

Planning and Development Act 2000, as amended

Planning Authority: Limerick City and County Council

Planning Register Reference Number: 25/60780

Application for Leave to Appeal against the decision of the planning authority by Cáit Ní Cheallacháin having an interest in land adjoining the land in respect of which Limerick City and County Council decided on the 10th day of December, 2025 to grant subject to conditions permission to The Land Development Agency.

Proposed Development: The subject site contains a Freestanding Wall (A Protected Structure RPS Number 3326) and is generally bounded by Dock Road to the north; the Power Station Building (A Protected Structure RPS Number 3261) and residential development at Saint James Mews to the south and south-west; O'Curry Street to the east; and Number 2 and Number 3 Dock Road, the rear of Number 4 and Number 5 Dock Road and other commercial premises at Saint Alphonsus Street to the west. The proposed development will consist of a mixed-use Large-Scale Residential Development comprising 285 number residential apartment units, two number retail units and a childcare facility, all in three number blocks (Blocks A-C) ranging in height from one to eight storeys with associated car parking, bicycle parking, public plaza and communal open spaces and all ancillary works. The development shall comprise:

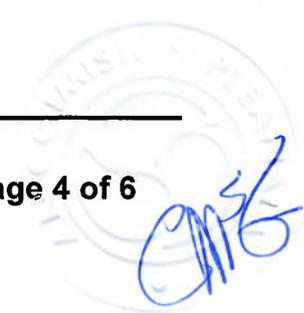
- (a) The demolition of the vacant former Gas Networks Ireland offices (total Ground Floor Area approximately 612 square metres).
- (b) Partial removal of an existing boundary wall at Dock Road and O'Curry Street; the removal of railings from the top of the existing boundary wall at O'Curry Street; the removal of entrance gates at O'Curry Street; and the removal of entrance piers and gates at Dock Road.
- (c) The demolition of an existing ESB Sub-Station at O'Curry Street.
- (d) The removal of an existing buttress section (approximately eight square metres) and rear elevation of flanking gable (approximately 12 square metres) of the free-standing limestone site boundary wall at Dock Road (a Protected Structure RPS Number 3326) and the reinstatement of all associated openings and arches. The proposed development will dismantle and relocate three number existing vermiculated arches from the flanking gable wall within the subject site as part of the overall landscape design.
- (e) The construction of 285 number residential apartment units in three number blocks (A-C) ranging in height from one to eight storeys in the form of 142 number one-bed apartments, 22 number two-bed (three-person) apartments, 105 number two-bed (four-person) apartments and 16 number three-bed apartments, each with associated private open space in the form of balconies/terraces as follows:
 - (i) Block A ranging in height from one to seven storeys will contain 114 number apartments in the form of 70 number one-bed apartments, 22 number two-bed (three-person) apartments and 22 number two-bed (four-person) apartments.
 - (ii) Block B ranging in height from two to eight storeys will contain 78 number apartments in the form of 23 number one-bed apartments, 39 number two-bed (four-person) apartments and 16 number three-bed apartments.
 - (iii) Block C ranging in height from six to eight storeys will contain 93 number apartments in the form of 49 number one-bed apartments and 44 number two-bed (four-person) apartments.

- (f) Retail Use (approximately 676 square metres) at ground and first floor level in Block B and Retail Use (approximately 197 square metres) at ground floor level in Block C (with associated external retail terrace), each including a dedicated internal bin store.
- (g) A childcare facility (approximately 203 square metres) with dedicated external open space and associated external bin store at ground floor level in Block C.
- (h) A total of 27 number car parking spaces at surface level including two number accessible spaces (including one number EV space), four number EV spaces and five number car sharing spaces.
- (i) Replacement of three number on-street car parking bays with three number set down bays at surface level at O'Curry Street.
- (j) A total of 594 number bicycle parking spaces (including 33 number cargo bicycles) in the form of 447 number resident spaces and 147 number visitor spaces (in two number bicycle stores at ground floor level in Block A; one number bicycle store at ground floor level in Block B; two number bicycle stores at ground floor level in Block C; and one number single storey external bicycle store at surface level) .
- (k) Public Open Space of approximately 1,300 square metres consisting of a new public plaza at the northeast corner of the site (junction of Dock Road and O'Curry Street) and a new public link towards a rear public plaza within the site. The proposed public open space will include reinstated heritage artefacts (the reinstatement of two number former stone arches from the former site).
- (l) Communal Open Space of approximately 1,800 square metres consisting of two number courtyards and five number children's play areas.
- (m) The removal of three number on-street car parking spaces at O'Curry Street to facilitate a new vehicular access point at O'Curry Street for service vehicles, pedestrian and cyclist access only.
- (n) Provision is also made for potential future vehicular and pedestrian access along the southern site boundary to service the Power Station Building (A Protected Structure RPS Number 3261) from O'Curry Street with temporary solid panel timber fence with gate.

