

Planning and Development Acts 2000 to 2020

Planning Authority: Limerick City and County Council

Planning Register Reference Number: 19/1241

APPEAL by Joanne Ryan of 6 Clare Street, Limerick, County Limerick against the decision made on the 21st day of August, 2020 by Limerick City and County Council to grant subject to conditions a permission to Watchford Limited care of Morgan McDonogh of The Hallow, The Bog Road, Kildimo, County Limerick.

Proposed Development: Demolition of existing derelict stores, construction of a new restaurant with take-away facility with ancillary storage, roof garden, connection to existing shop, new elevation treatment to existing shop, proposed signage and associated site works at number 1 Clare Street, Limerick 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

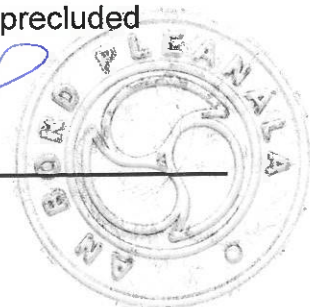
In light of the proximity of the development site to the Abbey River which forms part of the Lower River Shannon Special Area of Conservation (Site Code: 002165) and upstream of the River Shannon and River Fergus Estuaries Special Protection Area (Site Code: 004077), and on the basis of surface water connectivity the potential arises for direct and indirect effects arising from habitat loss and impact on water quality during construction and operation phases of the proposed development. On the basis of the information provided with the application and the appeal, particularly with regard to surface water management the Board cannot be satisfied that the proposal individually, or in combination with other plans or projects, would not result in adverse effects on the integrity of the Lower River Shannon Special Area of Conservation (Site Code: 002165) and the River Shannon and River Fergus Estuaries Special Protection Area (Site Code: 004077) in view of the sites' conservation objectives. In such circumstances, the Board is precluded from granting permission for the proposed development



Paul Hyde

Member of An Bord Pleanála

duly authorised to authenticate
the seal of the Board.



Dated this 13th day of September 2021.