

An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2015

Limerick City and County

Planning Register Reference Number: 15/432

An Bord Pleanála Reference Number: PL 91.245445

APPEAL by Thomondgate Residence Rights Group care of Michael Conroy Architects of 73 O'Connell Street, Limerick against the decision made on the 12th day of August, 2015 by Limerick City and County Council to grant subject to conditions a permission to Associated Charities Trust Limited care of James Corbett Architects of 4 New Wellington Terrace, O'Connell Avenue, Limerick in accordance with plans and particulars lodged with the said Council.

PROPOSED DEVELOPMENT: Construction of a two to three storey apartment building comprising eighteen apartment units and all ancillary site development works at site formerly known as Collins Cottages, Cashels Lane and Duggans Yard, Browns Quay, Thomondgate, Limerick.

DECISION

GRANT permission for the above proposed development in accordance with the said plans and particulars based on the reasons and considerations under and subject to the conditions set out below.

MATTERS CONSIDERED

In making its decision, the Board had regard to those matters to which, by virtue of the Planning and Development Acts and Regulations made thereunder, it was required to have regard. Such matters included any submissions and observations received by it in accordance with statutory provisions.

REASONS AND CONSIDERATIONS

Having regard to the nature and scale of the proposed development, to the pattern of development in the vicinity, the planning history and the zoning objective for the site and the policies of the planning authority as set out in the Limerick City Development Plan 2010-2016, it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the amenities of the area or of property in the vicinity, would not detract from the character of the area, would be acceptable from the perspective of flood risk and would be in accordance with the policies set out in the said development plan. 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 external finishes of the proposed development (including roof tiles/slates shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interest of visual amenity.

3. The development shall be operated as a managed scheme under single ownership. No unit, units, parking spaces, or any part of the development may be let or sold separately, and no unit may be subdivided. These requirements shall be adhered to unless a separate grant of planning permission for a change of use is secured.

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

4. All north facing windows in the north-facing elevations of the scheme other than those to Apartments 1 and 2 shall be obscurely glazed and shall be permanently maintained as such.

Reason: In the interest of preserving the residential amenity of adjoining properties.

5. 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.

6. Site development and building works shall be carried out only between the hours of 0800 to 1800 Mondays to Fridays inclusive, between 0800 to 1400 hours on Saturdays and not at all on Sundays and public holidays. Deviation from these times will only be allowed in exceptional circumstances where prior written approval has been received from the planning authority.

Reason: In order to safeguard the residential amenities of property in the vicinity.

7. 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 noise management measures and off-site disposal of construction/demolition waste.

Reason: In the interests of public safety and residential amenity.

8. A plan containing details for the management of waste (and, in particular, recyclable materials) within the development, including the provision of facilities for the storage, separation and collection of the waste and, in particular, recyclable materials and for the ongoing operation of these facilities shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. Thereafter, the waste shall be managed in accordance with the agreed plan.

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

9. Any proposed lighting to the outdoor area shall shine directly onto the hard surfaced area and within the development and shall not affect the amenity of any neighbouring development. The said lighting (if any) shall be switched off by 10.00 p.m. Sunday to Friday and 11 00 p.m. on Saturday.

Reason: In the interests of residential amenity.

10. A proposal for the naming and numbering of the proposed development shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interest of urban legibility.

**Member of An Bord Pleanála
duly authorised to authenticate
the seal of the Board.**

Dated this day of 2016.