



Inspector's Report

PL-500473-LK-25

Development	Demolition of shed and construction of garage
Location	Montpelier, O'Briens Bridge, Co Limerick
Planning Authority	Limerick City and County Council
Planning Authority Reg. Ref.	2560989
Applicant(s)	Patrick Casey
Type of Application	Permission
Planning Authority Decision	Refuse Permission
Type of Appeal	First Party
Appellant(s)	Patrick Casey
Observer(s)	None
Date of Site Inspection	20 th March 2026
Inspector	Clare Clancy

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1.0 Site Location and Description

1.1. The appeal site is located within the settlement boundary of Mountpelier at the southern end of the village. Mountpelier is designated as a Level 5 Small Village in the settlement hierarchy for county Limerick. The site is generous in area and comprises of an existing single storey dwelling and a derelict mono-pitch roofed shed located at the rear. It is accessed from the adjoining R525. The site is bounded to the north by a dormer dwelling, to the east by a large shed which sits at a higher elevation than the appeal site, and to the south by agricultural lands. The immediate area within the settlement boundary is characterised by one-off dwellings that are predominantly single storey/ dormer in scale. O'Briens Bridge Co. Clare is located to the north on the northern side of the River Shannon.

2.0 Proposed Development

2.1. The proposed development involves the demolition of an existing shed and the construction of a new garage and ancillary site works. The following is noted:

- Area of site – 0.205 ha.
- Gross floor area of existing shed to be demolished – 58 m²
- Gross floor area of proposed works – 131 m²
- Max roof height of proposed shed – 5.0 m
- Material finishes – metal cladding & roller shutter door

3.0 Planning Authority Decision

3.1. Decision

By Order dated 19th November 2025, Limerick City and County Council decided to refuse permission for the following reason:

1. The proposed development, by reason of the excessive size, scale and material finish of the shed within a residential site in this area would be visually obtrusive and detract from the residential amenity and character of the area. The proposal would therefore be contrary to Objective HO O3 of the Limerick Development

Plan 2022-2028 and the proper planning and sustainable development of the area.

3.2. Planning Authority Reports

3.2.1. Planning Reports

One planning report forms the basis of the assessment and recommendation. The following is noted:

- A previous application P.A. Ref. 25/60485 for a similar development (229 m²) was refused on the basis that the overall size and scale would be visually obtrusive.
- Refers to the provided drawing which shows that the proposed garage cannot be viewed from the opposite side of the public road. Notes that the existing garage is visible from the road when viewed at or near the site entrance. Considers the visual appearance of the proposed garage important as the existing garage which is lower in height can be observed from the public road.
- The proposed material finishes comprise of pre-fabricated materials and are not acceptable and are inappropriate for a residential setting.
- Notwithstanding the reduction in scale, the proposed garage is disproportionate relate to the existing dwelling, with a footprint comparable to the existing dwelling.
- Notes unauthorised works carried out to the front boundary wall.
- It was concluded that Appropriate Assessment and EIA were not required.

3.2.2. Other Technical Reports

- Mid West National Road Design Office – No objections raised.

3.3. Prescribed Bodies

None.

3.4. Third Party Observations

None.

4.0 Planning History

Appeal Site

- P.A. Ref. 25/0485 – Permission refused for a garage due to scale proposed (229 m², 6.06 m high) and impact on visual amenities.

5.0 Policy Context

5.1. Limerick Development Plan 2022-2028 (as varied)

5.1.1. Chapter 4 Housing

- Section 4.2.5 Protecting Existing Residential Amenity

Residential amenity is influenced by a range of factors, such as private outdoor amenity space, privacy and natural light. The relationship of buildings to each other and their individual design can have a significant impact on these factors and on residents' comfort. In older residential areas, infill development will be encouraged, while still protecting the existing residential amenity of these areas.

Objective HO O3 Protection of Existing Residential Amenity

It is an objective of the Council to ensure a balance between the protection of existing residential amenities, the established character of the area and the need to provide for sustainable new development.

