



An
Bord
Pleanála

Board Order 91.RL.3600

Planning and Development Acts 2000 to 2017

Planning Authority: Limerick City and County Council

Planning Register Reference Number: DC-239-16

WHEREAS a question has arisen as to whether the erection of an external three square metre advertising panel mounted on a metal frame advertising structure with negligible surface area located within the boundaries of the Unicorn Bar and Restaurant, Saint Nessan's Street, Limerick is or is not development or is or is not exempted development:

AND WHEREAS this question was referred to An Bord Pleanála by Limerick City and County Council on the 30th day of June, 2017:

AND WHEREAS An Bord Pleanála, in the light of the documentation on the file, has reformulated the question as follows:

whether the parking of a mobile advertising structure within the forecourt of the Unicorn Bar and Restaurant, Saint Nessan's Street, Limerick is or is not development or is or is not exempted development:

AND WHEREAS An Bord Pleanála, in considering this referral, had regard particularly to -

- (a) Sections 2(1), 3(1) and 3(2) of the Planning and Development Act, 2000, as amended,
- (b) Articles 6 and 9, and the Classes set out in Part 2 of Schedule 2 to the Planning and Development Regulations, 2001, as amended, and
- (c) the planning and enforcement history of the site, and other documentation submitted with the request for the declaration, and the report of the Inspector:

AND WHEREAS An Bord Pleanála has concluded that -

- (a) the parking of the mobile structure at this location for the purpose of advertising constitutes a material change of use of the land on which it is located, being the use of land for the exhibition of advertisements, pursuant to Section 3(2)(a) of the Planning and Development Act, 2000, as amended, and is, therefore, “development” within the meaning of Section 3 of that Act, and
- (b) the mobile advertising structure does not come within the scope of any of the exemptions provided for in Part 2 of Schedule 2 to the Planning and Development Regulations, 2001, as amended, and is, therefore, not exempted development:

