



Board Direction

Ref: 91.RL.3451

The submissions on this file and the Inspector's report were considered at a Board meeting held on 13th, May 2016.

The Board generally approved of the terms of the draft order, as set out below.

The Board decided that the said use of a site for the intake and storage in an open yard, of wood block firing only for sale off the premises at Cloncanane, Old Cratloe Road, Limerick, is development and is not exempted development.

WHEREAS a question has arisen as to whether the intake and storage in an open yard, of wood block firing only for sale off the premises at Cloncanane, Old Cratloe Road, Limerick, is or is not development and is or is not exempted development.;

AND WHEREAS Shaws Consulting Engineers Ltd of 1 Lower Mallow Street Limerick, on behalf of client Mr. Patrick Broderick, requested a declaration on this question from Limerick City & County Council and the Council issued a declaration on the 21st day of December, 2015 stating that the matter constituted a material change of use of the property, was development and was not exempted development:

AND WHEREAS Shaws Consulting Engineers Ltd of 1 Lower Mallow Street Limerick, on behalf of client Mr. Patrick Broderick referred the declaration for review to An Bord Pleanála on the 14th day of January, 2016:

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

- (a) Sections 2, 3 and 4 of the Planning and Development Act, 2000-2013, as amended,
- (b) Articles 5, 6 and 10 of the Planning and Development Regulations, 2001, as amended, and
- (c) The extent of the works that have been carried out to date, based on the evidence provided and the inspection carried out by the Board's Inspector:

AND WHEREAS An Bord Pleanála has concluded that:

- (a) The use of the site for the intake storage in an open yard of wood block firing only for sale off the premises, constitutes development, which use is considered to be a material change of use from the previous use of the site for agricultural purposes, having regard to its character and its material external impacts including intensification of traffic turning movements into and out of the site and that the use has potentially significant implications for the adjoining residential use and in terms of the proper planning and sustainable development of the area.

NOW THEREFORE An Bord Pleanála, in exercise of the powers conferred on it by Section 5(3)(a) of the Planning and Development Act, 2000, as amended hereby decides that the said use of the site for the intake and storage in an open yard, of wood block firing only for sale off the premises at Cloncanane, Old Cratloe Road, Limerick, is development and is not exempted development.

Board Member: _____
Paddy Keogh

Date: 17th, May 2015