

Planning and Development Act 2000, as amended

Planning Authority: Limerick City and County Council

Planning Register Reference Number: 25/60271

Appeal by John Curtin and by others against the decision made on the 12th day of December, 2025 by Limerick City and County Council to grant subject to conditions a permission to Sonnervale Limited in accordance with plans and particulars lodged with the said Council.

Proposed Development: Large-scale residential development (LRD) consisting of 114 number residential units comprising 16 number 2.5-storey four-bed detached units, eight number 2.5-storey three-bed semi-detached units, 36 number 2.5-storey three-bed terrace units, 19 number three-storey two-bed duplex units, 19 number three-storey three-bed duplex units and 16 number two-bed apartments provided within two number four-storey blocks. Ancillary apartment storage facility inclusive of bin and bike store. Creche facility. New access road off Mount Green Road. Off and on-street car parking and bicycle stands. Bin storage. Six number bicycle storage sheds. Landscaping. Temporary construction access. ESB substation and all associated site works, all at Golf Links Road and Mount Green Road, Newcastle, 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

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, and also had regard to the following:

- (a) The policies and objectives set out in the National Planning Framework 2040 (First Revision, 2025) and the Regional Spatial and Economic Strategy for the Southern Region 2020-2032,
- (b) The policies and objectives set out in the Limerick Development Plan 2022-2028, including the location of the site on lands subject to the zoning objective New Residential where the objective is to provide for new residential development in tandem with the provision of the necessary social and physical infrastructure,
- (c) Delivering Homes Building Communities 2025-2030 issued by the Department of Housing, Local Government and Heritage in November 2025,
- (d) the provisions of the Sustainable Residential and Compact Settlement Guidelines for Planning Authorities (January 2024),

- (e) the Planning Design Standards for Apartments Guidelines for Planning Authorities (2023),
- (f) the National Biodiversity Action Plan 2023–2030,
- (g) the Urban Development and Building Heights Guidelines for Planning Authorities (2020),
- (h) the Design Manual for Urban Roads and Streets (2013) (updated 2019),
- (i) the Childcare Facilities Guidelines for Planning Authorities (2001),
- (j) the Development Management Guidelines for Planning Authorities (2007),
- (k) the availability in the area of a wide range of social and transport infrastructure,
- (l) the pattern of existing and permitted development in the area,
- (m) the planning report and supporting technical reports of Limerick City and County Council,
- (n) the submissions and observations received,
- (o) the grounds of the appeals, observations and further responses on appeal, and
- (p) the report and recommendation of the planning inspector, including the examination, analysis and evaluation undertaken in relation to appropriate assessment, environmental impact assessment, and water status impact assessment.

Appropriate Assessment Screening:

The Commission completed an Appropriate Assessment screening exercise in relation to the potential effects of the proposed development on designated European Sites, taking into account the nature, scale and location of the proposed development within a suitably zoned and adequately serviced urban site, the Appropriate Assessment Screening Reports submitted with the application, the Inspector's Report, and the submissions on file. In completing the screening exercise, the Commission adopted the report of the Inspector and concluded that, by itself or in combination with other development in the vicinity, the proposed development would not be likely to have a significant effect on any European Site in view of the Conservation Objectives of such sites.

Environmental Impact Assessment:

The Commission completed an environmental impact assessment screening of the proposed development and considered that the Environment Impact Assessment Screening Report submitted by the applicant, which contains information set out in Schedule 7A of the Planning and Development Regulations 2001, as amended, identifies and describes adequately the effects of the proposed development on the environment. Having regard to:

- (a) the nature and scale of the proposed development, which is below the threshold in respect of Class 10(b)(i) and 10(b)(iv) of Part 2 of Schedule 5 of the Planning and Development Regulations 2001, as amended,
- (b) the location of the site on lands governed by the zoning objective New Residential of the Limerick Development Plan 2022-2028 and the results of the Strategic Environmental Assessment of the Limerick Development Plan 2022-2028 undertaken in accordance with the SEA Directive (2001/42/EC),

- (c) the greenfield nature of the site and its location at the edge of Castletroy, which is served by public services and infrastructure,
- (d) the existing use of the site and the pattern of development in the surrounding area,
- (e) the planning history related to the wider area of the site,
- (f) the absence of any significant environmental sensitivity in the vicinity,
- (g) the location of the proposed development outside of any sensitive location specified in Article 109(4)(a) of the Planning and Development Regulations 2001, as amended,
- (h) the guidance set out in the “Environmental Impact Assessment (EIA) Guidance for Consent Authorities regarding Sub-threshold Development” issued by the Department of the Environment, Heritage, and Local Government (2003),
- (i) the criteria set out in Schedule 7 and 7A of the Planning and Development Regulations 2001, as amended, and
- (j) the features and measures proposed by the applicant envisaged to avoid or prevent what might otherwise be significant effects on the environment,

it is considered that the proposed development would not be likely to have significant effects on the environment and that the preparation and submission of an environmental impact assessment report would not, therefore, be required.