5.1.2. Chapter 11 Development Management Standards

- Section 11.4.6 One-Off Housing in the Countryside – this states that the suitability of a rural site for any development will be evaluated according to the criteria set out in Table DM 5: Design Guidelines for Rural Houses. A number of criteria from the table relating to 'Siting, Design, Materials and Detailing' are outlined below:
 - Scale, height, design and siting of the house shall be sensitive to its surroundings and visually integrate with its rural landscape;
 - Simple design and materials reflecting the traditional vernacular of Limerick's rural architecture should be used. Applicants are required to refer to Limerick's Rural Design Advice for Individual Houses in the Countryside updated in 2012 and any subsequent documents prepared by the Council;

- A variety of house types of innovative designs, including timber houses will be considered, subject to the dwelling integrating into the local environment and compliance with building regulations;
- Acceptable visual impact of the development in relation to the surrounding countryside and dwellings/structures/features in the vicinity;
- No other adverse impact on the environment;
- Satisfactory screening/shelter;
- Protection of residential amenity where appropriate;

5.2. Limerick County Council Rural Design Advice for Individual Houses in the Countryside (July 2012)

5.2.1. Section 5 Design the House – this addresses additions to a dwelling such as conservatories, garages and other extensions. The following is noted:

- The key objective is ensuring that the main house is clearly seen as the dominant element. The scale and detail of additions, garages in particular, should match the balance of the house and be subservient to it.
- Extensions should generally be built with similar materials to the existing house, and located discreetly to the side or rear.
- Flat roof extensions should always be avoided.

5.3. Natural Heritage Designations

- SAC: 002165 - Lower River Shannon SAC – approx. 200 m to the west/ north.
- SAC: 001013 - Glenomra Wood SAC – approx. 5.3 km to the west.
- pNHA: 001013 - Glenomra Wood – approx. 5.3 km to the west.

6.0 EIA Screening

The proposed development is not a class for the purposes of EIA as per the classes of development set out in Schedule 5 of the Planning and Development Regulations 2001. No mandatory requirement for EIA therefore arises and there is also no requirement for a screening determination. Refer to Form 1 in Appendix 1 of report.

7.0 The Appeal

7.1. Grounds of Appeal

A First Party appeal against the PA's decision to refuse permission has been received from Patrick Casey. The grounds of appeal may be summarised as follows:

The Basis of the Decision is Insufficiently Reasoned

- No sufficient or objective basis has been provided by the PA to demonstrate that the proposal would be inconsistent with Objective HO O3.
- The assessment and decisions relies upon Objective HO O3 of the development plan noting that the proposed development is excessive in size and scale. The development plan objective does not contain quantitative standards or design thresholds defining 'excessiveness' in terms of size or scale related to domestic outbuildings. In the absences of numerical limits, the determination of 'excessive' is subjective and is not grounded in any express quantitative provision in the development plan.
- The planning assessment fails to set out how the visibility of the proposed garage is significant and unacceptable in terms of what is impacted. No streetscape impact, scale-related visual dominance from the public road, cumulative visual effects that the proposed development would impact upon are not noted in the planning report.
- Under Objective HO O3, it is reasonable to assume that some degree of visual impact is reasonable where development is otherwise sustainable and where the established character of the area provides visual capacity for change without harm to residential amenities or local character.

Visual Impact and Material Considerations are Insufficiently Justified

- The site is located in a rural area that is characterised by a mix of dwelling styles that vary in design, height, scale, orientation and material finishes.
- The appeal site is not located within a visually sensitive area or in an area where the landscape is designated for protection or where there are vistas for particular views of amenity value.

- The planner only identifies one single viewpoint from the existing entrance and only because the existing garage can be seen from the road at the entrance. It is a stretch to suggest that the proposed garage would generate a significant or adverse visual impact on the residential character of the area.
- The garage will be located at the rear of the existing dwelling which would provide partial screening in the same way that it does to the existing garage. Any visual impact from the garage would be localised and restricted to a small portion of the adjoining road.
- Any potential for views of the garage are mitigated by the existing adjoining developments (Figure 2 and Figure 3 of submission).

