

An  
Bord  
Pleanála

**Board Direction  
ABP-316438-23**

The submissions on this file and the Inspector's report were considered at a Board meeting held on 16/01/2025.

The Board decided, as set out in the following Order, that

**WHEREAS** a question has arisen as to whether the erection of 3 no. tented structures within Thomond Park Stadium grounds, Old Cratloe Road, Limerick, as shown on the attached map and marked location 1, 2 and 3, for the sale of alcohol in association with match events, is or is not development or is or is not exempted development

**AND WHEREAS** Pat Downes requested a declaration on this question from Limerick City and County Council and the Council issued a declaration on the 29 day of March, 2023 stating that the tented structure at Location (1) does not come within the scope of exempted development as defined by Class 37 of Part 1 of Schedule 2 of the Planning and Development Regulations (2001) as amended and is development and is not exempt development, and that the tented structures at Locations (2) and (3) come within the scope of exempted development as defined by Class 37 of Part 1 of Schedule 2 of the Planning and Development Regulations (20)01 as amended and is development and is exempt development,

**AND WHEREAS** Pat Downes referred this declaration for review to An Bord Pleanála on the 24 day of April, 2023:

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

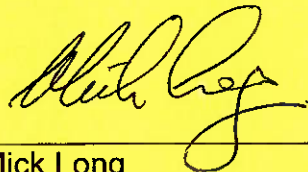
- (a) Section 2(1) of the Planning and Development Act, 2000, as amended,
- (b) Section 3(1) of the Planning and Development Act, 2000,
- (c) Section 4(1)(a) of the Planning and Development Act, 2000, as amended,
- (d) article 6(1) and article 9(1) of the Planning and Development Regulations, 2001, as amended,
- (e) Class 37 of Part 1, Schedule 2 to the Planning and Development Regulations, 2001, as amended,
- (f) the planning history of the site,
- (g) the report of the Inspector,

**AND WHEREAS** An Bord Pleanála has concluded that:

- (a) The erection of 3 no. tented structures within Thomond Park Stadium grounds, Old Cratloe Road, Limerick, as shown on the attached map and marked location 1, 2 and 3, for the sale of alcohol in association with match events, is works, and therefore constitutes development;
- (b) Such development does not fall within the scope of the exemption set out at Class 37 of Part 1, Schedule 2 of the Planning and Development Regulations 2001, as amended. The use of Thomond Park as a sporting venue is an authorised use. In this case, the placing of tents or temporary structures for the sale of alcohol is not of itself a development for amenity or recreational purposes that can avail of Class 37 exemption.

**NOW THEREFORE** An Bord Pleanála, in exercise of the powers conferred on it by section 5(3)(a) of the 2000 Act, hereby decides that the erection of 3 no. tented structures within Thomond Park Stadium grounds, Old Cratloe Road, Limerick, as shown on the attached map and marked location 1, 2 and 3, for the sale of alcohol in association with match events is development and is not exempted development.

**Board Member:**



Mick Long

**Date:** 17/01/2025