, as amended, and
- (d) the report of the Planning Inspector:

AND WHEREAS An Bord Pleanála has concluded that -

- (a) the said timber structure comes within the scope of section 4(1)(j) of the Planning and Development Act, 2000, as amended, being a structure whose use is for a purpose incidental to the enjoyment of the house at Rosbrien Road, and
- (b) the said timber structure complies with the conditions and limitations specified in Column 2 of Class 3 of Part 1 of Schedule 2 to the Planning and Development Regulations 2001, as amended, in particular, the height of the mono pitched roof does not exceed generally four metres:

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 construction of a tree house in the rear garden at Rosbrien Road, Limerick is development and is exempted 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