Design and Scale

- The proposed garage would be 1.75 m higher than the existing garage. The planning officer acknowledged that it would be more noticeable despite reference being made to the proposed site layout illustrating the line of sight from the opposite side of the road, and acknowledging that the proposed garage would not be visible from that viewpoint.
- Given the proposed siting of the garage to the rear of the existing dwelling, the height, scale and material finishes of the proposed garage do not constitute a material planning concern that contributes to the refusal in this instance.
- Notwithstanding that the garage will be bigger than the existing shed, the effect on the private amenity space of the existing dwelling would be negligible. The existing site coverage is c.11.2%, the proposed site coverage would be approx. 14%.
- Adjoining properties on both sides of the road have ancillary structures of varying scale, form, material finishes, particular to the northeast of the subject site.

Failure to Apply a Proportionate and Contextual Assessment

- The decision focuses narrowly on a single issue, an alleged visual impact without providing sufficient contextual analysis or adequately recognising the

sustainable development objectives embodied in HO O3 relative to the settlement location.

- Domestic outbuildings/ garages support sustainable living by providing ancillary storage space.
- The appeal site is located within the settlement boundary of Montpellier village where urban type development is encouraged.
- The refurbishment of the existing dwelling reasonably supports an expectation that structures ancillary to dwellings are acceptable within rear gardens.
- Outbuildings similar to the proposal are typical in such settlements and do not by themselves automatically generate visual or residential amenity impacts.
- The decision places disproportionate emphasis on a perceived visual impact and overlooks the broader established character of the settlement.

7.2. Planning Authority Response

None.

7.3. Observations

None.

8.0 Assessment

Having examined the application details and all other documentation on file, including all of the submissions received in relation to the appeal, the reports of the local authority, and having inspected the site, and having regard to the relevant local/regional/national policies and guidance, I consider that the substantive issues in this appeal to be considered are as follows:

- Scale & Design
- Impact on Visual Amenities
- Material Contravention

8.1. Scale & Design

- 8.1.1. I note from the planning history of the appeal site that the current application before the Commission is a repeat application on the site to address the reason for refusal for a comparable development that was larger in scale and refused under P.A. Ref. 25/0485 on similar grounds. In this regard, the existing shed will be demolished and the proposed shed will be located on the same footprint and will result in a net increase of 73 m² in floor area with a max roof height of 5.0 m. It will be 18.0 m x 8.1 m in area. The material finishes will consist of metal cladded panels and a roller shutter door on the south facing elevation.
- 8.1.2. The grounds for refusal relates to the size/ scale and material finishes of the proposed shed. The PA was not satisfied with the scale and material finishes of the proposed shed nor the fact that it would be visible from the public road from the site entrance, and considered it to be visually obtrusive from this location.
- 8.1.3. The applicant contends that the arguments put forward in the planning report are flawed and the reason for refusal is subjective and unsupported by policy standards. It is also based on limited perceived visual analysis, and the broader planning context was not considered. In this regard, it is submitted that the site is located within a settlement boundary where development would be encouraged, the type of development proposed would be supported in terms of ancillary storage to that of the existing dwelling. The design and scale of the garage is increased modestly from 11.2% to 14% which would not be excessive, and the impact on private amenity and visual amenities is negligible.
- 8.1.4. Having carried out a site inspection, it is my view that the proposed shed for storage space ancillary to the use of the existing dwelling on the site is of a scale, height and design that is acceptable to the site given the site area and the surrounding site context. In particular it will remain subservient to the existing dwelling. While larger than the existing shed on the site, the applicant has indicated that the additional space is needed for general household storage and to accommodate vehicles. It will be sited to the rear of the existing dwelling on the same footprint of the shed to be removed. I consider this to be appropriate to the site context.
- 8.1.5. In regard to the use of pre-fabricated metal cladded material, I do not share the concerns of the PA that it would be inappropriate for a residential setting. Such types of pre-fabricated steel tech cladded garden sheds are commonly used as domestic

storage space and in is view is acceptable. Overall, I am satisfied that the design, scale and finish of the proposed development is acceptable and generally consisted with Table DM5 of the development plan. I further observed at time of site inspection that similar type structures exist in the general area of the site. Therefore, I consider the proposal acceptable in this case.

