

Planning and Development Acts 2000 to 2021

Planning Authority: Limerick City and County Council

Planning Register Reference Number: 21/560

APPEAL by Clarisford Investments Limited care of AK Planning and Development Limited of Millside, Mill Road, Corbally, Limerick against the decision made on the 21st day of December, 2021 by Limerick City and County Council to refuse permission for the proposed development.

Proposed Development: Construction of a multi-storey Build to Rent (BTR) residential development comprising of the construction of 50 number apartments with the following mix: 26 number one-bedroom apartments, 20 number two-bedroom apartments and four number studio apartments within a single block ranging in height from 3 - 6 storeys over basement with all apartments provided with private balconies. Residential amenities within the development to include a gym, communal lounge area, laundry facilities and accessible green roof. The proposed development will provide 37 number car parking spaces at basement level and 108 number bicycle spaces at basement and surface level with primary vehicular and pedestrian access via the Old Clonmacken Road and secondary pedestrian access from the L8570. The proposal also incorporates a management room, plant room, bin storage, ESB sub-station, public lighting, boundary treatments, external landscaped open space, connections to utilities and all associated engineering and site works necessary to facilitate the proposed development, all at Clonmacken Road, Caherdavin, Limerick, as revised by the further public notices received

by the planning authority on the 1st day of November, 2021 which consisted of an overall reduction in height from six to five storeys, a reduction in the total number of apartments proposed from 50 to 42 number apartments with the following breakdown: 17 number two-bedroom apartments, 21 number one-bedroom apartments and four number studios, and minor engineering revisions to set-down area and vehicular access.

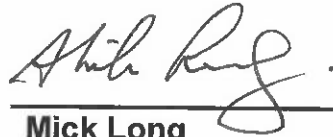
Decision

REFUSE permission for the above proposed development for the reasons and considerations set out below.

Reasons and Considerations

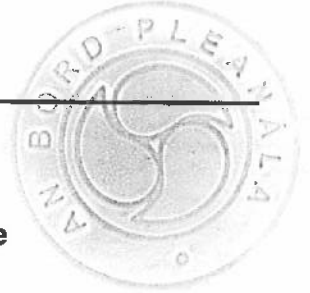
Having regard to the location of the site within Flood Zone A, the nature of the proposed development, and the Limerick Development Plan 2022-2028, in particular Section 7.3 of the Strategic Flood Risk Assessment which refers to Caherdavin/Moyross and states that 'where there is existing residential zoning within Flood Zone A or B, new development should be limited to minor development only with no new, major development permitted within this area', it is considered that the proposed development would be contrary to this provision of the development plan and would, therefore, be contrary to the proper planning and sustainable development of the area.

In deciding not to accept the Inspector's recommendation to grant permission, the Board noted that the development plan in place at the time of the Inspector's assessment has been replaced by the Limerick Development Plan 2022-2028 which came into effect on the 29th of July, 2022 and which imposes limitations on the scale of development on this site.



Mick Long

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



Dated this 21 day of February 2023.