

ADAM KEARNEY

ASSOCIATES
PLANNING CONSULTANCY

Millside, Mill Road, Corbally,
Limerick. V94 46X5

Phone/Fax: 061-341782
Mob: 086-6887402
VAT: IE5930270L
Email: info@akplanning.ie

The Secretary,
An Bord Pleanála,
64 Marlborough Street,
Dublin 1.

10th of November 2021

AN BORD PLEANÁLA
LDG- 045843-21
ABP-
11 NOV 2021
Fee: € 220 Type: Cheque
Time: By: post

Referral Details

Limerick City & County Council Declaration No: EC60/21

Referral Address: 6 Cooleraine Heights, Old Cratloe Road, Limerick

Referral Name: Carolyn Ryan

To Whom it Concerns

I wish to refer a Section 5 Response from Limerick City & County Council on behalf of my client Carolyn Ryan. Please find enclosed

- The original drawings
- Original Section 5 Application form & cover letter
- Local Authority Declaration
- Cheque in the amount of €220.00

Yours Faithfully,

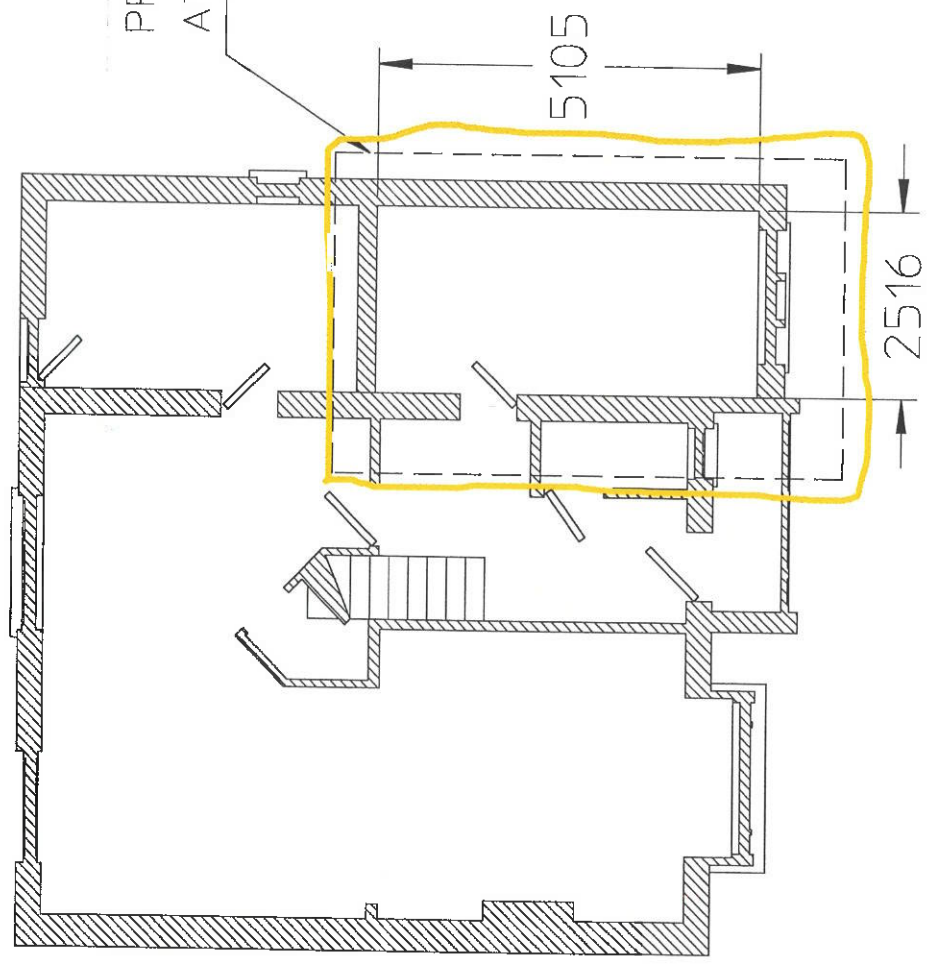


Adam Kearney BA, MA, MIPI

Adam Kearney Associates, Millside, Mill Rd, Corbally, Limerick City.

On behalf of Carolyn Ryan, 6 Cooleraine Heights, Old Cratloe Road, Limerick.

BEAUTY
PRACTISE LOCATION
AT EXISTING ROOM

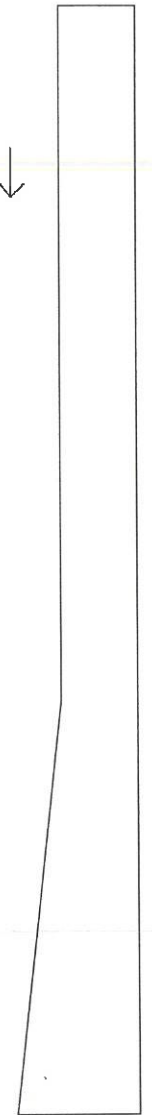


SECTION A-A OF GROUND FLOOR SCALE 1:100

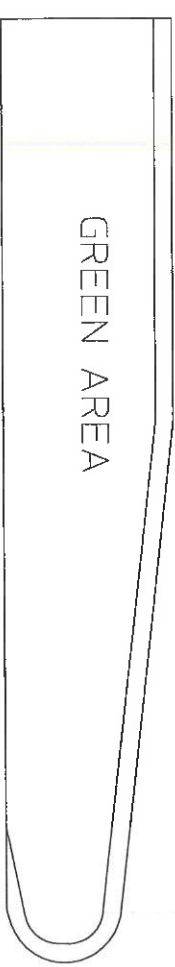
NOTE:

