



An
Bord
Pleanála

Inspector's Report ABP-319632-24

Development	Erection of a domestic garage for the storing of recreational vehicle (camper van) and vintage cars and all associated site works.		
Location	Rathnaneane, Newcastle West, Co. Limerick		
Planning Authority Ref.	2460120		
Applicant(s)	David O'Keefe		
Type of Application	Permission	PA Decision	Grant
Type of Appeal	First Party	Appellant	David O'Keefe
Observer(s)	None		
Date of Site Inspection	09/10/2024	Inspector	Lorraine Dockery

Site Location/ and Description. The subject site, which has a stated area of 0.224 hectares and is L- shaped, is located within the settlement boundary of Newcastle West, Co. Limerick. The site contains a two-storey, detached dwelling setback from the roadway.

2. Proposed development. Construction of a domestic garage for the storing of a recreational vehicle (camper van), vintage cars and other vehicles/machinery, together with all associated site works Floor area of 140m² (per stated dimensions)

and maximum height of 5.5m. Pitched slate roof and nap plaster to elevations to match that of existing dwelling.

3. PA's Decision- Grant permission, subject to 4 conditions.

Condition No. 2

- a. The proposed garage shall have a maximum floor area of 80 sq.m. Revised plan and elevation drawings shall be submitted to the Planning Authority for agreement in writing prior to the commencement of development
- b. The garage shall only be used for storage purposes and purposes incidental to the enjoyment of the main dwelling and shall not be used for commercial or habitable purposes
- c. The external finishes of the proposed garage including roof tiles/slates shall be the same as the dwelling in respect of colour and texture

Reason: In the interest of visual amenity, residential amenity and the orderly development of the area

Internal Reports

None

Prescribed Bodies

Uisce Eireann- No objections, subject to conditions

Transport Infrastructure Ireland- No observations

4. Planning History.

None

5.1. National/Regional/Local Planning Policy

- Limerick County Development Plan 2022-2028 and Newcastle West LAP 2023-2029 applies
- Zoning: Existing Residential
- There are numerous policies and objectives in the operative Plans that support residential development within existing settlement boundaries

5.2 Natural Heritage Designations

- None

6. The Appeal

6.1 First Party Appeal. Grounds:

- Appeal against Condition 2(a) only
- Has multiple recreational vehicles, which for both security and aesthetical reasons wishes to store them in a safe and orderly manner within the garage
- Not enough space within 80m² garage as permitted by planning authority
- Parking of vehicles outside would have negative impacts on visual amenity
- Finishes match those of existing dwelling
- Cites examples of where PP was granted for larger domestic garages by PA

6.2 P.A. Response

- None

Further Responses

- None

Observations

- None

7. EIA Screening:

See completed Form 1 on file. Having regard to the nature, size and location of the proposed development and to the criteria set out in Schedule 7 of the Regulations I have concluded at preliminary examination that there is no real likelihood of significant effects on the environment arising from the proposed development. EIA, therefore, is not required.

8. AA Screening:

I have considered the proposed development in light of the requirements of S177U the Planning and Development Act 2000 as amended.

The subject site is not located within or adjacent to any European Site. The closest European Site, part of the Natura 2000 Network, is the Stack's to

Mullaghareirk Mountains, West Limerick Hills and Mount Eagle SPA (Site Code: 004161), approximately 4.8 km from the proposed development.

The proposed development is located within a zoned, urban area (primarily residential in nature) and comprises the construction of a detached domestic garage on a serviced site.

Having considered the nature, scale and location of the proposed development I am satisfied that it can be eliminated from further assessment because it could not have any appreciable effect on a European Site.

The reason for this conclusion is as follows:

- Small scale and domestic nature of the development
- The location of the development in a serviced area, distance from European Sites, together with absence of ecological pathways to any European Site.
- The report of the planning authority

I consider that the proposed development would not be likely to have a significant effect individually, or in-combination with other plans and projects, on a European Site and appropriate assessment is therefore not required.

9.0 Assessment

9.1 I have read all the documentation attached to this file including the appeal submission, the report of the Planning Authority, in addition to having visited the site.

9.2 This is an appeal against Condition No. 2(a) only of the decision to grant permission of Register Reference 24/60120, which issued from the planning authority on 03rd April 2024. In this regard, I consider it is appropriate that the appeal should be confined to Condition No. 2(a) only and I am satisfied that the determination by the Board of this application as if it had been made to it in the first instance would not be warranted and that it would be appropriate to use the provisions of Section 139 of the 2000 Act in this case.

