



An
Coimisiún
Pleanála

Commission Order
ABP-320652-24

Planning and Development Act 2000, as amended

Planning Authority: Limerick City and County Council

Planning Register Reference Number: 24/60159

Appeal by Patrick Canty of Skagh, Croom, County Limerick against the decision made on the 30th day of July, 2024 by Limerick City and County Council to grant subject to conditions a permission to Croom Medical care of O'Neill O'Malley Architects of Block 2/3, Galway Technology Park, Galway in accordance with plans and particulars lodged with the said Council.

Proposed Development: The development will consist of an extension to the existing facility consisting of additional light industrial manufacturing area, two storey ancillary office space for staff facilities resulting in additional gross floor area of 3,050 square metres. Other works include a proposed new vehicular entrance to the southeast of the site, relocation of exiting football pitch, the construction of a new car park providing an additional 43 number parking spaces including accessible spaces, electric vehicle charging stations, and a set-down area. The provision of one number loading bay to the northern elevation, secure bicycle parking spaces, plant and photovoltaic units to the roof level, provision of Sustainable Drainage System (SuDS) measures including swale to northwestern end of site with all ancillary landscaping, associated site works and services. The development will also include works to the existing medical facility northern elevation to facilitate integration with the proposed extension, all in the townland of Tooreen, Croom, County 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 location of the site within the settlement boundary of Croom, to the nature and scale of the proposed development, to the provisions of the Limerick Development Plan 2022-2028, and the Croom Local Area Plan 2020-2026, it is considered that, subject to compliance with conditions below, the proposed development would facilitate appropriate industrial, enterprise and commercial development in Croom thereby strengthening the viability of the town centre as the focal point of commercial activity, would not give rise to material impacts on the noise environment, would not give rise to adverse impacts on air quality, would not result in traffic hazard, and would not adversely impact on surrounding amenity.

In identifying a material contravention of the Croom Local Area Plan 2020-2026 (namely in relation to the zoning provisions of same), the Commission had regard to the provisions of Section 37(2)(a) of the Planning and Development Act, 2000, as amended. The Commission noted the resolution of the Elected Members of Limerick City and County Council to grant permission and was of the view that there is sufficient justification for a material contravention of the Croom Local Area Plan 2020-2026 in this instance. The proposed development 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 submitted on the 4th day of April, 2024 and the 26th day of April 2024, except as may otherwise be required in order to comply with the following conditions.

Reason: In the interest of clarity.

2. Prior to the commencement of development, the hours of operation of the proposed development shall be submitted to, and agreed in writing with, the planning authority.

Reason: In the interest of clarity.

3. Prior to the commencement of development:
 - (a) a Stage 3/4 Road Safety Audit must be completed and submitted by the applicant for written agreement with the planning authority in compliance with the Transport Infrastructure Ireland Publication 'Road Safety Audit GE-STY-01024', and
 - (b) details concerning the layout of roads and footpaths shall also be submitted for the written agreement of the planning authority.

Reason: In the interests of traffic and pedestrian safety.

4. Prior to commencement of works, the developer shall submit to, and agree in writing with, the planning authority, a Construction Management Plan, which shall be adhered to during construction. This plan shall provide details of intended construction practice for the development, including noise and dust management measures and off-site disposal of construction/demolition waste.

Reason: In the interests of public safety and amenity.

5. A comprehensive boundary treatment and landscaping scheme shall be submitted to, and agreed in writing with, the planning authority, prior to commencement of development. This scheme shall include the following: -

- (a) details of all proposed hard surface and/or permeable surface finishes, including samples of proposed paving slabs/materials for footpaths, kerbing and road surfaces within the development,
- (b) proposed locations of trees and other landscape planting in the development, including details of proposed species and settings,
- (c) details of proposed street furniture, including bollards, lighting fixtures and seating, and
- (d) details of proposed boundary treatments at the perimeter of the site, including heights, materials and finishes.

The boundary treatment and landscaping shall be carried out in accordance with the agreed scheme.

Reason: In the interest of visual amenity.

6. The disposal of surface water shall comply with the requirements of the planning authority for such works and services.

Reason: In the interest of public health and surface water management.

7. The developer shall engage a suitably qualified (licensed eligible) archaeologist to monitor (licensed under the National Monuments Acts) all site clearance works, topsoil stripping, groundworks, dredging and/or the implementation of agreed preservation in-situ measures associated with the development following consultation with the National Monument Service (NMS). Prior to the commencement of such works, the archaeologist shall consult with and forward to the National Monument Service as appropriate a method statement for written agreement. The use of appropriate tools and/or machinery to ensure the preservation and recording of any surviving archaeological remains shall be necessary. Should archaeological remains be identified during the course of archaeological monitoring, all works shall cease in the area of archaeological interest pending a decision of the planning authority, in consultation with the National Monuments Service, regarding appropriate mitigation [preservation in-situ/excavation.

The developer shall facilitate the archaeologist in recording any remains identified. Any further archaeological mitigation requirements specified by the planning authority, following consultation with the National Monuments Service, shall be complied by the developer.

Following the completion of all archaeological work on site and any necessary post-excavation specialist analysis, the planning authority and the National Monuments Service shall be furnished with a final archaeological report describing the results of the monitoring and any subsequent required archaeological investigative work/excavation required. All resulting and associated archaeological costs shall be borne by the developer.

Reason: To ensure the continued preservation of features of archaeologist heritage.

8. Site development and building works shall be carried out only between the hours of 0700 to 1900 Mondays to Friday inclusive, between 0800 to 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: In order to safeguard the residential amenities of property in the vicinity.

9. 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 Coimisiún 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.

Eamonn James Kelly

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Planning Commissioner of An Coimisiún

Pleanála duly authorised to authenticate

the seal of the Commission.

Dated this *26th* day of *September*, 2025.