1. ROOM HEIGHT 2400mm
2. NO CHANGE TO EXTERIOR APPEARANCE FROM INITIAL DESIGN
3. BEAUTY PRACTICE FLOOR AREA 12.84sqm.

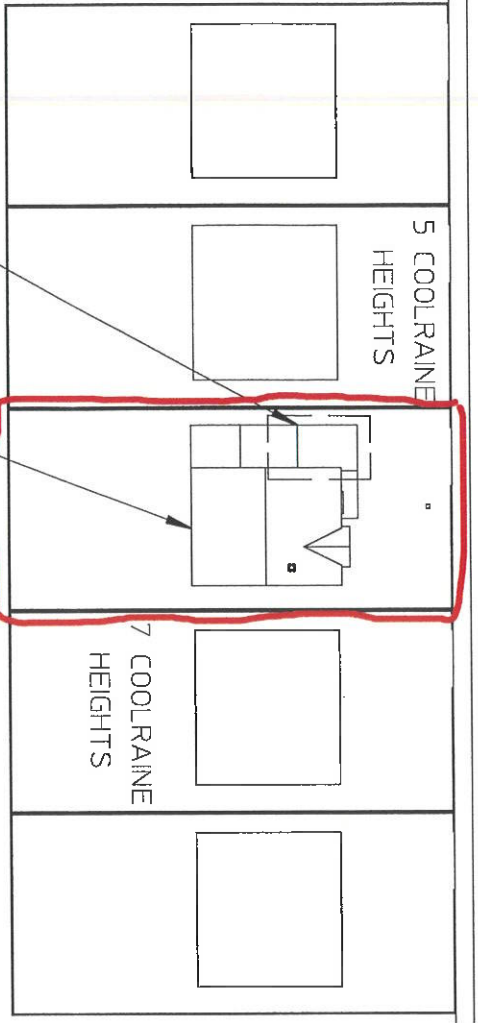
PROJECT:		SECTION 5 Application: 6 Coolraine Heights, Old Cratloe Road, Limerick		THIRD ANGLE PROJECTION	
SIZE A4	SCALE 1:100	DESIGN UNITS mm	TITLE ELEVATIONS, SECTIONS & PLANS		
Map Ref: 4681-15 / 4682-11			SHEET NO. 5 OF 6		
DRAWN BY: Fran Duggan, 22 Ballycasey Manor, Shannon, Co Clare. DATE: 14 July 2021					



← →
CRATLOE ROAD

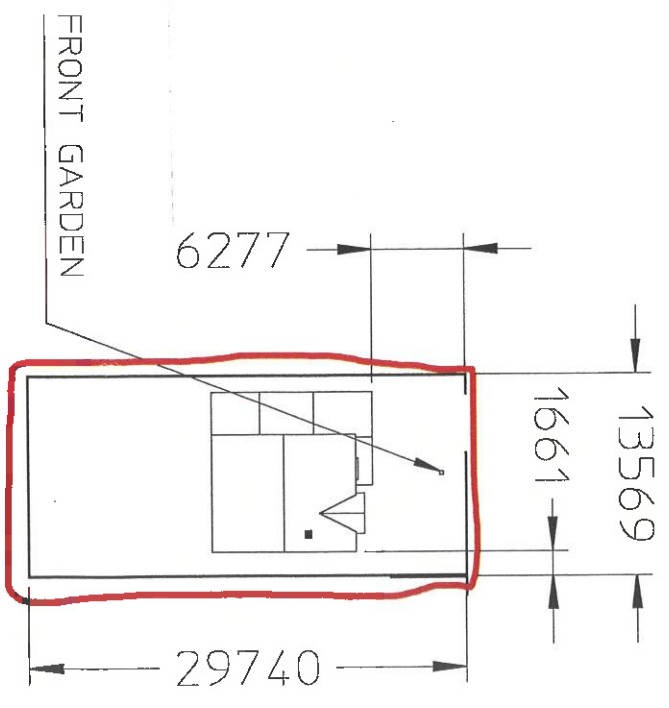


← CUL DE SAC ESTATE ROAD



BEAUTY
PRACTICE LOCATION
AT EXISTING ROOM

6 COOLRAINE HEIGHTS
OLD CRATLOE ROAD
LIMERICK



6 COOLRAINE HEIGHTS
SITE LAYOUT
SCALE 1:500

- NOTE:
- 1. BEAUTY PRACTISE FLOOR AREA 12.84sqm.
 - 2. NO ALTERATION TO EXTERIOR APPEARANCE.

