



Planning and Development Acts 2000 to 2019

Planning Authority: Limerick City and County Council

Planning Register Reference Number: EC11/20

WHEREAS a question has arisen as to whether the removal of trees along the side of the roadway at Glenduff, Ballagh, County Limerick is or is not development or is or is not exempted development:

AND WHEREAS Liam Lenihan of Glenduff, Ashford, Ballagh, County Limerick requested a declaration on this question from Limerick City and County Council, and the Council issued a declaration on the 20th day of February, 2020 stating that the matter is development and is permitted development under planning permission reference 12/379 (An Bord Pleanála reference PL13.240910):

AND WHEREAS Liam Lenihan referred this declaration for review to An Bord Pleanála on the 24th day of February, 2020:

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

- (a) sections 2, 3 and 32 of the Planning and Development Act 2000, as amended,
- (b) the planning history of the site relating to An Bord Pleanála reference PL13.240910, inclusive of the Board Order and the Inspector's report,
- (c) the applicant's Environmental Impact Statement relating to An Bord Pleanála reference PL13.240910,
- (d) the associated drawings relating to An Bord Pleanála reference PL13.240910, in particular drawing numbers ASHF d003.7.1B, ASHF d003.7.12 and ASHF d011.8, and
- (e) the report of the Senior Planning Inspector:

AND WHEREAS An Bord Pleanála has concluded that:

- (a) the removal of trees along the side of the roadway involves the carrying out of development for the purposes of the Planning and Development Act, 2000, as amended, and
- (b) the removal of trees along the side of the roadway is in accordance with planning permission granted under An Bord Pleanála reference PL13.240910:

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 removal of trees along the side of the roadway at Glenduff, Ballagh, County Limerick is development and is development that is permitted development under planning permission reference 12/379 (An Bord Pleanála reference PL13.240910).

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.

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

Dated this day of 2020.