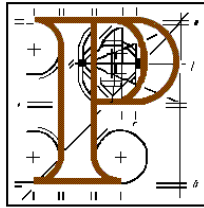


An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2014

Limerick City and County

Planning Register Reference Number: 14/258

An Bord Pleanála Reference Number: PL 91.244067

APPEAL by MW Ireland Limited care of David Mulcahy Planning Consultants Limited of 67 The Old Mill Race, Athgarvan, County Kildare in relation to the application by Limerick City and County Council of the terms of the Development Contribution Scheme made for the area in respect of condition number 2 of its decision made on the 9th day of October, 2014.

PROPOSED DEVELOPMENT: Retention of a 40,000 litre underground fuel tank at Tara Service Station, Dock Road, Limerick.

DECISION

The Board, in accordance with section 48 of the Planning and Development Act, 2000, as amended by section 30 of the Planning and Development Act, 2010, considered, based on the reasons and considerations set out below, that the terms of the Development Contribution Scheme for the area had been properly applied in respect of condition number 2 and directs the said Council under subsection (10) (b) of section 48 of the 2000 Act, to ATTACH the said condition number 2 and the reason therefor.

REASONS AND CONSIDERATIONS

The Board considered that the provisions of the Limerick County Council Development Contribution Scheme 2014 – 2016 had been properly applied by the planning authority. In particular, the Board noted the levy provided for under ‘Appendix A – Other Categories of Development – 6’ of the scheme and considered that this had been properly applied in this instance. The Board considered that there were no discounts or reductions provided for under the terms of the scheme that could be availed of by the appellant. Furthermore, the Board noted that the tank being retained in this instance is not a replacement tank and, therefore, the provisions of section 12 of the Development Contribution Scheme in relation to replacement structures are not applicable in this instance.

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 2015.