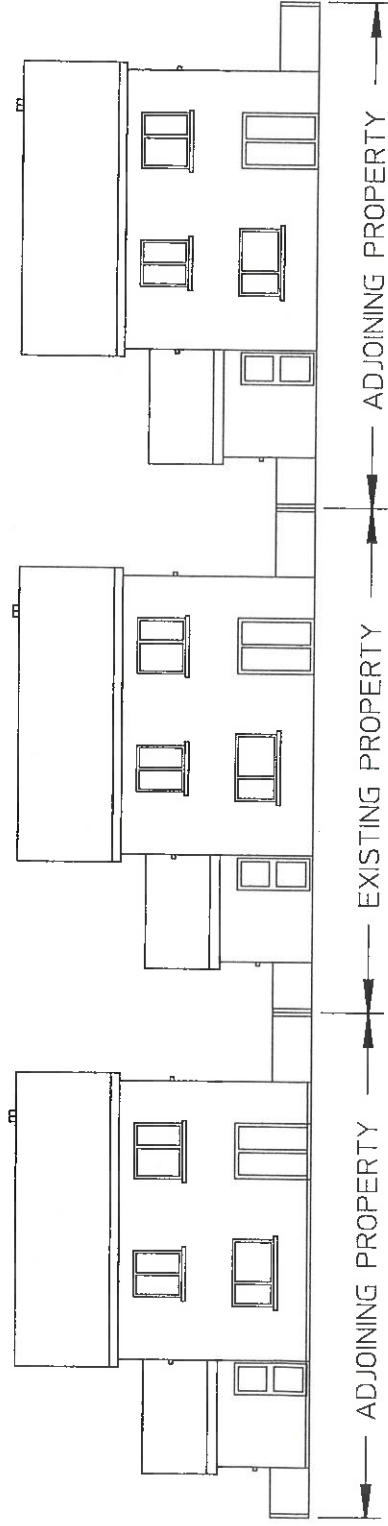
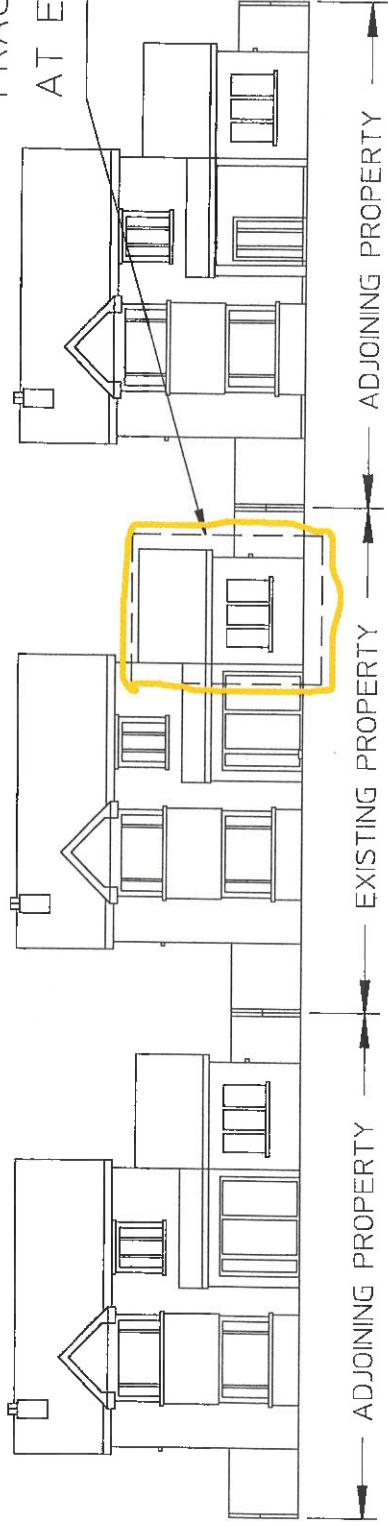
PROJECT:

**Section 5 Application:
6 Coolraine Heights,
Old Cratloe Road,
Limerick**

SIZE	SCALE	DESIGN UNITS	THIRD ANGLE
A4	1:500	mm	PROJECTION
TITLE			
SITE LAYOUT			
Map Ref: 4681-15 / 4682-11		SHEET NO. 6 OF 6	
DRAWN BY: Fran Duggan, 22 Ballycasey Manor, Shannon, Co Clare. DATE: 14 July 2021			

FRONT CONTIGUOUS ELEVATION SCALE 1:200

PRACTISE LOCATION
AT EXISTING ROC.



