

Planning and Development Acts 2000 to 2020

Planning Authority: Limerick City and County Council

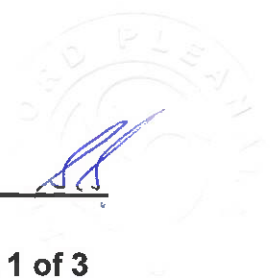
Planning Register Reference Number: 21/190

APPEAL by O'Carroll Haulage and Crane Hire Limited care of Morgan McDonogh Architectural and Planning Consultants of The Hallow, The Bog Road, Kildimo, County Limerick against the decision made on the 14th day of April, 2021 by Limerick City and County Council to refuse permission for the proposed development.

Proposed Development: Retention of extension of hard standing area, security lighting and boundary security fencing at Court, Kildimo, 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

1. Having regard to the site location in an area subject to increased flood risk, which is determined to be in Flood Zone A from flood extent mapping and available Office of Public Works indicative fluvial flood mapping, and in compliance with the objectives of The Planning System and Flood Risk Management Guidelines for Planning Authorities issued by the Department of the Environment, Heritage and Local Government in November, 2009, under Section 28 of the Planning and Development Act 2000, as amended, the Board cannot be satisfied that the proposal would not be contrary to Objective IN O35 of the Limerick County Development Plan 2010-2016 to avert, or where this is not possible, to minimise the threat of flooding in new developments. It is considered that the proposed development would be contrary to the provisions of the Flood Risk Management Guidelines, would be contrary to the objective of the Limerick County Development Plan and would, therefore, be contrary to the proper planning and sustainable development of the area.

2. The size and scale of the proposed development and the precedent it would set for a similar type of development would conflict with the provisions of the current Limerick County Development Plan to provide industrial/commercial development in or adjacent to settlements where infrastructure can be provided and in line with the principle of sustainable development. The proposed development would, therefore, militate against the proper development of nearby towns and villages where commercial development would be more appropriately located and would be contrary to the proper planning and sustainable development of the area.

3. Having regard to the rural character of the site and the nature and extent of the proposed development and having regard to the details submitted with the application and appeal, the Board is not satisfied that the proposed development would not detract from the existing rural character of the area. It is, therefore, considered that the proposed development would seriously injure the character and visual amenities of the area and would be contrary to the proper planning and sustainable development of the area.

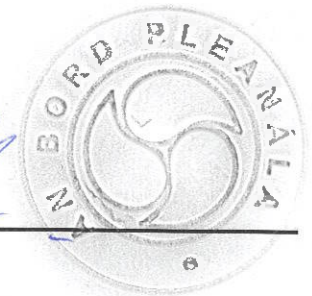


Stephen Bohan

Member of An Bord Pleanála

duly authorised to authenticate

the seal of the Board.



Dated this *21st* day of *July* 2021.