

An
Bord
Pleanála

Board Direction
BD-017857-24
ABP-318675-23

The submissions on this file and the Inspector's report were considered at a Bord Meeting on the 14/10/2024.

The Board agreed with the Inspectors recommendation and decided:

WHEREAS a question has arisen as to whether the carrying out of repair and refurbishment works to Adare Railway Bridge comprises works which would or would not materially affect the character of the protected structure or of any element of the structure which contributes to its special interest:

AND WHEREAS Iarnród Éireann requested a Section 57 declaration on this question from Limerick City and County Council and the Council issued a declaration on the 15th day of November, 2023 stating that the works require planning permission due to environmental considerations:

AND WHEREAS Iarnród Eireann referred this Section 57 declaration for review to An Bord Pleanála on the 12th day of December, 2023:

AND WHEREAS An Bord Pleanála, in considering this Section 57 referral, had regard particularly to –

- (a) Section 2(1) of the Planning and Development Act, 2000, as amended,
- (b) Section 57(1), (2) & (8) of the Planning and Development Act 2000, as amended,
- (c) The declaration issued by Limerick City and County Council under Section 57(3) of the Planning and Development Act 2000, as amended,
- (d) Section 57(4) of the Planning and Development Act 2000, as amended,
- (e) The Architectural Heritage Protection Guidelines for Planning Authorities, 2011, issued under Section 52 of the Planning and Development Act 2000, as amended,

- (f) The record of protected structures under Volume 3c of the Limerick Development Plan 2022-2028, and specifically RPS reg. no. 872 and also RPS reg. nos. 871 and 873,
- (g) The policies and objectives of the Limerick Development Plan 2022-2028 and Adare Local Area Plan 2024-2030 with regards to protected structures,
- (h) The national inventory of architectural heritage (NIAH) survey and the description and appraisal of reg nos. 21824001 and 21824002,
- (i) The submissions of the parties of the referral,
- (j) The nature of the works described, and
- (k) The report of the Inspector

AND WHEREAS An Bord Pleanála has concluded that:

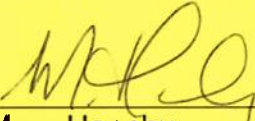
- a) The replacement of corroded steel sections like for like represent works that would not materially affect the character of the protected structure (RPS reg. no 872) or any element of its architectural and technical category of special interest, and would not materially affect the character of RPS reg. nos. 871 and 873 or any element of their architectural, historical, artistic or social category of special interest.
- b) The replacement of corroded fasteners represent works that would not materially affect the character of the protected structure (RPS reg. no 872) or any element of its architectural and technical category of special interest, and would not materially affect the character of RPS reg. nos. 871 and 873 or any element of their architectural, historical, artistic or social category of special interest.
- c) The reestablishment of drainage holes to prevent water ponding on the structure represent works that would not materially affect the character of the protected structure (RPS reg. no 872) or any element of its architectural and technical category of special interest and would not materially affect the character of RPS reg. nos. 871 and 873 or any element of architectural, historical, artistic or social category of special interest.
- d) The reinstatement of the rails and waybeam represent works that would not materially affect the character of the protected structure (RPS reg. no 872) or any element of its architectural and technical category of special interest, and would not materially affect the character of RPS reg. nos. 871 and 873 or any element of their architectural, historical, artistic or social category of special interest.

AND WHEREAS An Bord Pleanála has concluded that:

- e) Having regard to the detail available it cannot be determined whether the strengthening of the heavily corroded section by over plating/additional steelwork for the reinstatement of load carrying capacity are works that would not materially affect the character of the protected structure (RPS reg. no. 872), and as a result require planning permission.

NOW THEREFORE An Bord Pleanála, in exercise of the powers conferred on it by section 57(8) of the Planning and Development Act 2000, as amended, hereby decides to issue a Declaration for the above works.

Board Member



Mary Henchy

Date: 15/10/2024