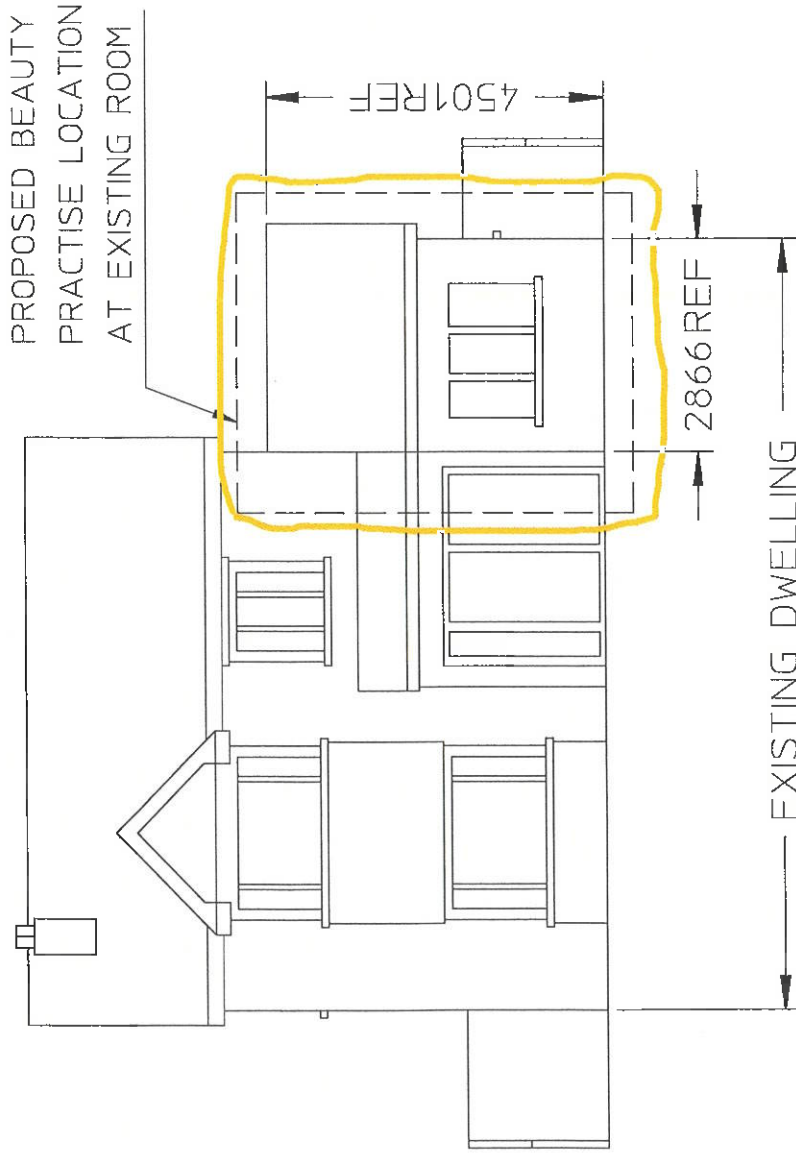
REAR CONTIGUOUS ELEVATION SCALE 1:200

NOTE:

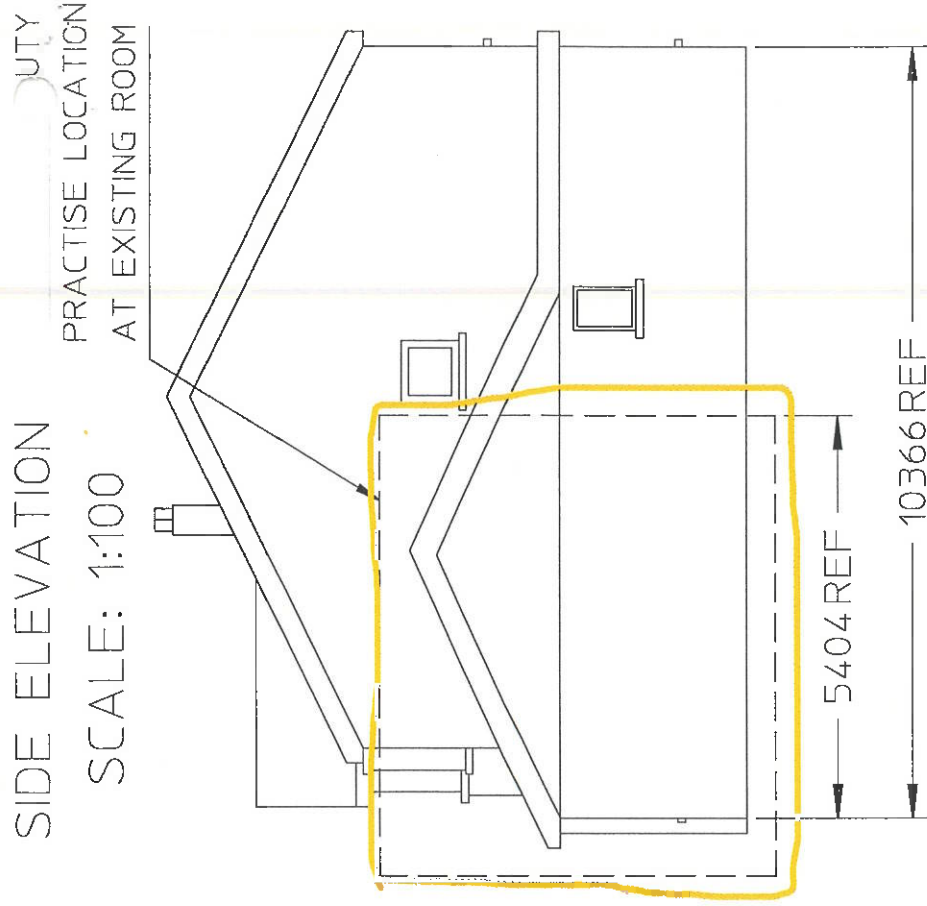
1. BEAUTY PRACTISE FLOOR
AREA 12.84sqm.
2. NO ALTERATION TO EXTERIOR
APPEARANCE.

PROJECT:		SIZE A4	SCALE 1:200	DESIGN UNITS mm	THIRD ANGLE PROJECTION
TITLE CONTIGUOUS ELEVATIONS					
Map Ref: 4681-15 / 4682-11				SHEET NO. 1 OF 6	
DRAWN BY: Fran Duggan, 22 Ballycasey Manor, Shannon, Co Clare. DATE: 14 July 2021					

FRONT ELEVATION
SCALE: 1:100



SIDE ELEVATION
SCALE: 1:100



EXISTING DWELLING

PROJECT:

Section 5 Application:
6 Coolraine Heights,
Old Cratloe Road,
Limerick

NOTE:

1. BEAUTY PRACTISE FLOOR AREA 12.84sqm.
2. NO ALTERATION TO EXTERIOR APPEARANCE.

SIZE
A4

SCALE
1:100

DESIGN UNITS
mm

THIRD ANGLE
PROJECTION

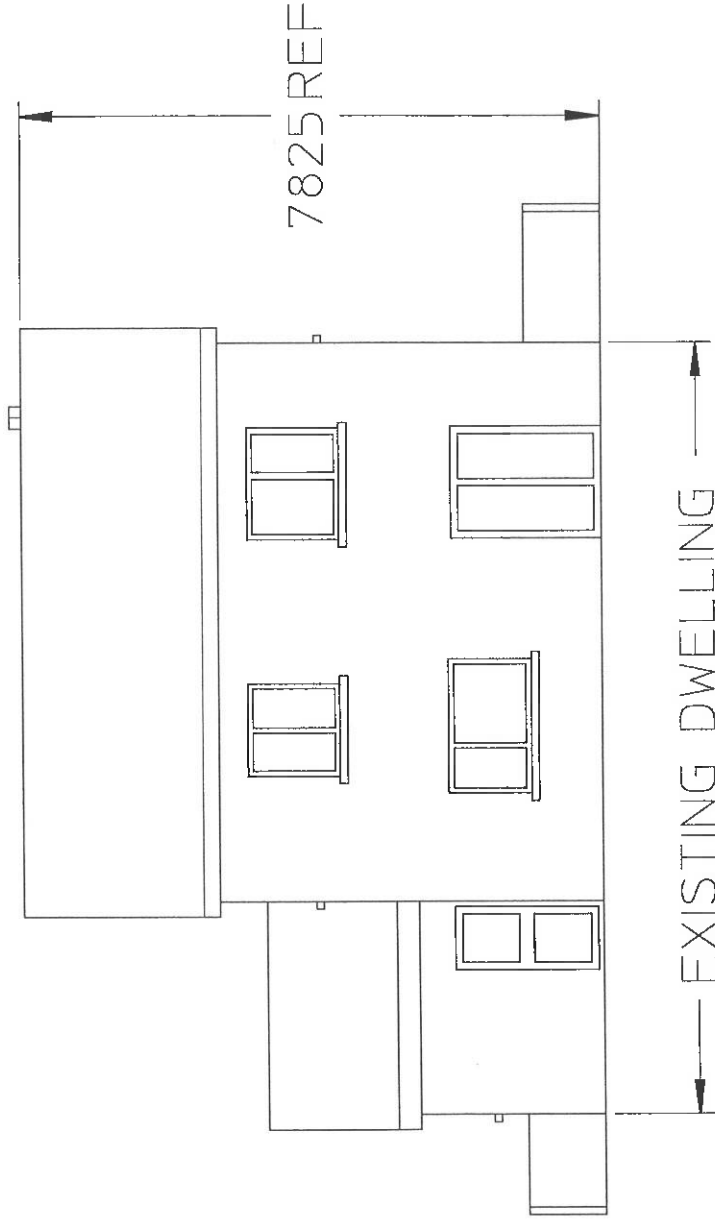
TITLE
ELEVATIONS

Map Ref: 4681-15 / 4682-11

SHEET NO.
2 OF 6

DRAWN BY: Fran Duggan, 22 Ballycasey Manor, Shannon, Co Clare.
DATE: 14 July 2021

REAR ELEVATION SCALE: 1:100



NOTE:

1. BEAUTY PRACTISE FLOOR
AREA 12.84sqm.
2. NO ALTERATION TO EXTERIOR
APPEARANCE.

PROJECT:

Section 5 Application:
6 Coolrane Heights,
Old Cratloe Road,
Limerick

SIZE
A4

SCALE
1:100

DESIGN UNITS
mm



THIRD ANGLE
PROJECTION

TITLE

ELEVATIONS

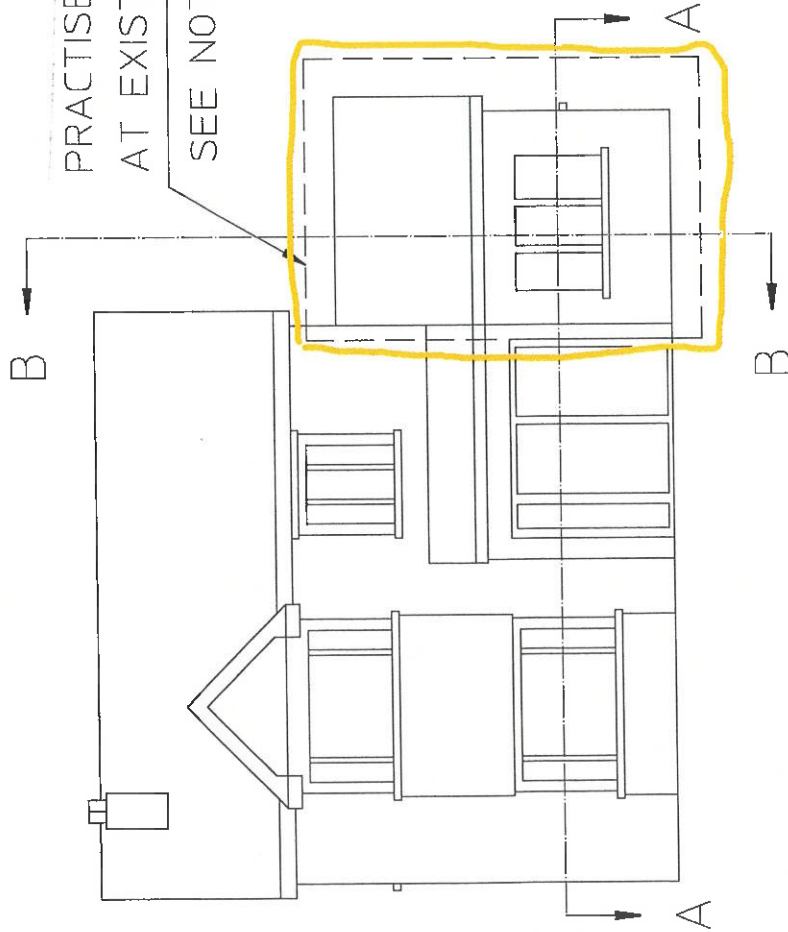
Map Ref: 4681-15 / 4682-11

SHEET NO.
3 OF 6

DRAWN BY: Fran Duggan, 22 Ballycasey Manor, Shannon, Co Clare.
DATE: 14 July 2021

FRONT ELEVATION SCALE: 1:100

BEAUTY
PRACTISE LOCATION
AT EXISTING ROOM
SEE NOTES 2 & 3

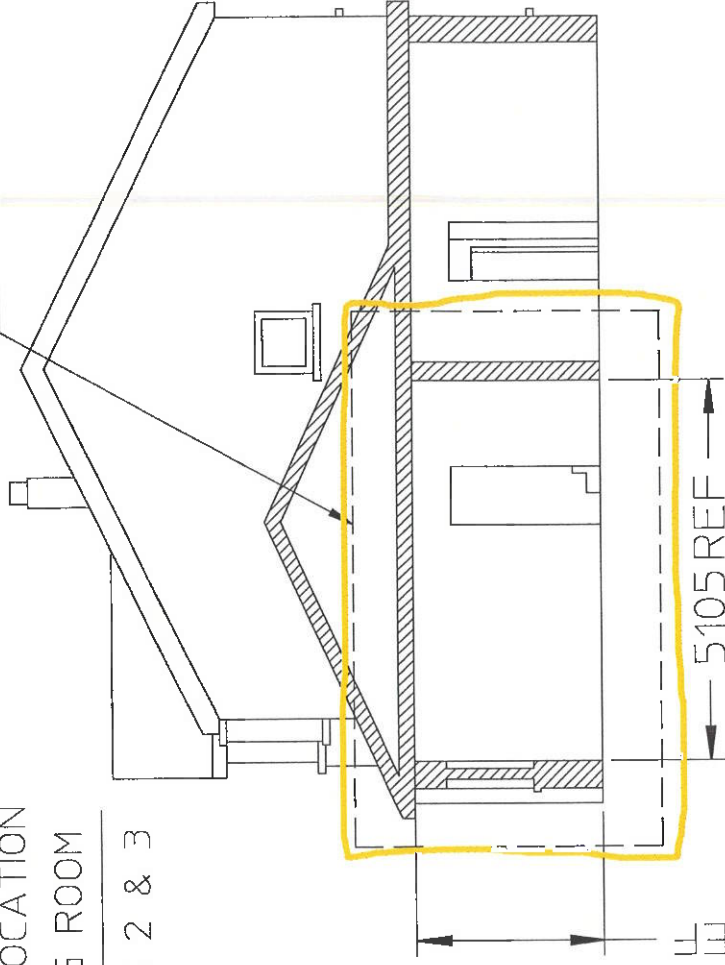


NOTE:

1. ROOM HEIGHT 2400mm
2. NO CHANGE TO EXTERIOR APPEARANCE FROM INITIAL DESIGN
3. BEAUTY PRACTICE FLOOR AREA 12.84sqm.
4. SEE SHEET 5 FOR SECTION A-A DETAIL

SECTION B-B SCALE 1:100

BEAUTY
PRACTISE LOCATION
AT EXISTING ROOM



PROJECT:

**Section 5 Application:
6 Coolrairie Heights,
Old Cratloe Road,
Limerick**

E

SIZE	SCALE	DESIGN UNITS	THIRD ANGLE
A4	1:100	mm	PROJECTION

TITLE
ELEVATIONS, SECTIONS
& PLANS

Map Ref: 4681-15 / 4682-11

SHEET NO.
4 OF 6

DRAWN BY: Fran Duggan, 22 Ballycasey Manor, Shannon, Co Clare.
DATE: 14 July 2021



LIMERICK CITY & COUNTY COUNCIL
PLANNING AND ENVIRONMENTAL SERVICES
SECTION 5 APPLICATION

DECLARATION ON DEVELOPMENT AND EXEMPTED DEVELOPMENT

Applicant's Name: Carolyn Ryan

Applicant's Address: 6 Coolraine Heights, Old Cratloe Road, Limerick

Telephone No. 087 6379783

Name of Agent (if any): Adam Kearney (AK Planning & Development Ltd)

Address: Millside,

Mill Road, Corbally,

Limerick

Telephone No. 086 6887402

Address for Correspondence:

As per Agent

Location of Proposed development:

6 Coolraine Heights, Old Cratloe Road, Limerick

Description of Proposed development:

The operation of a part-time beautician practice (Wed - Saturday inclusive & by Appointment).

The Sole trade operates from a single ground floor room (12.85m²) is

incidental to the enjoyment of the home, does not involve external staff

or the display of any external advertising. Parking is on street in front of dwelling

where 'Pay & Display' is operated by LCCC

Is this a Protected Structure or within the curtilage of a Protected Structure.

