



Planning and Development Acts 2000 to 2022

Planning Authority: Limerick City and County Council

Planning Register Reference Number: 24/60367

Appeal by ERAC Ireland Limited care of AK Planning of Millside, Mill Road, Corbally, Limerick against the decision made on the 23rd day of December, 2024 by Limerick City and County Council to refuse permission for development comprising the retention of (1) the increase in height of Unit 1 to the east of the site, (2) the increase in height of the roller shutter doors on the east and west elevations of Unit 2, (3) the increase in concrete yard area to the rear of the Unit 2, (4) the erection of three signs, two on the entrance walls to the property and one on the eastern elevation of Unit 1 and (5) the erection of floodlights on both buildings and on the southern boundary wall at Roxborough, Ballysheedy, County Limerick in accordance with the plans and particulars lodged with the said Council.

Decision

GRANT permission for the retention of (1) the increase in height of Unit 1 to the east of the site, (2) the increase in height of the roller shutter doors on the east and west elevations of Unit 2, (4) the erection of three signs, two on the entrance walls to the property and one on the eastern elevation of Unit 1 and (5) the erection of floodlights on both buildings and on the southern boundary wall in accordance with the said plans and particulars based on the reasons and considerations marked (1) under and subject to the

conditions set out below. REFUSE permission for (3) the increase in concrete yard area to the rear of the Unit 2, based on the reasons and considerations marked (2) under.

Reasons and Considerations (1)

The Board considered that four of the elements applied for:

- the increase in height of Unit 1 to the east of the site,
- the increase in height of the roller shutter doors on the east and west elevations of Unit 2,
- the erection of three signs, two on the entrance walls to the property and one on the eastern elevation of Unit 1 and
- the erection of floodlights on both buildings and on the southern boundary wall

are minor in nature and have no significant impact on the amenity of adjoining property and would, therefore, accord with the proper planning and sustainable development of the area.

Conditions

1. This element of the development shall be carried out and completed in accordance with the plans and particulars lodged with the application, as amended by the further plans and particulars received by the planning authority on the 27th day of November 2024, except as may otherwise be required in order to comply with the following conditions. Where such conditions require details to be agreed with the planning authority, the developer shall agree such details in writing with the planning authority prior to commencement of development and the development shall be carried out and completed in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. The details of the signage, which includes reference to the fact that the service/ yard /hub is not open to the public, shall be submitted to the planning authority for agreement within three months of the date of this order.

Reason: In the interest of orderly development

3. The following works shall be carried out within three months of the date of this order, evidence of same shall be submitted to the planning authority:
 - (a) Type B light unit numbers 5, 6 and 7 positioned along the northern boundary as indicated on DWG Ref. E100 'Electrical Installation Site Lighting' of the site are omitted, and all other lighting both existing and proposed shall be fitted with cowls and directed to minimise light overspill on residential properties.
 - (b) That the existing overhead flood lights mounted to the western elevation of Unit 1 and to the eastern elevation of Unit 2 are removed, and
 - (c) That all external lighting along the northern and eastern boundary of the site shall be switch off at close of business hours.

Reason: In the interest of residential amenity.

Reasons and Considerations (2)

The Board is not satisfied, based on the information submitted that the extent of development, the subject of this application and appeal, adequately reflects the extent of development, which was authorised, and which has taken place on site. In particular, concerns arise in relation to the design and siting of the wastewater treatment system, the extent of hard surface area, and the design of the surface water drainage system serving the site. In this context, this element of the proposed development would constitute disorderly development. Furthermore, the Board is not satisfied that the subject development would, therefore, not be prejudicial to public health or pose an unacceptable risk of environmental pollution and would, therefore, be contrary to the proper planning and sustainable development of the area.



Mary Henchy

Member of An Bord Pleanála

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

Dated this 26th day of May 2025