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**Planning and Development Acts 2000 to 2022**

**Planning Authority: Limerick City and County Council**

**Planning Register Reference Number: 21/1833**

**APPEAL** by 1 Courtbrack Land Limited care of HRA Planning of 3 Hartstonge Street, Limerick against the decision made on the 25<sup>th</sup> day of February, 2022 by Limerick City and County Council to refuse permission.

**Proposed Development:** Construction of a student housing development comprising 196 number student bedspaces and all associated site development works and infrastructure provision at Courtbrack, Limerick City. The proposed development consists of (1) Construction of two separate buildings consisting of (a) 'Block A' – five-storey structure providing (i) 156 number student bedspaces in 20 number apartments, with each apartment consisting of 'common room' kitchen/living area; and (ii) communal laundry facility and reception area at ground floor serving the proposed student housing complex; (b) 'Block B' – two-storey structure over basement providing (i) 40 number student bedspaces in eight number apartments with each apartment consisting of 'common room' kitchen/living area; (ii) water storage tank, sprinkler (fire water) storage, heating and generator plant infrastructure situated at basement level; and (iii) roof mounted building service infrastructure; (2) Surface carparking including dedicated disabled bays and electric vehicle charge points, and covered and uncovered bicycle parking; (3)

(a) Connection to public water supply in the public road, and connection to foulwater and surface water networks which traverses the site and; (b) on-site surface water management including attenuation tanks, hydro brake and petrol interceptor; (4) Modification of existing vehicular access from the existing public link road to facilitate vehicular and pedestrian access/egress to that link road, and associated vehicular signage as necessary; (5) Provision of second pedestrian entrance onto Ashdown situated on the southern boundary of the site; (6) Electrical Unit Substation; (7) Landscaping including modification of ground levels and associated planting; (8) Public lighting and associated infrastructure; and (9) All associated site development works at Courtbrack, Limerick City.

## **Decision**

**REFUSE permission for the above proposed development in accordance with the reasons and considerations set out below.**

## **Reasons and Considerations**

1. The site is located on lands zoned Enterprise and Employment under the provisions of the Limerick Development Plan 2022-2028, which has the objective “to provide for and improve general enterprise, employment, business and commercial activities”. Student accommodation is not permitted within lands zoned Enterprise and Employment. The proposed development would, therefore, be incompatible with the Enterprise and Employment development objective, indicated in the development plan for the zoning of land, and would be contrary to the proper planning and sustainable development of the area.

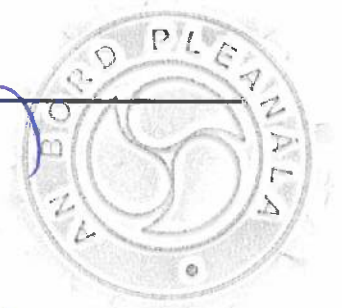
2. Having regard to the nature of the proposed development (Student Accommodation), and the location of the subject site within Flood Zone A and Flood Zone B, the Board is not satisfied that the proposal would be in accordance with the provisions of Policy CAF P5 Managing Flood Risk of the Limerick Development Plan 2022-2028 to protect Flood Zone A and Flood Zone B from inappropriate development and direct developments/land uses into the appropriate lands, in accordance with The Planning System and Flood Risk Management Guidelines for Planning Authorities 2009 and the guidance contained in Development Management Standards and the Strategic Flood Risk Assessment (SFRA). Accordingly, the proposed development, would constitute an unacceptable risk of flooding, would conflict with the Ministerial Guidelines and would be contrary to the proper planning and sustainable development of the area.



**Chris McGarry**

**Member of An Bord Pleanála**

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



Dated this

19<sup>th</sup> day of July

2023.