YES NO

Applicant's interest in site: Owner occupier along with her husband

List of plans, drawings, etc. submitted with this application:

Cover Letter with images, site location map, site layout plan, floor plans and elevations

Have any previous extensions/structures been erected at this location YES/NO

If Yes please provide floor areas of all existing structures:

Signature of Applicant (or Agent) _____

NOTES: Application must be accompanied by:

- (a) Fee of €80
- (b) Site location map
- (c) Site layout plan
- (d) Dimensioned plans and elevations of the structure and any existing structures.
- (e) Where the declaration is in respect of a farm building, a layout identifying the use of each existing building together with floor area of each building.

Application to be forwarded to:

Limerick City & County Council,
Planning and Environmental Services,
City & County Council Offices,
Dooradoyle Road,
Limerick.

OFFICE USE ONLY

Ref. No. _____ Date Received _____

Fee Received _____ Date Due _____

Planning & Environmental Services,
Limerick City & County Council,
Dooradoyle,
Limerick.

27th September 2021

A Chara,

Please find attached a **Section 5 Application** on behalf of Carolyn Ryan who resides at No. 6 Coolraine Heights, Old Cratloe Rd, Limerick.

Background

This application is being submitted pursuant to the issuance of a warning letter (Reference DC-185-21). I have probed the extent of the business venture in operation at this location and advised my client to proceed with a Section 5 application.

Assessment

My reasoning is based on my considered opinion that the partial use of the ground floor for a part-time beautician practice is incidental to the enjoyment of the dwelling and does come within the scope of Section 4(1)(j) of the Planning and Development Act, 2000, as amended. Furthermore, any alteration of a structure that affect only its interior, or which do not materially affect the external appearance of the structure so as to render the appearance inconsistent with the character of the structure or of neighboring structures, is exempted under Section 4(1)(h) of the Act.

The main factors that have informed my opinion are;

- There are no external staff involved, it is only the homeowner working on a part time basis
- There is only one room involved on the ground floor (c.12m²) equating to circa 7% of the total floor area.
- There is no signage or advertising on display at the property
- The business does not drive footfall but rather operates strictly by appointment only with the business operating 4 days a week (Wed to Saturday) and processing 4 - 5 appointments per day
- Any increase in traffic is negligible with appointments occurring at non peak times.
- The owner has advised/warned any client arriving at the property to park outside her property only so as not to be a nuisance to neighbours.
- LCCC operates a pay & Display system at this location

Summary

Essentially this is a young mother working from home. The limited scale of the business militates against seeking a grant of permission which would attract development contributions. Overstating or formalising a lifestyle business such as this would also attract annual rates that the applicant simply cannot sustain. Further, any change of use to part commercial will also impact on her tax situation should she and her husband decide to sell their property.

I trust this application will be favourably considered.

