



An
Bord
Pleanála

Board Order PL 91.249275

Planning and Development Acts 2000 to 2017

Planning Authority: Limerick City and County Council

Planning Register Reference Number: 16/1096

Appeal by Paul Craughan and Frank Hogan of O'Connell Butchers of Little Catherine Street, Limerick against the decision made on the 24th day of August, 2017 by Limerick City and County Council to grant subject to conditions a permission to Pat O'Connor Meats Limited of 43 William Street, Limerick in accordance with plans and particulars lodged with the said Council.

Proposed Development: Refurbishment of the existing shop to accommodate a new butcher's shop on ground floor, with storage and cleaning areas in basement. A new shop front and signage to front and side with new delivery door on Little Catherine Street and three number apartments on overhead floors and all ancillary site works at 62 William Street, 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 city centre location of the site, the land use zoning of the site, the design and scale of the proposed development, the architectural heritage merit of the building and to the nature and character of development in the area, 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 adversely impact on the vitality and viability of the city centre, would offer a satisfactory level of residential amenity to future occupants, and would be acceptable in terms of traffic safety and convenience. 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, as amended by the further plans and particulars submitted on the 28th day of July, 2017, 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. All works shall be overseen on an ongoing basis by a Conservation Architect accredited to Grade 3 by the Royal Institute of the Architects of Ireland. The appointed conservation architect shall be responsible for ensuring that all interventions made accord with the statutory and regulatory provisions allowed for in relation to protected structures or provided for in respect of existing building stock, particularly those of architectural and historic interest.

Two weeks before the submission of the Commencement Notice, the name of the selected Conservation Architect shall be submitted to, and agreed in writing with, the planning authority.

The appointed conservation architect shall be responsible for preparing all documentation to be submitted prior to works commencing, ensuring that all contractors and sub-contractors engaged have satisfactory competencies, collating all reports and studies prepared in respect of the site's history and evolution and the project management.

Upon completion of the works, the supervising Conservation Architect shall certify to the planning authority's satisfaction, that the specified works have been carried out in accordance with best conservation practice.

Reason: To protect the architectural heritage of the area.

3. Works involving historic fabric shall be undertaken, taking into account the exemptions either specifically provided for in respect of protected structures or allowed for in relation to existing building stock or structures of architectural or historic interest, in accordance with best conservation practice and the Architectural Heritage Protection Guidelines for Planning Authorities issued by the Department of the Environment, Heritage and Local Government in 2004 with site specific Methodologies and Specifications to be agreed in writing with the planning authority prior to works commencing. Any repair works shall retain the maximum amount of surviving historic fabric in situ.

Reason: To protect the architectural heritage of the area.

4. Water supply and drainage arrangements shall comply with the requirements of the planning authority for such works and services.

Reason: In the interest of public health.

5. The proposed shopfront shall be in accordance with the following requirements:
- (a) no signs shall be installed other than those hereby permitted,
 - (b) the proposed signs shall only comprise lettering a maximum of 0.3 metres in height, which shall be either handpainted, raised plaster, or individually mounted lettering fixed individually and directly to the facade or to the fascia,
 - (c) plastic, neon, internally lit signs or internally illuminated fascias are not permitted,
 - (d) any lighting shall be discreet in nature, plans and particulars of which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development,
 - (e) the erection of any external roller shutters is not permitted,
 - (f) no adhesive material shall be affixed to the windows of the shopfront, and
 - (g) no display of goods or advertising or storage of goods shall take place outside the premises.

Reason: In the interest of the visual amenity of the subject building and of the streetscape.

6. No awnings, canopies, roller shutters or additional external lighting shall be erected or displayed on the premises or within the curtilage of the site without a prior grant of planning permission.

Reason: In the interest of visual amenity and to protect the character of the streetscape.

7. No advertisement or advertisement structure other than those shown on the drawings submitted with the application shall be erected or displayed on the building or within the curtilage of the site in such a manner as to be visible from outside the building, unless authorised by a further grant of planning permission.

Reason: In the interest of visual amenity.

8. Details of any fans, louvres, ducts or other external plant shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interest of public health and to protect the amenities of the area.

9. 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 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.

10. 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.

11. Site development and building works shall be carried out between the hours of 0800 to 1800 Mondays to Fridays inclusive, between 0800 to 1400 hours on Saturdays and not at all on Sundays or public holidays. Deviation from these times shall 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.

