



An
Bord
Pleanála

Board Order ABP-318606-23

Planning and Development Acts 2000 to 2022

Planning Authority: Limerick City and County Council

Planning Register Reference Number: 23/60358

Appeal by Jason Cronin of 10 Iona Drive, North Circular Road, Limerick and by Peter McDonogh of Phi House, Rosbrien Road, Lisnalty, County Limerick against the decision made on the 8th day of November, 2023 by Limerick City and County Council to grant subject to conditions a permission to University of Limerick care of Hugh Kelly Architects of Third Floor, 46 O'Connell Street, Limerick in accordance with plans and particulars lodged with the said Council.

Proposed Development: Change of use of the 5,618 square metre (circa) University of Limerick City Campus (former Dunnes Stores Shopping Centre) from retail use to educational use (University). It is also proposed to seek planning permission for the erection of a two-metre-high louvre screen to the proposed mechanical ventilation plant on the roof and ancillary works, all at University of Limerick, City Centre Campus (Former Dunnes Stores Shopping Centre), Sarsfield Street, Limerick.

Decision

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

Reasons and Considerations

It is considered that, subject to compliance with the conditions set out below, the proposed development would be in accordance with the 'City Centre' zoning objective of the site, would be in accordance with the provisions of the Limerick Development Plan 2022-2028, and would, therefore, be in accordance with the proper planning and sustainable development of the area.

The Board did not consider it appropriate to limit the life of the permission due to the nature of the use proposed, the fact that the proposed use is in accordance with the site's zoning, and because the use will bring vitality into a vacant retail unit in the city centre.

In deciding not to accept the Inspector's recommendation to refuse permission, the Board considered that the change of use of a former retail outlet to use of the structure for education by the University of Limerick (with minor works) would not militate against or prejudice achieving Objective ULCC-01-UL (City Campus) of the Limerick Development Plan 2022-2028.

Conditions

1. The proposed 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 received by the planning authority on the 12th day of October, 2023, and the further plans and particulars received by An Bord Pleanála on the 20th day of June, 2024, 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 proposed development shall be carried out and completed in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. Prior to commencement of development, details relating to the management of cycle storage within the footprint of the building shall be submitted to the planning authority for written agreement. The details shall outline the access arrangements and security measures for staff and students.

Reason: In the interest of orderly development.

3. A monitoring report shall be submitted to the planning authority on the first anniversary of the occupation of the development in order to ensure compliance with the Workplace Travel Plan received with the planning application. Further monitoring reports shall be completed and submitted to the planning authority on the third and fifth anniversaries of the first occupation of the development.

Reason: In the interest of encouraging the use of sustainable modes of transport.

4. No additional development shall take place above roof parapet level, including lift motor enclosures, air handling equipment, storage tanks, ducts or other external plant, telecommunication aerials, antennas or equipment, unless authorised by a further grant of planning permission.

Reason: In the interest of visual amenity and in order to protect the residential amenity of property in the vicinity.

5. 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 waste and, in particular, recyclable materials and for the on-going 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.



Mary Henchy

Member of An Bord Pleanála

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

Dated this *19th* day of *September* 2024.