Conclusions on Proper Planning and Sustainable Development:

It is considered that, subject to compliance with the conditions set out below, the proposed development would be in accordance with the applicable zoning objective New Residential and other relevant policies and objectives of the Limerick County Development Plan 2022-2028, would constitute in an appropriate density of residential development, would constitute a satisfactory mix and quantum of residential development, would provide acceptable levels of residential amenity for future occupants, would not adversely impact on adjacent established land uses, would not cause adverse impacts on or result in pollution to biodiversity, lands, water, or air, and would be acceptable in terms of water and surface water proposals. Furthermore, having regard to the proposed access and egress arrangements, including the proposed access via Caislean Nua and to the north of the site at Mount Green Road, the proposed additional traffic volumes, and the location of the site within an existing residential area, it is considered that the proposed development would be acceptable in terms of pedestrian, cyclist and traffic safety and convenience, and would not impact negatively on the immediate vicinity of the site. The proposed development 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 17th day of November, 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. Prior to the commencement of development, the applicant shall submit to, and agree in writing with, the planning authority detailed design proposals for the site boundary with the adjoining golf course lands to the south-east of the application site. The proposals shall include, inter alia, a boundary wall (of minimum height 2.5 metres) and landscaping proposals.

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

3. The construction access via Mount Green Road shall not be permitted. Prior to commencement of development, a revised site layout plan shall be submitted for the written agreement of the planning authority consisting of details of a redesigned construction access route.

Reason: In the interest of traffic safety.

4. Mitigation and monitoring measures outlined in the plans and particulars, including the Ecological Impact Assessment, and the Construction and Environmental Management Plan submitted with the application (and subject to condition number 18 hereunder), shall be carried out in full, except where otherwise required by conditions attached to this permission.

Reason: In the interest of protecting the environment, public health and clarity.

5. Prior to commencement of development, the developer shall submit for the written agreement of the planning authority the final phasing plan indicating:
 - (a) The construction of the dwellings permitted herein shall proceed in accordance with the submitted phasing plan and shall ensure that the appropriate section of access road, footpath, lighting, open space, landscaping and infrastructural services benefitting the particular dwellings are fully completed prior to those dwellings being occupied.
 - (b) The creche permitted herein shall be constructed in Phase 1.

Reason: To ensure the timely provision of services, for the benefit of the occupants of the proposed dwellings.

6. (a) Prior to commencement of the development, as permitted, the applicant or any person with an interest in the land shall enter into an agreement with the planning authority (such agreement must specify the number and location of each house or duplex unit) pursuant to Section 47 of the Planning and Development Act 2000, as amended, that restricts all relevant residential units permitted, to

first occupation by individual purchasers i.e. those not being a corporate entity, and/or by those eligible for the occupation of social and/or affordable housing, including cost rental housing.

- (b) An agreement pursuant to Section 47 shall be applicable for the period of duration of the planning permission, except where after not less than two years from the date of completion of each specified residential unit, it is demonstrated to the satisfaction of the planning authority that it has not been possible to transact each of the residential units for use by individual purchasers and/or to those eligible for the occupation of social and/or affordable housing, including cost rental housing.
- (c) The determination of the planning authority as required in (b) shall be subject to receipt by the planning and housing authority of satisfactory documentary evidence from the applicant or any person with an interest in the land regarding the sales and marketing of the specified residential units, in which case the planning authority shall confirm in writing to the applicant or any person with an interest in the land that the Section 47 agreement has been terminated and that the requirement of this planning condition has been discharged in respect of each specified residential unit.

Reason: To restrict new housing development to use by persons of a particular class or description in order to ensure an adequate choice and supply of housing, including affordable housing, in the common good.

7. Prior to commencement of development, proposals for a development name and numbering scheme, and associated signage shall be submitted to, and agreed in writing with, the planning authority. Thereafter, all such names and numbering shall be provided in accordance with the agreed scheme. No advertisements/marketing signage relating to the name(s) of the development shall be erected until the developer has obtained the planning authority's written agreement to the proposed name(s).

Reason: In the interest of urban legibility.

8. Details of the materials, colours, and textures of all the external finishes to the proposed development and boundary treatments (subject to condition number 2 above) shall be as submitted with the application, unless otherwise agreed in writing with the planning authority.

Reason: In the interest of visual amenity.

9. Prior to commencement of development, the developer shall submit further details of landscaping and boundary treatments for the written agreement of the planning authority to include the following:
- (a) Details of the green strip on the northern section of the site adjacent to Mount Green Road and all boundaries adjacent to the existing houses in this area.
 - (b) Details of screening along the linear park towards existing house numbers 63-70 Caislean Nua.

