



An
Bord
Pleanála

Board Direction
BD-000412-18
ABP-300061-17

The submissions on this file and the Inspector's report were considered at a Board meeting held on June 5th 2018.

The Board decided to grant permission generally in accordance with the Inspector's recommendation, for the following reasons and considerations, and subject to the following conditions.

Reasons and Considerations

Having regard to the zoning objective for the subject site contained in the Limerick City Development Plan, 2010 – 2016, and the pattern of development in the area, it is considered that the proposed development, subject to compliance with the conditions set out below, would not seriously injure the amenities of the area or of property in the vicinity. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

Conditions

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application, 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 proposed development shall be modified as follows:

The seventh floor shall be omitted from the proposed development. Revised drawings showing compliance with the above requirement shall be submitted to the planning authority for written agreement prior to the commencement of development.

Reason: In the interest of protecting architectural heritage and historic significance of the former corn store building and in the interest of visual amenities.

3. (a) A conservation expert shall be employed to manage, monitor and implement the works on the site and to ensure adequate protection of the retained and historic fabric during the works. In this regard, all permitted works shall be designed to cause minimum interference to the retained building and facades structure and/or fabric. (b) All repair works to the existing structure shall be carried out in accordance with best conservation practice as detailed the Architectural Heritage Protection Guidelines for Planning Authorities issued by the Department of Environment, Heritage and Local Government in 2004. The repair works shall retain the maximum amount of surviving historic fabric in situ, including structural elements, and shall be designed to cause minimum interference to the building structure and/or fabric. Items that have to be removed for repair shall be recorded prior to removal, catalogued and numbered to allow for authentic re-instatement.

Reason: To ensure that the integrity of the retained structure is maintained and that the structure are protected from unnecessary damage or loss of fabric.

4. An architectural impact statement and conservation plan for the proposed development shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. The development shall be carried out in accordance with this plan, and the relevant works shall be restricted to conservation, consolidation and presentation works.

Reason: To ensure that these elements of the historic structure are maintained and protected from unnecessary damage or loss of fabric.

5. Details of all external signage, including shopfront design, and finishes shall be submitted to, and agreed in writing with, the planning authority prior to the commencement of development.

Reason: In the interest of protecting the amenities of the Architectural Conservation Area.

6. All external lighting and externally visible advertising signs, symbols and nameplates shall be submitted for the written agreement to the planning authority prior to the commencement of development.

Reason: In the interest of visual amenities.

7. Water supply and drainage arrangements, including the disposal of surface water, shall comply with the requirements of the planning authority for such works and services.

Reason: In the interest of public health and to ensure a proper standard of development.

8. Prior to the commencement of development the developer shall submit a full and detailed construction management plan which shall include a construction programme for the works, hours of operation, a traffic management plan, noise and dust mitigation measures(including details of truck wheel wash at the site entrances) and details of construction lighting. A Construction Manager shall be appointed to liaise directly with the council. Details to be agreed in writing with the Planning Authority.

Reason: In the interest proper planning and sustainable development of the area.

9. That all necessary measures be taken by the contractor to prevent spillage or deposit of clay, rubble or other debris on adjoining roads during the course of the works.

Reason: To protect the amenities of the area.

10. Prior to the commencement of development the developer shall submit, and obtain written agreement of the planning authority to, a plan containing details of the management of waste (and, in particular, recyclable materials) within the development including the provision of facilities for the separation and the collection of the waste and, in particular, recyclable materials, and for the ongoing operation of these facilities.

Reason: To provide for appropriate management of waste and in particular, recyclable materials, in the interest of protecting the environment.

11. The developer shall pay to the planning authority a financial contribution in respect of public infrastructure and facilities benefiting development in the area of the planning authority that is provided or intended to be provided by or

on behalf of the authority in accordance with the terms of the Development Contribution Scheme made under section 48 of the Planning and Development Act 2000. The contribution shall be paid prior to the commencement of development or in such phased payments as the planning authority may facilitate and shall be subject to any applicable indexation provisions of the Scheme at the time of payment. Details of the application of the terms of the Scheme shall be agreed between the planning authority and the developer or, in default of such agreement, the matter shall be referred to the Board to determine the proper application of the terms of the Scheme.

Reason: It is a requirement of the Planning and Development Act 2000 that a condition requiring a contribution in accordance with the Development Contribution Scheme made under section 48 of the Act be applied to the permission.

Note : The Board considered the inspectors recommendation to reduce the building height by two floors however it considered that the reduction by a single floor was sufficient to address concerns with regard to visual impact and to the protection of the architectural heritage and historic significance of the former corn store building

Board Member

Date: 06/06/2018

Paul Hyde