

An  
Coimisiún  
Pleanála

**Commission Order**  
**ABP-320729-24**

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**Planning and Development Act 2000, as amended**

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

**Planning Register Reference Number: 2360748**

**Appeal** by Marianne and Simon Flannery of Ash Tree Cottage, Monaleen Road, Castletroy, Limerick and by Others against the decision made on the 9<sup>th</sup> day of August 2024, by Limerick City and County Council to grant, subject to conditions, a permission to Eugene Harrington care of DK Architects of 13 Belfield Park, Ennis Road, Limerick in accordance with plans and particulars lodged with the said Council.

**Proposed Development:** The development of the site of the existing pitch and putt course to Monaleen Memorial Park over three phases. The phase one development will consist of the following key elements: (i) Four traditional burial gardens with an area of approximately 0.6 hectares comprising of 1048 burial plots; (ii) Ash burial area of approximately 0.07 hectares; (iii) Columbarium walls integrated into traditional burial gardens of approximately 2.3 metres high with an overall footprint of approximately 35 square metres; (iv) A pedestrian only access point will be provided from Monaleen Road adjacent to the existing vehicular access serving the site from Monaleen Road. The scheme will be served by 62 number car parking spaces split into two separate carparking areas & six number bicycle stands; (v) A central

reception plaza of approximately 270 square metres, containing a single storey building to include a staff welfare room and toilets with a gross floor area of 25 square metres; (vi) a maintenance compound of approximately 550 square metres adjacent to the existing maintenance building; (vii) extensive landscaping to include low earth berm enclosures to burial gardens, retention and enhancement of existing hedgerows to boundaries. Inclusion of rain gardens and substantial new tree planting and pedestrian pathways throughout the site; and (viii) all other associated site development works.

The phase two development will consist of the following key elements: (i) Three further traditional burial gardens of approximately 0.5 hectares comprising of 850 burial plots; (ii) Columbarium walls integrated into the traditional burial gardens of approximately 2.3 metres high with an overall footprint of approximately 15 square metres; (iii) pedestrian pathways leading to the new gardens; (iv) extensive landscaping to include low earth berm enclosures to the burial gardens, a meditation garden with reflection pool, and additional tree planting and rain gardens.

The phase three development will consist of further traditional burial plots of 1,437 plots over an area of approximately 0.78 hectares with associated landscaping including pedestrian paths and additional columbarium walls of 2.3 metres high with an overall footprint of approximately 14 square metres all at Monaleen Pitch and Putt Course, Monaleen Road, Castletroy, 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

Subject to the conditions set out below, it is considered that the proposed development would not seriously injure the residential or visual amenities of the area; would be acceptable in terms of traffic safety and convenience of pedestrians and road users, would not be prejudicial to public health and would safeguard the ecological value of the site. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

## Conditions

1. The development shall be 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 15<sup>th</sup> day of July 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. Prior to the commencement of any works on site, the developer shall submit for the written agreement of the planning authority, revised details (plans, sections and elevations at an appropriate scale) to include:
  - (a) A minimum two-metre buffer zone between the site boundary and any proposed burial plot. This buffer area shall be suitably landscaped with native species, where appropriate.



- (b) Proposed boundary treatments. Proposed chainlink fencing along the eastern boundaries (referred to as Site Boundary E on Drawing number 208 received by the planning authority on the 15<sup>th</sup> day of July 2024) and proposed timber post and rail fencing along the southern boundary (referred to as Site Boundary A on Drawing number 208 received by the planning authority on the 15<sup>th</sup> day of July 2024) for that portion of the boundary shared with the adjacent dwelling to the south of the main entrance/overspill car park shall be replaced with a two-metre block wall, suitably capped and rendered on both sides.
- (c) Details of measures to protect existing hedgerow on site during the construction phase of development.
- (d) One in five (20%) of all proposed car parking spaces shall be provided with functioning electric vehicle charging stations/points. Ducting shall be provided for all remaining car parking spaces on site. Details shall also be submitted of design of, and signage for, the electrical charging points and the provision for the operation and maintenance of the charging points shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.
- (e) Revised parking bay layout plan showing minimum EV parking bay dimensions.
- (f) Mobility Management Plan.
- (g) Confirmation from ESB Networks that there is no requirement to underground the existing overhead power line that traverses the site or alternatively a letter of consent from ESB Networks if relocation/undergrounding is required.
- (h) Detailed plan for management of headstone dimensions and plot sizes/alterations.

- (i) Details as to how it is proposed to operate the proposed development in the event that the proposed operator is no longer being in a position to do so.

**Reason:** In the interests of clarity, traffic safety and in the interests of the proper planning and sustainable development of the area.

- 3. (a) The maximum number of traditional burial plots shall be 3335 plots.
- (b) The columbarium walls shall be a maximum of 2.3 metres in height.

