

An  
Bord  
Pleanála

**Board Direction**  
**BD-017256-24**  
**ABP-318133-23**

The submissions on this file and the Inspector's report were considered at a Board meeting held on 16/08/2024.

The Board decided to refuse permission, generally in accordance with the Inspector's recommended refusal Reason No. 1, for the reasons and considerations hereunder.

(In deciding not to accept the Inspector's recommended refusal Reason No. 2, the Board considered that the development would not adversely impact on adjacent residential amenities by way of overshadowing or by way of impacts on access to daylight and sunlight. Given this city centre location, and the need to densify, some degree of impact is acceptable and the Board considered that the limited impacts in this instance did not warrant a refusal of permission. The Board considered the applicant's 'Sunlight, Daylight and Shadow Assessment' to be generally robust and agreed with its findings. The Board also considered that the heights proposed may be considered acceptable but that the specific design in this instance, coupled with the heights, did not deliver the optimum design solution for this site.

In deciding not to accept the Inspector's recommended refusal Reason No. 3, the Board did not consider the density proposed to be unacceptable given the city centre location and proximity to third level educational institutions and agreed with the planning authority's assessment in that regard. There was no evidence on file that the proposed development would lead to an over-concentration of student accommodation in the area. Concerns in relation to potential impacts on adjacent residential amenities could be further protected by way of conditions including the submission of a Management Plan for the scheme.


In deciding not to accept the Inspector's recommended refusal Reason No. 4, the Board had regard to the existing number of vehicular entrances to this site, the rationalisation of same, the changes introduced at further information stage including the removal of on-site car parking, the brownfield nature of the site, existing trip generation, the city centre location of the proposal, and the active travel opportunities in the area. In addition, other potential traffic impacts could be further addressed by way of conditions including, *inter alia*, Mobility Management Planning and improvements to surrounding footpaths. The Board concurred with the planning authority's assessment regarding traffic and transportation matters.)

Direction to issue with Order.

### **Reasons and Considerations**

Having regard to the application site's location, specifically, its location immediately adjacent to the 'Architectural Conservation Area (ACA) 8 – Clare Street and Limerick Institute of Technology Campus – School of Art and Design', with buildings and structures identified as areas of local importance to the urban character of Limerick City, and also having regard to the bulk, massing, scale and elevational design of the proposed development, the Board considered that the proposed development failed to deliver the optimum quality design solution that such a location warranted, would detract from the adjacent ACA, would constitute a visually discordant feature that would be detrimental to the distinctive architectural and historic character of this area and would thus conflict with Objective EH O53 of the Limerick Development Plan 2022-2028. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

**Board Member**

  
Tom Rabbette

**Date:** 16/08/2024