9.3 **Condition No. 2 (a)** (as detailed above), in summary, relates to the reduction in size of the proposed garage from 140m² to a permitted 80m². The planning authority

considered that the size of the proposed garage was considerably larger than the size of garages normally permitted, particularly in urban areas and they considered that its size should be reduced accordingly.

9.4 I note the grounds of appeal from the first party. I note that the stated floor area of the proposed garage by the applicant is 115m², however the submitted drawings detail it as being 140m². The appeal includes a list of vehicles to be stored inside the garage including motorhome, boat, jet ski, two cars, motorbikes to name some of the items listed. Registration details of same have been provided. I acknowledge the concerns of the planning authority in this regard and consider the proposed garage to be relatively substantial in size, in particular given the residential area in which it is to be located. However, I note that particular circumstances pertain to this case and I accept the justification put forward by the first party for the need for the proposed garage. Containerised units are presently used for storing some of the items and the proposal would improve the visual amenity of the site in this regard. I note that the site is well screened and that the proposal would not be visible from the public realm due to its location and existing screening. Given its overall height and setbacks from existing neighbouring dwellings, I consider that the proposal would not negatively impact on the residential or visual amenity of the area. In terms of setting of precedent, I note the particular circumstances pertaining to this case and the fact that each case is assessed on its own merits.

9.5 I consider that any impacts on the visual or residential amenities of the area are not so great as to warrant the imposition of Condition No. 2(a) or other alteration to the design submitted. Details relating to materials could be adequately dealt with by means of condition.

9.6 Having regard to the above, I am satisfied that the proposed development is in accordance with the provisions of the operative Development Plans, is in keeping with the pattern of development in the area and is in accordance with the proper planning and sustainable development of the area.

10. Recommendation

9.1 Having regard to the nature of the condition the subject of the appeal and based on the reasons and considerations set out below, I am 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 recommend that the said Council be directed under subsection (1) of section 139 of the Planning and Development Act, 2000 to AMEND Condition No. 2 so that it shall be as follows for the reason and considerations set out.

11. Reasons & Considerations

Having regard to the zoning objective of the area, the design, layout and scale of the proposed development and the pattern of development in the area, it is considered that, subject to compliance with the conditions set out below, the proposed alterations to Condition No. 2 attached to the grant of permission under planning register reference number 2460120 would not seriously injure visual amenities, established character or appearance of the area and would, otherwise, be in accordance with the proper planning and sustainable development of the area.

12. Conditions

1.	<p>The development shall be in accordance with Condition No.s 1 – 4 attached to the grant of permission under P. A. Reg. Ref: 2460120 on 03rd April, 2024, except as may otherwise be required in order to comply with the following conditions.</p> <p>Reason: In the interest of clarity</p>
2.	<p>(a) The garage shall only be used for storage purposes and purposes incidental to the enjoyment of the main dwelling and shall not be used for commercial or habitable purposes</p> <p>(b) The external finishes of the proposed garage including roof tiles/slates shall be the same as the dwelling in respect of colour and texture</p> <p>Reason: In the interest of visual amenity, residential amenity and the orderly</p>

I confirm that this report represents my professional planning assessment, judgement and opinion on the matter assigned to me and that no person has influenced or sought to influence, directly or indirectly, the exercise of my professional judgement in an improper or inappropriate way.

Lorraine Dockery

Senior Planning Inspector

15th October 2024

Form 1

EIA Pre-Screening

An Bord Pleanála Case Reference	ABP-319632-24		
Proposed Development Summary	Erection of a domestic garage for the storing of recreational vehicle (camper van) and vintage cars and all associated site works.		
Development Address	Rathnaneane, Newcastle West, Co. Limerick		
1. Does the proposed development come within the definition of a 'project' for the purposes of EIA? (that is involving construction works, demolition, or interventions in the natural surroundings)		Yes	x
		No	No further action required
2. Is the proposed development of a class specified in Part 1 or Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended) or does it equal or exceed any relevant quantity, area or limit where specified for that class?			
Yes		Class.....	EIA Mandatory EIAR required
No	x		Proceed to Q.3
3. Is the proposed development of a class specified in Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended) but does not equal or exceed a relevant quantity, area or other limit specified [sub-threshold development]?			
		Threshold	Comment (if relevant)
No	x	N/A	No EIAR or Preliminary Examination required
Yes		Class/Threshold.....	Proceed to Q.4

4. Has Schedule 7A information been submitted?		
No	x	Preliminary Examination required
Yes		Screening Determination required

Inspector: Lorraine Dockery

Date: 15th October 2024