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

- 4. No signage, advertisement or advertisement structure (including that which is exempted development under the Planning and Development Regulations, 2001 (as amended)), other than those shown on the drawings submitted with the application, shall be erected or displayed on the buildings or within the curtilage of the site unless authorised by a further grant of planning permission.

**Reason:** In the interest of visual amenity.

- 5. The developer shall comply with all requirements of the planning authority in relation to roads, access, lighting and parking arrangements, including facilities for the recharging of electric vehicles. In particular:
  - (a) The roads and traffic arrangements serving the site (including signage) shall be in accordance with the detailed requirements of the planning authority for such works and shall be carried out at the developer's expense.

- (b) The roads layout shall comply with the requirements of the Design Manual for Urban Roads and Streets, in particular carriageway widths and corner radii.
- (c) The materials used in any roads/footpaths provided by the developer shall comply with the detailed standards of the planning authority for such road works.

A detailed construction traffic 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 traffic safety and convenience.

- 6. The construction of the development shall be managed in accordance with a final Construction and Environmental Management Plan (CEMP), which shall be submitted to, and agreed in writing with the planning authority prior to commencement of development. This plan shall provide, inter alia: details and location of proposed construction compounds, details of intended construction practice for the development, noise and dust management measures, details of arrangements for routes for construction traffic, parking during the construction phase, and off-site disposal of construction/demolition waste.

**Reason:** In the interests of public safety and residential amenity.

7. Site development and building works shall be carried out only between the hours of 0700 to 1900, Mondays to Fridays 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.

8. 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 any point along the boundary of the site. 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 amenities of property in the vicinity of the site.

9. Drainage arrangements, including the attenuation and 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.



10. Prior to the commencement of development, the developer shall enter into a water and wastewater connection agreement with Uisce Éireann.

**Reason:** In the interest of public health.

11. The site shall be landscaped in accordance with the detailed comprehensive scheme of landscaping, which accompanied the application submitted, unless otherwise agreed in writing with, the planning authority prior to commencement of development. The developer shall retain the services of a suitably qualified Landscape Architect throughout the life of the site development works. The approved landscaping scheme shall be implemented fully in the first planting season following completion of the development or each phase of the development and any plant materials that die or are removed within five years of planting shall be replaced in the first planting season thereafter with others of similar size and species, unless otherwise agreed in writing with the planning authority. A schedule of landscape maintenance, covering a minimum period of three years and shall include details of the arrangements for its implementation. Site clearance works, including the removal of existing vegetation, is not permitted during the bird nesting season (1<sup>st</sup> day of March to 31<sup>st</sup> day of August).

**Reason:** To ensure a satisfactory completion and maintenance of the development in the interests of residential amenity and in the interests of protecting the environment.



12. Public lighting shall be provided in accordance with a scheme, which shall include lighting along pedestrian routes through open spaces, details of which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development/installation of lighting.

**Reason:** In the interests of amenity and public safety.

13. The management and maintenance of the proposed development following its completion shall be the responsibility of a legally constituted management company, or by the local authority in the event of the development being taken in charge. Detailed proposals in this regard shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

**Reason:** To ensure the satisfactory completion and maintenance of this development.

14. The developer shall facilitate the archaeological appraisal of the site and shall provide for the preservation, recording and protection of archaeological materials or features which may exist within the site. In this regard, the developer shall:

- (a) notify the planning authority in writing at least four weeks prior to the commencement of any site operation (including hydrological and geotechnical investigations) relating to the proposed development, and
- (b) employ a suitably-qualified archaeologist prior to the commencement of development. The archaeologist shall assess the site and monitor all site development works.

The assessment shall address the following issues:

- (i) the nature and location of archaeological material on the site, and
- (ii) the impact of the proposed development on such archaeological material.

A report, containing the results of the assessment, shall be submitted to the planning authority and, arising from this assessment, the developer shall agree in writing with the planning authority details regarding any further archaeological requirements (including, if necessary, archaeological excavation) prior to commencement of construction works. In default of agreement on any of these requirements, the matter shall be referred to An Coimisiún Pleanála for determination.

**Reason:** In order to conserve the archaeological heritage of the area and to secure the preservation (in-situ or by record) and protection of any archaeological remains that may exist within the site.

- 15. (a) 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 the waste and, in particular, recyclable materials and for the ongoing 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.
- (b) This plan shall provide for screened communal bin stores, the locations and designs of which shall be included in the details to be submitted.

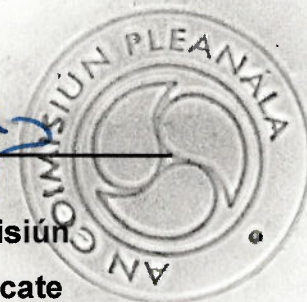
**Reason:** To provide for the appropriate management of waste and, in particular recyclable materials, in the interest of protecting the environment.

*Eamonn James Kelly*

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Planning Commissioner of An Coimisiún

Pleanála duly authorised to authenticate  
the seal of the Commission.



Dated this *14th* day of *November*, 2025