



An
Bord
Pleanála

Board Order
ABP-316608-23

Planning and Development Acts 2000 to 2022

Planning Authority: Limerick City and County Council

Planning Register Reference Number: 23/64

APPEAL by O'Sullivan Fabrications Limited care of Leahy Planning Limited of Mill Road House, Mill Road, Ennis, County Clare against the decision made on the 5th day of April, 2023 by Limerick City and County Council to refuse permission.

Proposed Development: (a) Permission to retain change of use to existing agricultural buildings to steel fabrication unit including change of use from agricultural storage outbuildings to storage in association with steel fabrication premises, (b) permission to retain construction of three number extensions to existing buildings incorporating (i) machine shop incorporating specialist steel saw, (i) external canopy and (iii) extension to existing workshop incorporating set out area and storage, (c) permission to retain existing two number portacabins on site for purposes of office, staff canteen and staff toilet, together with permission to retain all ancillary site works associated with the change of use including concreting of yard areas, external rollers for movement of steel, construction of walls, and connection to existing septic tank and percolation area at Kells, Dromcollogher, County Limerick.

Decision

REFUSE permission for the above proposed development in accordance with the reasons and considerations set out below.

Reasons and Considerations

1. It is a policy of the planning authority, as set out in Section 11.6.8 of the Limerick Development Plan 2022-2028, to permit development proposals for rural enterprises in the countryside where it is demonstrated that the proposed enterprise is required to be located in a rural area. This policy is considered to be reasonable. It is considered that the development proposed to be retained has no specific locational requirements which necessitate its location at this rural, un-zoned and unserviced location and would, therefore, contravene the Limerick Development Plan 2022-2028. The development proposed to be retained would not, therefore, be considered an acceptable rural enterprise for such a location, would not be in accordance with Objective ECON O35 Rural Development and would be contrary to the proper planning and sustainable development of the area.

2. The Board is not satisfied, on the basis of the submissions made in connection with the planning application and the appeal, that effluent from the development can be satisfactorily treated and disposed of on site, notwithstanding the proposed use of a proprietary wastewater treatment system. It is considered that the development proposed to be retained would be prejudicial to public health, would not be in accordance with Objective ECON O37 Farm Diversification and Objective IN O11 Private Waste Water Treatment Systems and would, therefore, be contrary to the proper planning and sustainable development of the area.



Joe Boland

Member of An Bord Pleanála

**duly authorised to authenticate
the seal of the Board**

Dated this 17TH day of June 2024

