

An
Bord
Pleanála

Board Order
ABP-317717-23

Planning and Development Acts 2000 to 2022

Planning Authority: Limerick City and County Council

Planning Register Reference Number: 23/60226

Appeal by Joseph and Sinead Gilmartin of Dairbhre, Garrynatineel, Ballina, County Tipperary against the decision made on the 12th day of July, 2023 by Limerick City and County Council to grant subject to conditions a permission to Gerard Enright care of Crowley Millar Solicitors of 2-3 Exchange Place, George's Dock, IFSC, Dublin.

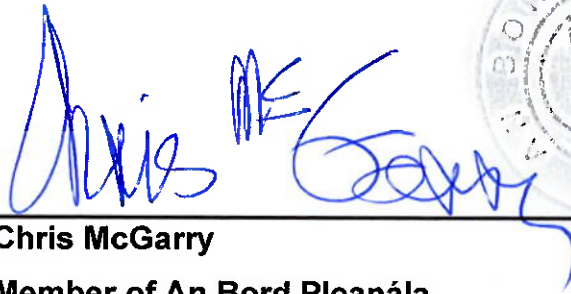
Proposed Development: The construction of a two-storey dwellinghouse including a new site entrance onto The Cloister's Road and all associated site works, all on grounds to the rear of number 46 Revington Park, North Circular Road, Limerick.

Decision

DISMISS the said appeal under subsection (1) (b) of section 138 of the Planning and Development Act, 2000, based on the reasons and considerations set out below.

Reasons and Considerations

Having regard to the nature of the appeal, which does not relate to any planning matters of material relevance to the proposed development, (the basis of the appeal instead being stated to relate to an issue of right of way/wayleave), the Board is satisfied that, in the particular circumstances, the appeal should not be further considered by it. In this regard, the Board also noted the provisions of section 34(13) of the Planning and Development Act 2000, as amended, which states that a person shall not be entitled solely by reason of a permission under this section to carry out any development.



Chris McGarry

Member of An Bord Pleanála

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

Dated this 13th day of December 2023.