Yours faithfully,



Adam Kearney BA Hons, MA, MIPI

Images of the Property and Context – Captured 15-09-2021 @ 10.30am



Figure 1 No. 6 Coolraine, Detached Dwelling - No Signage

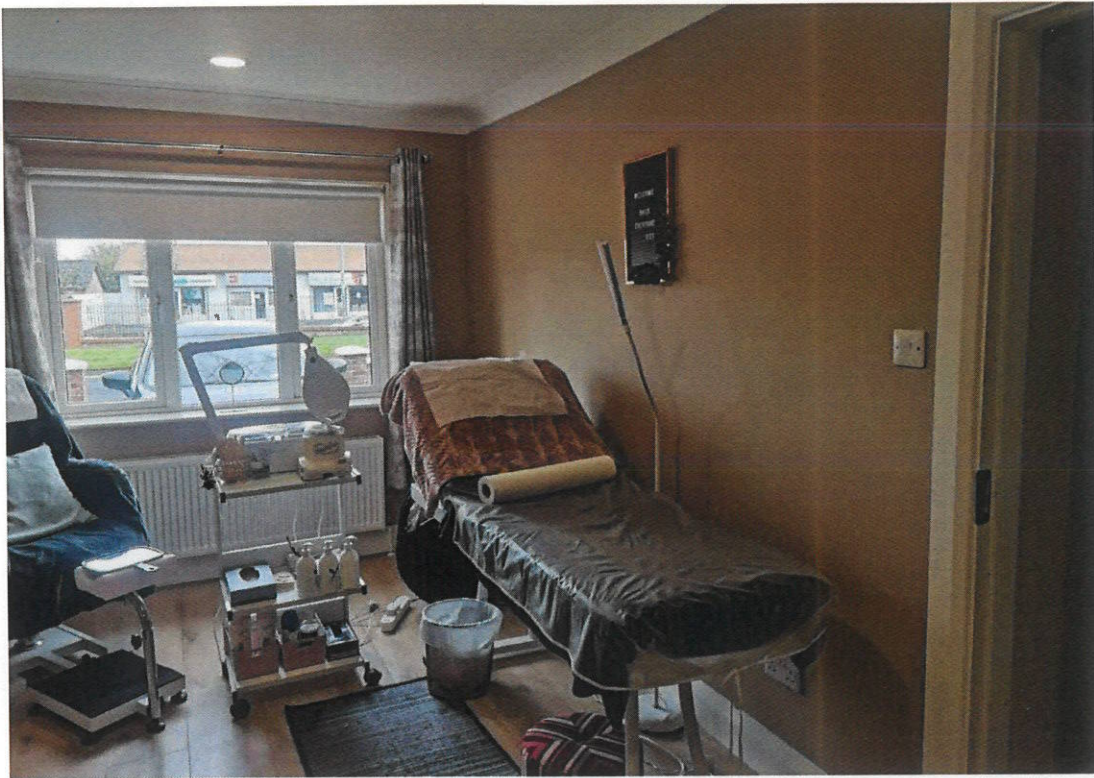


Figure 2 Internal image of room

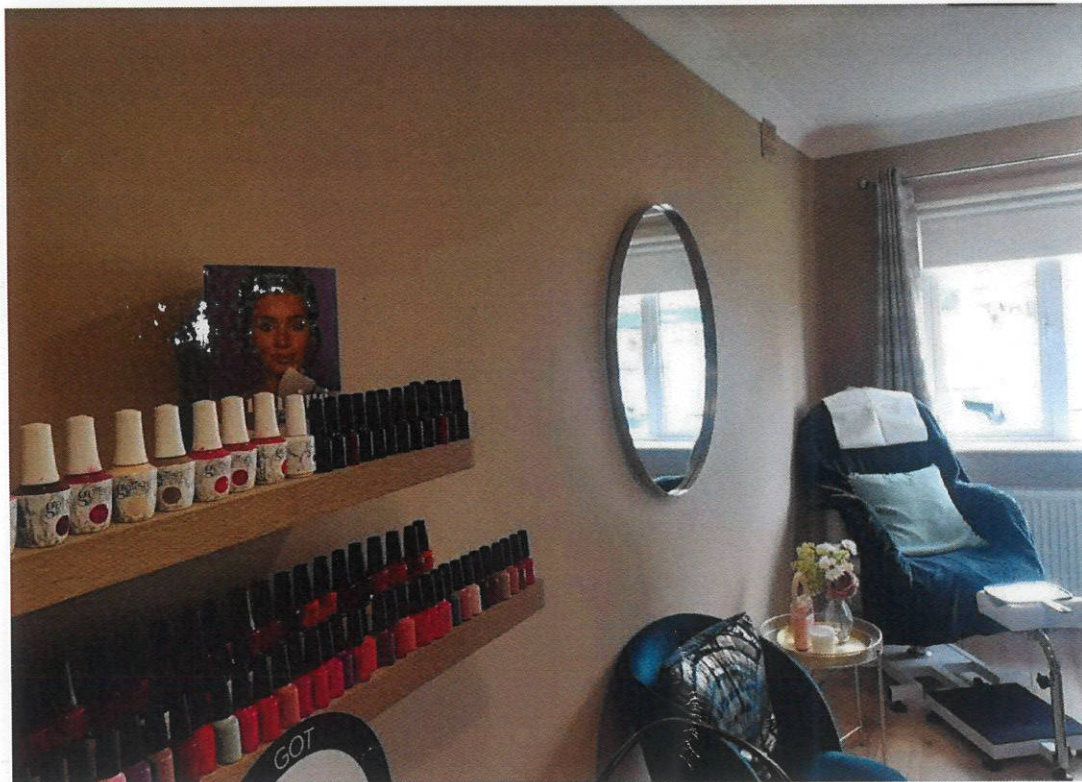


Figure 3 Internal Image Contd.



Figure 4 Park and Display Bays vacant at time of visit



Figure 5 Pay & Display Signage



Comhairle Cathrach
& Contae **Luimnigh**

Limerick City
& County Council

Seirbhísí Pleanála agus Comhshaoil,
Comhairle Cathrach agus Contae Luimnigh,
Tuar an Daill,
Luimneach

Planning and Environmental Services,
Limerick City and County Council,
Dooradoyle,
Limerick

EIRCODE V94 WV78

t: +353 (0) 61 556 000

f: +353 (0) 61 556 001

PLANNING & DEVELOPMENT ACTS 2000 (as amended)

PLANNING & DEVELOPMENT REGULATIONS, 2001 (as amended)

SECTION 5 – DECLARATION ON DEVELOPMENT AND EXEMPTED DEVELOPMENT

DECLARATION NO.

EC60/21

Name and Address of Applicant:

Carolyn Ryan, 6 Coolrairie Heights, Old Cratloe Road,
Limerick.

Agent:

Adam Kearney, AK Planning & Development Ltd,
Millside, Mill Road, Corbally, Limerick.

Whether the change of use of part of the residential dwellinghouse to use as a part-time beautician by appointment only at 6 Coolrairie Heights, Old Cratloe Road, Limerick is or is not Development or is or is not Exempted Development. The works as described on the plans submitted with the application on the 30th September 2021.

AND WHEREAS the Planning Authority has concluded that the change of use of part of the residential dwellinghouse to use as a part-time beautician by appointment only at 6 Coolrairie Heights, Old Cratloe Road, Limerick does NOT come within the scope of exempted development as defined by Section 4(1)(j) of the Planning and Development Acts 2000 (as amended).

NOW THEREFORE the Planning Authority in exercise of the powers conferred on it by Section 5(2) (a) of the Planning and Development Act 2000 (as amended) hereby decides that the said development as described above is **Development and is NOT Exempt Development.**

Signed on behalf of the said Council

Date: 21st October 2021

NOTE: A Declaration on Development or Exemption issued by Limerick City & County Council may be referred to An Bord Pleanála on payment of €220 for review within 4 weeks after the issuing of the declaration.

customerservices@limerick.ie
@LimerickCouncil
061 - 556 000

