



Planning and Development Acts 2000 to 2018

Planning Authority: Limerick City and County Council

Planning Register Reference Number: 18/842

Appeal by Edmund Earl of Limerick care of EML Architects, 20 Cruises Street, Limerick against the decision made on the 16th day of October, 2018 by Limerick City and County Council to refuse a permission to the said Edmund Earl of Limerick for the proposed development.

Proposed Development: A memorial to honour the Limerick City and County fallen of World War 1 both civilian and military. The memorial consists of a stone central cross 4.24 metres high with eight stone tablets 2.2 metres high containing the names of the victims. The associated site works consists of three stone benches 1 x 3.7 metres long and wide and 0.45 metres high and associated gravel paths linking to the existing park network of paths. All existing trees and vegetation are to be retained, all at the north-east corner of People's Park, adjacent to Upper Mallow 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 scale and form of the proposed development and the relevant provisions of the Limerick City Development Plan 2010-2016 (as extended), it is considered that, subject to compliance with the conditions set out below, the proposed development would integrate in a satisfactory manner with, and would not detract from the character and setting of, the existing public open space and would not adversely impact on its continued use for passive and active recreational and amenity purposes. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

In deciding not to accept the Inspector's recommendation to refuse permission, the Board considered that the proposed development would not be inconsistent with the recreational and civic amenity role of Peoples Park and did not agree with the Inspector that the proposed development would detract from that role, nor that it would impact adversely on the cultural and heritage value of Peoples Park, which is located within the South City Centre and Newtown Pery Architectural Conservation 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 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 and dust management measures, protection of all trees within and in the immediate environs of the subject site, and off-site disposal of construction waste.

Reason: To protect the amenities of the area.

3. Site development and building works shall be carried out only between the hours of 0800 and 1900 from Mondays to Fridays inclusive, between 0800 and 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: To protect the amenities of the area.

Chris McGarry

Member of An Bord Pleanála

**duly authorised to authenticate
the seal of the Board.**

Dated this day of 2019.