- (o) A median strip is proposed to be installed across the Dock Road to allow for new left in – left out vehicular access arrangement at the existing Dock Road entrance.
- (p) Pedestrian and cyclist access is also proposed throughout the site from both Dock Road and O'Curry Street.
- (q) Three number ESB Sub Stations, two number Switch Rooms and a Generator room at surface level, all in a single storey dedicated building along the southern site boundary.
- (r) Heat Pump Plant (approximately 106 square metres), Central Water Storage Room (approximately 65 square metres) and Facility Management/Concierge Office (approximately 56 square metres) at ground floor level in Block A.
- (s) Four number bin stores located across Blocks A–C at ground floor level and three number refuse collection points.

The development will also provide for all associated service connections, public lighting, five number comms and meter rooms, hard and soft landscaping, planting, natural and formal play equipment, boundary treatment including retaining walls, green walls and boundary support proposals, nature-based SUDs features, green roofs and roof plant, 24 number swift bricks in Blocks A and C, internal roads and footpaths, traffic control point bollards, tactile paving and road markings and all associated site clearance, excavation, landscape and development works. The site is subject to an Industrial Emissions Licence (Register Number: W0281-01) associated with development previously permitted under Register Reference 12770087, as extended by Register Reference 177006. The development involves works to a Protected Structure. A Natura Impact Statement will be submitted to the planning authority with the application.

All at the Former Limerick Gasworks Site, Dock Road, Limerick, County Limerick.



Decision

REFUSE leave to appeal under section 37 (6) of the Planning and Development Act, 2000, as amended, based on the reasons and considerations set out below.

Reasons and Considerations

Having regard to the submissions and documents received in connection with the application for leave to appeal and the conditions set out in the planning authority's decision, it is considered that it has not been shown that the development in respect of which a decision to grant permission has been made will differ materially from the development, as set out in the application for permission by reason of condition number 11 imposed by the planning authority to which the grant is subject.

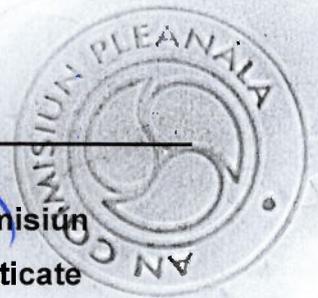
Condition number 11 references acoustic mitigation measures, as set out by the applicant in the application documentation and requires a post completion noise monitoring exercise to establish the sound insulation performance of the building envelope. This condition does not result in a development which differs materially from that set out in the application for permission. For example, there is no change to the positioning of any buildings/structures or any material difference which would alter the relationship of the development to that of the adjoining Dolan's premises compared to the relationship between the development and those adjoining premises, as defined in the application documentation. The issues expressed by the applicant for leave to appeal include concerns regarding noise impact outwards from their premises to the proposed development, whereby at present no residential use exists on the development site.

Furthermore, the applicant for leave to appeal expresses concerns as to the efficacy of acoustic mitigation measures proposed by the applicant and queries the ability of condition number 11 to be complied with. While such expressed concerns are noted, Section 37(6) is not the appropriate legislative provision within which to determine such efficacy (or otherwise). In reaching this determination, the Commission notes that the obligation to comply with condition number 11 lies with the developer and that a grant of permission in this instance will not change the ability of the adjoining premises to continue to operate within any and all planning and legislative obligations applicable to those premises.



Chris McGarry

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



Dated this 5th day of February 2026.