

# An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2015

**Limerick City and County**

**Planning Register Reference Number: 15/1071**

An Bord Pleanála Reference Number: PL 91.246348

**APPEAL** by John O'Connor care of Seamus McElligott of 5 High Street, Caherconlish, County Limerick against the decision made on the 24<sup>th</sup> day of February, 2016 by Limerick City and County Council to refuse permission.

**PROPOSED DEVELOPMENT:** Development comprising the construction of a new boundary wall and vehicular entrance to be accessed from adjacent public car park and similar to that approved under planning register reference number 15/160, including all associated site works at Lower Main Street, Rathkeale, County Limerick.

## **DECISION**

**REFUSE permission for the above proposed development based on the reasons and considerations set out below.**

## **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.

## **REASONS AND CONSIDERATIONS**

1. The development would contravene materially condition number 1 attached to an existing permission for development granted under planning register reference number 15/160.
2. The proposed boundary wall and entrance location would prejudice the alignment of the proposed through road from the junction of New Road and Main Street to the R518 Ballygarry Road, as identified for Opportunity Area 9 in the Rathkeale Local Area Plan 2012 and would, therefore, be contrary to the proper planning and sustainable development of the area

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**Member of An Bord Pleanála  
duly authorised to authenticate  
the seal of the Board.**

**Dated this            day of            2016.**