

An
Coimisiún
Pleanála

**Commission Order
ABP-322547-25**

Planning and Development Act 2000, as amended

Planning Authority: Limerick City and County Council

Planning Register Reference Number: 24/61170

Appeal by Dennis Marcus care of Noel Kerley Associates Limited of 6 The Crescent, Limerick and by Cora and Brian Cowhey of 4 Melvin Grove, Caherdavin, Limerick against the decision made on the 24th day of April, 2025 by Limerick City and County Council to grant subject to conditions a permission to Arthur Curran care of Project Design Architects of Unit 1, Beechcourt, Kilcoole, County Wicklow in accordance with plans and particulars lodged with the said Council.

Proposed Development: Change of use of existing two-storey commercial/office building to medical use (160 square metres), construction of two-storey extension to front, side and rear of existing premises of (394 square metres) with pitched tiled roof and rendered external finish and provision of external fire escape stairs. The medical facility will include 16 GP consultation rooms, administration and staff accommodation. The proposal includes for demolition of single storey area to front of existing building and single storey garages to west side. Total area of the proposed medical centre is 554 square metres, the application includes for 22 car parking spaces and covered bike parking and associated ground works, revised vehicular entrance with new stone signage plaque and new separate pedestrian access

and new illuminated signage to front elevation of the building and signage at vehicular entrance, all at Alexandra House, Caherdavin, Ennis Road, 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

In coming to its decision, the Commission performed its functions in relation to the making of its decision, in a manner consistent with Section 15(1) of the Climate Action and Low Carbon Act 2015, as amended by Section 17 of the Climate Action and Low Carbon Development (Amendment) Act 2021, in accordance with the provisions of the Climate Action Plan 2024 and Climate Action Plan 2025.

Having regard to the 'Existing Residential' zoning objective pertaining to the site where health facilities are considered generally permitted as per the land use zoning matrix of the Limerick Development Plan 2022-2028, it is considered that, subject to compliance with the conditions set out below, the proposed change of use from commercial/office to medical use would be in accordance with Section 11.5.3 (Health Care Facilities) of the development plan, would be acceptable in terms of traffic safety and convenience, would not seriously injure the residential amenity of property in the vicinity, and would, therefore, be in accordance with the proper planning and sustainable development of the area.

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 1st day of April, 2025, 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. Details of the materials, colours and textures of all the external finishes to the proposed development shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interest of visual amenity.

3. Details of the proposed bike storage facility for staff shall be submitted to; and agreed in writing with, the planning authority prior to commencement of development.

Reason: To support the provision of active travel infrastructure.

4. Notwithstanding the exempted development provisions of the Planning and Development Regulations 2001, as amended, and any statutory provision amending or replacing them, the use of the proposed development shall be restricted to medical use (as specified in the lodged documentation), unless otherwise authorised by a prior grant of planning permission.

Reason: In the interest of residential amenity.

5. The facility shall only operate between 0800 hours and 2100 hours Mondays to Fridays, inclusive, and between 0800 hours and 1400 hours on Saturdays.

Reason: In the interest of residential amenity.

6. The disposal of surface water shall comply with the requirements of the planning authority for such works and services. Prior to 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 interest of sustainable drainage.

7. Prior to commencement of development, the developer shall enter into a connection agreement with Uisce Éireann to provide for a service connection to the public water supply and wastewater collection network.

Reason: In the interest of public health and to ensure adequate water/wastewater facilities.

8. (a) All foul sewage and soiled water shall be discharged to the public foul sewer.
- (b) Only clean, uncontaminated storm water shall be discharged to the surface water drainage system.

Reason: In the interest of public health.

9. (a) Prior to commencement of development, a Stage 2 road safety audit shall be submitted to the planning authority for written agreement which shall be in compliance with Transport Infrastructure Ireland's publication 'Road Safety Audit GE-STY-01024' (2017).
- (b) Prior to occupation of the development, a Stage 3 road safety audit shall be submitted to the planning authority for written agreement which shall be in compliance with Transport Infrastructure Ireland's publication 'Road Safety Audit GE-STY-01024' (2017).
- (c) The internal road network serving the proposed development, including crossing points, parking areas and road markings and signage, shall comply with the construction standards of the planning authority.

Reason: In the interest of amenity and of traffic and pedestrian safety.

10. 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 or public holidays. Deviation from these times shall only be allowed in exceptional circumstances where prior written agreement has been received from the planning authority.

Reason: To safeguard the amenity of property in the vicinity.

11. Prior to commencement of development, 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 proposed development, including noise and dust management measures and off-site disposal of construction/demolition waste.

Reason: In the interest of public safety and amenity.

12. Prior to commencement of development, a Resource Waste Management Plan (RWMP) as set out in the Environmental Protection Agency's (EPA) Best Practice Guidelines for the Preparation of Resource and Waste Management Plans for Construction and Demolition Projects (2021) shall be prepared and submitted to the planning authority for written agreement. The RWMP shall include specific proposals as to how the RWMP will be measured and monitored for effectiveness. All records (including for waste and all resources) pursuant to the agreed RWMP shall be made available for inspection at the site office at all times.

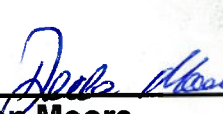
Reason: In the interest of reducing waste and encouraging recycling.

13. The mitigation measures set out in the flood risk assessment shall be implemented in full.

Reason: In the interest of flood risk management.

14. 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.


Declan Moore

Planning Commissioner of An Coimisiún
Pleanála duly authorised to authenticate
the seal of the Commission.

Dated this 11th day of September 2025.