



Planning and Development Acts 2000 to 2019

Planning Authority: Limerick City and County Council

Planning Register Reference Number: 18/1065

APPEAL by Matt Costello care of Michael G. O'Brien of Tinarana, Killaloe, County Clare against the decision made on the 8th day of May, 2019 by Limerick City and County Council to refuse permission to the said Matt Costello.

Proposed Development Retain on a temporary basis the existing fence erected adjacent to a property (protected structure) and all associated site works. This fence will be removed when the local authority erects a secure boundary fence to the estate now taken in charge, all at Cois Sruithain, Croom, County. Limerick.

Decision

REFUSE permission for the above proposed development in accordance with 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

On the basis of the submissions made in connection with the planning application and the appeal, the Board is not satisfied that the application has been made by a person who has:

- (a) sufficient legal estate or interest in the land the subject of the application to enable the person to retain the fence on the land, or
- (b) the approval of the person who has such sufficient legal estate or interest.

In these circumstances, it is considered that the Board is precluded from giving further consideration to the granting of retention permission for the development the subject of the application.

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

Dated this day of 2019.