

An
Coimisiún
Pleanála

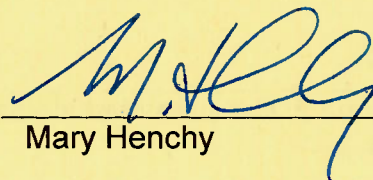
Direction
CD-020820-25
ABP-322678-25

The submissions on this file and the Inspector's report were considered at a meeting held on 25/09/2025.

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

Planning

Commissioner:


Mary Henchy

Date: 29/09/2025

DRAFT WORDING FOR ORDER

Reasons and Considerations

Having regard to the provisions of the Limerick City and County Development Plan 2022-2028, the land use zoning objective for the site, the planning history of the site in particular P.A. Ref. 23/60506, the nature, scale and design of the proposed development relative to the site context, the availability of public transport in the area and water and wastewater infrastructure, it is considered that subject to compliance with the conditions set out below, the proposed development would be in accordance with the zoning objective for the site, the objectives and policies of the development plan in particular objective ECON O17, SCSi O15 and CGR O9, would adequately

integrate with the existing adjoining development in terms of design, scale and finish, would not seriously injure the visual amenities of the area, would not unduly impact on the residential amenities of nearby properties, would not give rise to a traffic hazard, and would not detract from the existing protected structure on the hospital grounds. The proposed development, would, therefore be in accordance with the proper planning and sustainable development of the area.

Conditions

1.	<p>The development shall be carried out and completed in accordance with the plans and particulars lodged with the application, as received by the planning authority on the 26th day of March 2025, 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.</p> <p>Reason: In the interest of clarity.</p>
2.	<p>The mitigation measures contained in the submitted Noise Impact Assessment shall be implemented.</p> <p>Reason: To protect the residential amenities of nearby properties.</p>
3.	<p>Prior to the commencement of development, the developer shall submit revised drawings for the written agreement of the Planning Authority, which shall include details of showers and lockers within the staff changing rooms, to promote increased use of sustainable modes of travel.</p> <p>Reason: In the interest of promoting sustainable travel</p>
4.	<p>The development shall be carried out and operated in accordance with the provisions of the Mobility Management Plan (MMP) submitted to the planning authority on 26th day of March 2025. The specific measures detailed in Section 5.3 and Section 6 Action Plan Summary of the MMP to achieve the objectives and modal split targets for the development shall be implemented in full upon first occupation of the development. The developer shall undertake an annual monitoring exercise to the satisfaction of the planning authority for the first 5 years following first occupation of the development, and shall submit the results to the planning authority for consideration and placement on the public file.</p>

	<p>Reason: To achieve a reasonable modal split in transport and travel patterns in the interest of sustainable development.</p>
5.	<p>Prior to the commencement of development, the developer shall submit the following for the written agreement of the Planning Authority:</p> <p>a) The projected modal split for year 1, year 3 and year 5 shall be revised in the line with section 3.2.2 of Workplace Travel Plans – A Guide for Implementers and Achieving Effective Workplace Travel Plans – Guidance for Local Authorities.</p> <p>Reason: In the interest of promoting sustainable travel</p>
6.	<p>The developer shall provide swift nest boxes. Details in regard to the locations and design shall be submitted to the Planning Authority for written agreement, prior to commencement of development.</p> <p>Reason: In the interest of nature conservation.</p>
7.	<p>Prior to the commencement of development the developer shall enter into a Connection Agreement(s) with Uisce Éireann (Irish Water) to provide for a service connection(s) to the public water supply and/or wastewater collection network.</p> <p>Reason: In the interest of public health and to ensure adequate water/wastewater facilities.</p>
8.	<p>Site development and building works shall be carried out between the hours of 8:00 a.m. to 8:00 p.m. Mondays to Fridays inclusive, between 8:00 a.m. to 4:00 p.m. on Saturdays and not at all on Sundays and public holidays. Deviation from these times shall only be allowed in exceptional circumstances where prior written agreement has been received from the planning authority.</p> <p>Reason: To safeguard the amenity of property in the vicinity.</p>
9.	<p>The construction of the development shall be managed in accordance with a Construction Management Plan, which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This plan shall provide details of intended construction practice for the development, including:</p> <p>(a) Location of the site and materials compound(s) including area(s) identified for the storage of construction refuse;</p> <p>(b) Location of areas for construction site offices and staff facilities;</p> <p>(c) Details of site security fencing and hoardings;</p> <p>(d) Details of on-site car parking facilities for site workers during the course of construction;</p>

	<p>(e) Details of the timing and routing of construction traffic to and from the construction site and associated directional signage, to include proposals to facilitate the delivery of abnormal loads to the site;</p> <p>(f) Measures to obviate queuing of construction traffic on the adjoining road network;</p> <p>(g) Measures to prevent the spillage or deposit of clay, rubble or other debris on the public road network;</p> <p>(h) Alternative arrangements to be put in place for pedestrians and vehicles in the case of the closure of any public road or footpath during the course of site development works;</p> <p>(i) Details of appropriate mitigation measures for noise, dust and vibration, and monitoring of such levels;</p> <p>(j) Containment of all construction-related fuel and oil within specially constructed bunds to ensure that fuel spillages are fully contained. Such bunds shall be roofed to exclude rainwater;</p> <p>(k) Off-site disposal of construction/demolition waste and details of how it is proposed to manage excavated soil;</p> <p>(l) Means to ensure that surface water run-off is controlled such that no silt or other pollutants enter local surface water sewers or drains.</p> <p>(m) A record of daily checks that the works are being undertaken in accordance with the Construction Management Plan shall be available for inspection by the planning authority;</p> <p>Reason: In the interest of amenities, public health and safety and environmental protection</p>
10.	<p>A plan containing details for the management of waste in particular, clinical waste, non-clinical waste and recyclable materials within the development, including the provision of facilities for the storage, separation and collection of the waste and, in particular, recyclable materials shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. Thereafter, the agreed waste facilities shall be maintained and waste shall be managed in accordance with the agreed plan.</p> <p>Reason: To provide for the appropriate management of waste and, in particular recyclable materials, in the interest of protecting the environment and the amenities of properties in the vicinity.</p>
11.	<p>The landscaping plan scheme as submitted to the planning authority on the 26th day of March, 2025 shall be carried out within the first planting season following substantial completion of external construction works.</p> <p>All planting shall be adequately protected from damage until established. Any plants which die, are removed or become seriously damaged or diseased, within a period of five years from the completion of the development or shall be replaced within the next planting season with others of similar size and species, unless otherwise agreed in writing with</p>

	<p>the planning authority.</p> <p>Reason: In the interest of residential and visual amenity.</p>
12.	<p>The disposal of surface water shall comply with the requirements of the planning authority for such works and services. Prior to the commencement of development, the developer shall submit details for the disposal of surface water from the site for the written agreement of the planning authority.</p> <p>Reason: To prevent flooding and in the interests of sustainable drainage.</p>
13.	<p>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, as amended. The contribution shall be paid prior to 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 An Coimisiún Pleanála to determine the proper application of the terms of the Scheme.</p> <p>Reason: It is a requirement of the Planning and Development Act 2000, as amended, 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.</p>

Note: The Commission noted that the Inspector's report, paragraph 8.2.11, referenced a distance of circa 336m+ to the rear of existing dwellings, in the report the Inspector also references the applicant's response to the appeal which refers to a distance of circa 95m to the nearest properties in Willsbrook estate, the Commission acknowledge the applicant's figure more accurately estimates the separation distance. Notwithstanding this the Commission agreed with the Inspector that the proposed development would not unduly impact on the residential amenities of nearby properties