Reason: To protect the residential amenities of the area in the interest of proper planning and sustainable development.

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 approval has been received from the planning authority.

Reason: In order to safeguard the residential amenities of property in the vicinity.

11. Prior to commencement of development, the developer shall submit a revised public lighting design for the written agreement of the planning authority which shall be fully in accordance with Limerick City and County Council's Public Lighting Specification (2022).

Reason: In the interest of amenity and public safety.

12. Prior to commencement of development, the developer shall:
- (a) Enter into a connection agreement(s) with Uisce Éireann to provide for a service connection(s) to the public water supply and/or wastewater collection network and shall adhere to the standards and conditions set out in that agreement.
 - (b) Carry out the proposed development in compliance with Uisce Éireann's Standard Details and Codes of Practice.
 - (c) Where the developer proposes to build over or divert existing water or wastewater services, the developer shall have received written Confirmation of Feasibility (COF) of Diversion(s) from Uisce Éireann prior to any works commencing.
 - (d) Contact Uisce Éireann representatives to agree general access arrangements prior to commencement of construction on site.

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

13. The disposal of surface water shall comply with the requirements of the planning authority for such works and services and in accordance with the plans and particulars lodged.

Reason: In the interest of sustainable drainage.

14. All service cables associated with the proposed development (such as electrical, telecommunications and communal television) shall be located underground. Ducting shall be provided by the developer to facilitate the provision of broadband infrastructure within the proposed development.

Reason: In the interest of visual and residential amenity.

15. Prior to commencement of development, the developer shall submit:
- (a). A revised Stage 2 Road Safety Audit for the inclusion of a controlled crossing at the main junction for the written agreement of the planning authority in compliance with the TII Publication 'Road Safety Audit GE-STY-01024'.
 - (b). Prior to the occupation of the development, a Stage 3 Road Safety Audit shall be submitted for the written agreement of the planning authority in compliance with the TII Publication 'Road Safety Audit GE-STY-01024'.
 - (c). The developer shall address all issues raised within the Stage 2 and Stage 3 Audits in full and shall submit revised site layout plans to include the recommendations of the Audits for the written agreement of the planning authority.

Reason: In the interest of traffic, pedestrian and cyclist safety, and sustainable transport.

16. The developer shall comply with the requirements of the planning authority with respect to ecology as follows:
- (a) In the event of a high-water table or groundwater strike, a dewatering scheme to keep the excavations free from water shall be implemented. A settlement tank shall be installed, and water shall be discharged into the Uisce Éireann sewer network for the duration of works.
 - (b) Any vegetation removal on site shall be done outside the bird nesting season (March 1st to August 31st inclusive).
 - (c) Swift bricks and hirundine nest boxes shall be included in each building over two storeys high. The specification and location of these shall be decided by a suitably qualified ecologist.
 - (d) Three number bat boxes shall be installed around the site. The specification and location of these shall be decided by a suitably qualified ecologist.
 - (e) The following invasive and non-native (alien) species shall not be used:
 - *Stipa* species or Pheasant's tail grass, including *Anemanthele lessoniana*.
 - *Centaurea montana*.

Portuguese Laurel *Prunus lusitanica* is proposed as a hedging plant. A native species such as holly *Ilex aquifolium* or Yew *Taxus baccata* shall be used as it is of higher ecological value.

Reason: In the interest of protection of the environment, nature conservation and in the interest of public health.

17. A minimum of 20% of all car parking spaces shall be provided with functioning electric vehicle charging stations/points, and ducting shall be provided for all remaining car parking spaces, facilitating the installation of electric vehicle charging points/stations at a later date. Where proposals relating to the installation of electric vehicle ducting and charging stations/points have not been submitted with the application, in accordance with the above noted requirements, such proposals shall be submitted to, and agreed in writing with, the planning authority prior to occupation of the development.

Reason: To provide for and/or future proof the development such as would facilitate the use of electric vehicles.

18. A finalised Construction and Environmental Management Plan (CEMP) shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. The CEMP shall include, but not be limited to, construction phase controls for dust, noise and vibration, waste management, protection of soils, groundwaters, and surface waters, site housekeeping, emergency response planning, site environmental policy, and project roles and responsibilities.

Reason: In the interest of environmental protection residential amenities, public health and safety and environmental protection.

19. 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 (subject to condition number 3 above), 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.

20. (a) An Operational Waste Management Plan (OWMP) containing details for the management of waste within the development, the provision of facilities for the storage, separation, and collection of the waste, and for the ongoing operation of these facilities, shall be submitted to, and agreed in writing with, the planning authority not later than six months from the date of commencement of the development. Thereafter, the waste shall be managed in accordance with the agreed OWMP.
- (b) The OWMP shall provide for screened bin stores for the apartment blocks, and the childcare facility, the locations, and designs of which shall be as indicated in the plans and particulars lodged with the application, unless otherwise agreed in writing with the planning authority.

