

The submissions on this file and the Inspector's report were considered at Board meetings held on 04/02/2022 and 09/02/2022.

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

Reasons and Considerations

1. Having regard to the current zoning objective to provide for the creation and protection of enterprise and to facilitate opportunities for employment creation, which applies to the majority of the site and to the prominent location of the site and its strategic location within the urban area, it is considered that the overall form, mix and ratio of uses proposed, and the disposition of these uses across the various zoning designations on site, would not be consistent in its current form with the provisions of the overall current zoning objectives for the site. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.
2. The site is located within a busy suburban area in Limerick, where the current pattern of development and streetscape are poorly defined with an unattractive pedestrian environment and with a high noise environment along the site's boundary with the R445. Having regard to the form and layout of the proposed development, including the siting of an apartment block along side the R445, to a failure to provide sufficient active ground floor uses or forms of enlivenment, to the proposed provision of an internal road network which

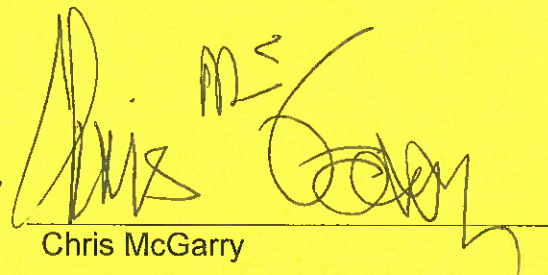
would constitute a car dominated layout which would not be consistent with pedestrian comfort and safety and to the poor disposition and accessibility of the public open space in relation to the overall development, it is considered that the proposed development would seriously injure the amenities of prospective occupants of the development, especially future residents and would militate against the provision of a high quality urban design with an attractive pedestrian and green transport environment. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

3. Having regard to the location of the proposed 14-storey apartment block, along side the R445 a major road which is characterised by a high noise environment, and to the internal layout and the design of the building, which includes one bedroom units with a single aspect, and to the requirement for certain windows and balconies to be fixed closed and sealed in order to attain an acceptable internal noise environment, it is considered that the proposed development would result in a substandard form of accommodation which would seriously injure the amenities of prospective occupants of this apartment block. The proposed development would be contrary to the policy objectives of the Limerick City and County Noise Action Plan 2018-2023 and to objective T11 of the Castletroy Local Area Plan 2019-2025. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

Note:

The Board noted the reasons for refusal recommended by the Inspector, relating to demolition works carried out at the subject site and the associated content of the Environmental Impact Assessment Report and Natura Impact Statement which accompanied the application. Having regard to the totality of the documentation submitted with the application and appeal and including the statutory notices, the Board noted that the demolition works were stated by the applicant to constitute a separate project implemented in accordance with a separate statutory obligation (Derelict Sites legislation). Equally the Board noted that a description of these demolition works and related assessment was contained within the documentation which accompanied the current planning application and considered that clarification from the applicant would ordinarily be warranted to provide a clear distinguishment between the work elements and relevant effects derived from the demolition works stated to be undertaken as a separate project (and any statutory obligations thereunder) and the work elements which form part of the proposed development, to enable a determination of the proposed development on its own grounds. However, given the substantive reasons for refusal set out above, it was decided not to pursue this issue under the current appeal.

Board Member

The image shows a handwritten signature in black ink. The signature is stylized and appears to read 'Chris McGarry'. Above the signature, there are some faint, illegible markings that could be initials or a date. The signature is written over a horizontal line.

Chris McGarry

Date: 11/02/2022