8.2. Impact on Visual Amenities

- 8.2.1. The main issue for the PA in this case is the impact that the proposed development will have on the visual amenities of the area. Specific reference is made to the view of the proposed shed from the site entrance. The reason for refusal refers to Objective HO O3 (Protection of Existing Residential Amenity) of the development plan which the proposed development would be contrary to. I note for the Commission that the previous application refused on the site made reference to a view from the R525 public road between the appeal site and the adjoining dwelling to the north whereby the proposed structure was deemed to be visually obtrusive. In that case, the proposed shed was substantially larger and higher relative to the existing dwelling. For the current proposal, I note that the PA did not raise this as an issue as the proposed shed could not be observed from the same vantage point due to the reduced sale and height.
- 8.2.2. I note that Objective HO O3 seeks to encourage new development whilst respecting the character and pattern of the area, and existing residential amenities. Having visited the site, I noted that the pattern of development in the area is characterised by continuous one-off housing along the R525 on both sides which are of varying design, scale and material finishes. Many of the existing dwellings were noted to contain garden shed/ outbuilding structures of varying sizes and material finishes within the curtilage.
- 8.2.3. In terms of the visual impact on the receiving environment, it is my consideration that the proposed development will not unduly impact on surrounding visual amenities due to the fact that the proposed shed will be located to the rear of the existing dwelling. The general area is low-lying and the site of the existing dwelling is enclosed in nature. Having regard to the built form of the immediate area and to the enclosed nature of the site, the existing houses along the main road will provide intermittent screening resulting in views of the proposed shed not being visually obtrusive to road users. Having regard to the foregoing, I am satisfied that the proposed development would

not be contrary to the provisions of Objective HO O3 (Protection of Existing Residential Amenity) of the development plan.

8.2.4. In terms of impact on adjoining residential amenity, I find that there is no case to address here as the siting of the proposed shed will be directly to the rear of the existing dwelling on the site. It will not impact on the adjoining residential amenities of the property to the north in terms of impact on private amenity space or the loss of natural light due to separation distance and there are no windows proposed that could give rise to any overlooking from the northern elevation. Given the separation distances, proposed height and having regard to the location and scale of the proposed shed, I do not consider that there will be any undue impact on adjoining residential amenities arising from the proposed development.

8.3. **Material Contravention**

8.3.1. The PA in its reason for refusal deemed that the subject development would be contrary to Objective HO O3 of the Limerick Development Plan 2022-2028, however I note that the decision did not go as far to say that the proposed development would materially contravene the development plan.

8.3.2. Section 37(2)(b) of the Planning and Development Act 2000 (as amended) sets out the criteria that allows the Commission to grant permission in the event of a material contravention. As I do not consider that such a scenario arises in this case, I therefore submit that the Commission is not constrained by the terms of Section 37(2)(b) of the Planning and Development Act 2000 (as amended).

9.0 **AA Screening**

Screening the need for Appropriate Assessment: Screening Determination (Stage 1, Article 6(3) of Habitats Directive)

I have considered case PL-500473-LK-25 in light of the requirements S177U of the Planning and Development Act 2000 as amended.

The appeal site is located in the settlement boundary of Mountpelier.

The closest European site relative to the appeal site are the following:

- SAC: 002165 - Lower River Shannon SAC – approx. 200 m to the west/north.
- SAC: 001013 - Glenomra Wood SAC – approx. 5.3 km to the west.

The appeal site comprises of an existing dwelling and associated domestic outbuilding which is proposed to be demolished and replaced with a new domestic shed. The proposed new shed will be of prefabricated cladded metal construction that will be manufactured off site and assembled on site.

No nature conservation concerns were raised in the planning appeal.

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

The reason for this conclusion is as follows:

- The limited nature of the proposed works, including proposed demolition works.
- The confined nature of the works within the curtilage of an existing dwelling.
- The distance from European sites and lack of direct connections.
- Taking into account the screening determination of the PA.

I conclude, on the basis of objective information, that the proposed development would not have a likely significant effect on any European Site either alone or in combination with other plans or projects.

Likely significant effects are excluded and therefore Appropriate Assessment (under Section 177V of the Planning and Development Act 2000) is not required.

10.0 Water Framework Directive

An assessment of the proposed development has been undertaken with regard to the objectives set out in Article 4 of the EU Water Framework Directive. Having considered the nature, scale, and location of the proposed development, it is concluded that the proposal will not result in any risk of deterioration in the status of any water body,

including surface waters, groundwater, transitional waters, or coastal waters. This applies to both qualitative and quantitative status, and in respect of temporary and permanent effects. In addition, the proposed development will not adversely affect the achievement of established environmental objectives, including the protection, maintenance, and improvement of water body status, as required under the Directive. Accordingly, the proposed development is considered to be compliant with the requirements of Article 4.

11.0 Recommendation

I recommend that permission is granted for the proposed development.

12.0 Reasons and Considerations

Having regard to the design, scale, layout and material finishes of the proposed development and to the pattern of development in the area, it is considered that subject to compliance with conditions, the proposed development would not seriously injure the visual or residential amenities of property in the vicinity and would be in accordance with the property planning and sustainable development of the area.

13.0 Conditions

1.	<p>The development shall be carried out and completed in accordance with the plans and particulars lodged with the application, as received by the planning authority on 29th September 2025, except as may otherwise be required in order to comply with the following conditions. Where such conditions require details to be agreed with the planning authority, the developer shall agree such details in writing with the planning authority prior to commencement of development and the development shall be carried out and completed in accordance with the agreed particulars.</p> <p>Reason: In the interest of clarity.</p>
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2.	<p>The shed/store shall not be used for human habitation or for commercial or agricultural purposes or for any purpose other than for purposes incidental to the enjoyment of the dwelling.</p> <p>Reason: In the interest of orderly development and to protect the residential amenities of the area.</p>
3.	<p>The disposal of surface water shall comply with the requirements of the planning authority for such works and services.</p> <p>Reason: To prevent flooding and in the interest of sustainable drainage.</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 me, directly or indirectly, following my professional assessment and recommendation set out in my report in an improper or inappropriate way.”

Clare Clancy

Planning Inspector

19th May 2026

Appendix 1 – Form 1 EIA Pre-Screening

Case Reference	PL-500473-LK-25
Proposed Development Summary	Demolition of shed and construction of garage
Development Address	Montpelier, O'Briens Bridge, Co Limerick
IN ALL CASES CHECK BOX / OR LEAVE BLANK	
1. Does the proposed development come within the definition of a 'Project' for the purposes of EIA?	<input checked="" type="checkbox"/> Yes, it is a 'Project'. Proceed to Q.2.
	<input type="checkbox"/> No, No further action required.
(For the purposes of the Directive, "Project" means: - The execution of construction works or of other installations or schemes, - Other interventions in the natural surroundings and landscape including those involving the extraction of mineral resources)	
2. Is the proposed development of a CLASS specified in Part 1, Schedule 5 of the Planning and Development Regulations 2001 (as amended)?	
<input type="checkbox"/> Yes, it is a Class specified in Part 1. EIA is mandatory. No Screening required. EIAR to be requested. Discuss with ADP.	

<input checked="" type="checkbox"/> No, it is not a Class specified in Part 1. Proceed to Q3	
3. Is the proposed development of a CLASS specified in Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended) OR a prescribed type of proposed road development under Article 8 of Roads Regulations 1994, AND does it meet/exceed the thresholds?	
<input checked="" type="checkbox"/> No, the development is not of a Class Specified in Part 2, Schedule 5 or a prescribed type of proposed road development under Article 8 of the Roads Regulations, 1994. No Screening required.	
<input type="checkbox"/> Yes, the proposed development is of a Class and meets/exceeds the threshold. EIA is Mandatory. No Screening Required	
<input type="checkbox"/> Yes, the proposed development is of a Class but is sub-threshold. Preliminary examination required. (Form 2) OR If Schedule 7A information submitted proceed to Q4. (Form 3 Required)	
4. Has Schedule 7A information been submitted AND is the development a Class of Development for the purposes of the EIA Directive (as identified in Q3)?	

Yes <input type="checkbox"/>	
No <input checked="" type="checkbox"/>	Pre-screening determination conclusion remains as above (Q1 to Q3)

Inspector: _____

Date: _____