Reason: In the interest of residential amenity, and to ensure the provision of adequate refuse storage for the proposed development.

21. Prior to commencement of development, a Resource Waste Management Plan (RWMP) as set out in the EPA's '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 proper planning and sustainable development.

22. The management and maintenance of the proposed development following its completion shall be the responsibility of a legally constituted management company, or by the planning 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 the development.

23. Prior to commencement of development, the developer shall submit the following for the written agreement of the planning authority:

- (a) Notify the planning authority in writing at least four weeks prior to the commencement of any site operations (including hydrological and geotechnical investigations) relating to the proposed development.
- (b) Employ a suitably qualified archaeologist who shall apply for a licence to monitor all site investigations, excavation works and all ground disturbance associated with the development.
- (c) Submit the name of the suitably qualified archaeologist to the planning authority four weeks in advance of the commencement of any site works (including site investigations) accompanied by a site-specific letter from the archaeologist certifying that they have applied for a licence.

Reason: In order to conserve the archaeological heritage of the site and to secure the preservation of any remains which may exist within the site.

24. Prior to commencement of development, the developer shall submit the following for the written agreement of the planning authority:

- (a) Submit on completion of the ground works a report detailing the results of the licensed archaeological monitoring works to the Department of Housing, Local Government and Heritage and the planning authority. The report shall contain a drawing showing the exact extent of the area that was archaeologically monitored certified by the archaeologist. Excavators shall include a catalogue of excavated features with 12 figure ITM coordinates for the centre point of each feature. In the event that the development is phased, interim reports shall be submitted at each stage showing the area monitored and giving preliminary results.
- (b) Should archaeological material be found during the course of monitoring, the archaeologist shall have work on the site stopped, pending a decision as to how best to deal with the archaeology. The Development Applications Unit, National Monuments Service, Department of Housing, Local Government and Heritage and the planning authority Archaeologist shall be informed immediately. The developer shall be prepared to be advised by the National Monuments Service, Department of Housing, Local Government and Heritage and the planning authority with regard to any necessary mitigating action.

- (c) Should an archaeological excavation be required, then the developer shall provide satisfactory arrangements for the recording and excavation of any archaeological material that may be considered appropriate to excavate and shall undertake to complete all post excavation analysis up to and including final report stage. Excavators shall include a catalogue of excavated features with 12 figure ITM coordinates for the centre point of each feature. Within 12 months of the completion of the excavation a final report (in the format recommended in the Guidelines for Authors of Reports on Archaeological Excavations 2006 National Monuments Service) shall be submitted to the planning authority.

Reason: In order to conserve the archaeological heritage of the site and to secure the preservation of any remains which may exist within the site.

25. Prior to commencement of development, the applicant or other person with an interest in the land to which the application relates shall enter into an agreement in writing with the planning authority in relation to the provision of housing in accordance with the requirements of section 94(4) and sections 96(2) and (3) (Part V) of the Planning and Development Act 2000, as amended, unless an exemption certificate shall have been applied for and been granted under section 97 of the Act, as amended. Where such an agreement is not reached within eight weeks from the date of this order, the matter in dispute (other than a matter to which section 96(7) applies) may be referred by the planning authority or any other prospective party to the agreement to An Coimisiún Pleanála for determination.

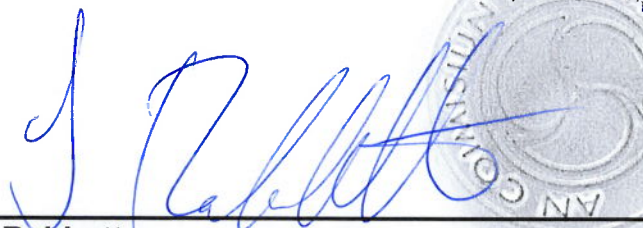
Reason: To comply with the requirements of Part V of the Planning and Development Act 2000, as amended, and of the housing strategy in the development plan of the area.

26. Prior to commencement of development, the developer shall lodge with the planning authority a cash deposit, a bond of an insurance company, or other security to secure the provision and satisfactory completion and maintenance until taken in charge by the planning authority and/or management company of roads, footpaths, watermains, drains, public open space and other services required in connection with the development, coupled with an agreement empowering the planning authority to apply such security or part thereof to the satisfactory completion or maintenance of any part of the development. The form and amount of the security shall be as agreed between the planning authority and the developer or, in default of agreement, shall be referred to An Coimisiún Pleanála for determination.

Reason: To ensure the satisfactory completion and maintenance of the development until taken in charge.

27. 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.



Tom Rabbette

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

Dated this 15th day of APRIL 2026.