



An  
Bord  
Pleanála

**Board Order**  
**ABP-320021-24**

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**Planning and Development Acts 2000 to 2022**

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

**Planning Register Reference Number: 2460059**

**Appeal** by Maura O' Flagherty care of Peter Lavelle Building Surveyors of Doonard Lower, Tarbert, County Kerry and by Brid and Josephine Casey of St. Mary's, Caherdavin Cross, Ennis Road, Limerick against the decision made on the 4<sup>th</sup> day of June, 2024 by Limerick City and County Council to grant permission subject to conditions, to Laya Healthcare care of Healy Partners Architects of The Mill, Glentworth Street, Limerick for the proposed development.

**Proposed Development:** A new extension to existing Laya Health and Wellbeing Clinic. The proposed extension, over two levels, has a total area of 603.6 square metres. It will accommodate consultation rooms, wellness area and MRI department and associated ancillary areas. Proposed works will include new louvre screening to screen the existing plant located on roof of existing building, revisions to car park area to include 26 car park spaces, secured bicycle storage and all associated site works at Laya Health and Wellness Clinic, Ennis Road, Caherdavin, 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.**

## Reasons and Considerations

Having regard to the nature and scale of the proposed development, its association with the existing medical use and within an 'Employment and Enterprise' zoning objective, it is considered that the proposal would be in accordance with the Limerick Development Plan 2022-2028, and 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 give rise to significant traffic or impact on the surrounding road or transport networks and would, therefore, be in accordance with the proper planning and sustainable development of the area.

## Conditions

1. The development shall be carried out 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 10<sup>th</sup> day of May 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 development shall be carried out and completed in accordance with the agreed particulars.

**Reason:** In the interest of clarity.

2. The quench pipe shall be located at least two metres away from the parapet of the roof on its western side. Prior to the commencement of development, the developer shall submit to, and agree in writing with, the planning authority an amended roof plan indicated compliance with this condition.

**Reason:** In the interest of clarity and residential amenity.

3. During the operational phase of the proposed development the noise level shall not exceed
  - (a) 55 dB(A) rated sound level between the hours of 0700 to 2300, and
  - (b) 45 dB(A) 15min and 60 dB LAfmax, 15min at all other times, (corrected for a tonal or impulsive component) as measured at the nearest dwelling.

Procedures for the purpose of determining compliance with this limit shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

**Reason:** To protect the residential amenities of property in the vicinity of the site.

4. Prior to the commencement of development, the applicant shall submit to, and agree in writing, with the planning authority, proposals for the storage and disposal of medical waste generated at operational stage.

**Reason:** In the interest of clarity, and the proper planning and sustainable development of the area.

5. A detailed construction management plan shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. The plan shall include details of arrangements for routes for construction traffic, parking during the construction phase, the location of the compound for storage of plant and machinery and the location for storage of deliveries to the site.

**Reason:** In the interest of sustainable transport and safety.

6. The disposal of surface water shall comply with the requirements of the planning authority for such works and services. Prior to the commencement of development, the developer shall submit details for the disposal of surface water from the site for the written agreement of the planning authority.

**Reason:** To prevent flooding and in the interests of sustainable drainage.

7. Notwithstanding the provisions of the Planning and Development Regulations 2001, or any statutory provision amending or replacing them, no additional advertisement signs (including any signs installed to be visible through the windows), advertisement structures, banners, canopies, flags, or other projecting elements shall be displayed or erected on the buildings or within the curtilage of the site, unless authorised by a further grant of planning permission.

**Reason:** To protect the visual amenities of the area.

8. Prior to the opening/occupation of the development, a final Mobility Management Plan (MMP) shall be submitted to and agreed in writing with the planning authority. This shall provide for incentives to encourage the use of public transport, cycling and walking by occupants/staff employed in the development. The mobility strategy shall be prepared and implemented by the management company for all units within the development.

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

9. Site development and building works shall be carried out only between the hours of 0700 and 1800 Mondays to Fridays inclusive, between 0800 to 1300 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:** In order to safeguard the amenities of properties in the vicinity.

10. All necessary measures be taken by the contractor to prevent the spillage or deposit of clay, rubble, or other debris on adjoining roads, including responsibility and repair for any damage to the public road to the satisfaction of the planning authority, during the course of the works.

**Reason:** To protect the amenities of the area.

11. 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:** To protect the residential amenities of property in the vicinity and the visual amenities of the area.

12. A Flood Emergency Response Plan allowing for safe access and egress during a flood emergency situation shall be developed for the site. The plan shall be submitted to, and agreed in writing with, the planning authority prior to the occupation of the proposed development. The plan shall be reviewed annually.

**Reason:** In the interest of proper planning and public health.

13. The developer shall pay to the planning authority a financial contribution in respect of public infrastructure and facilities benefiting development in the area of the planning authority that is provided or intended to be provided by or on behalf of the authority in accordance with the terms of the Development Contribution Scheme made under section 48 of the Planning and Development Act 2000, as amended. The contribution shall be paid prior to commencement of development or in such phased payments as the planning authority may facilitate and shall be subject to any applicable indexation provisions of the Scheme at the time of payment. Details of the application of the terms of the Scheme shall be agreed between the planning authority and the developer or, in default of such agreement, the matter shall be referred to An Bord Pleanála to determine the proper application of the terms of the Scheme.

**Reason:** It is a requirement of the Planning and Development Act 2000, as amended, that a condition requiring a contribution in accordance with the Development Contribution Scheme made under section 48 of the Act be applied to the permission.



**Tom Rabbette**

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

Dated this 13<sup>th</sup> day of May 2025.