

An
Coimisiún
Pleanála

Commission Order
ACP-324206-26

Planning and Development Act 2000, as amended

Planning Authority: Limerick City and County Council

Planning Register Reference Number: 26/60089

Appeal by Caisleán na hAbhainn Residents' Association and by Diarmuid Ryan against the decision made on the 26th day of March, 2026 by Limerick City and County Council to grant subject to conditions a permission to A&G Thomond Builders Limited in accordance with plans and particulars lodged with the said Council.

Proposed Development: Large Scale Residential Development (LRD) for a period of seven years for development consisting of 95 number apartments, 22 number houses and a Purpose-Built Student Accommodation (PBSA) scheme comprising of 309 number student bedspaces. The apartment units are distributed across four number separate blocks of four-and-a-half storeys in height and comprise of 18 number one-bed units, 74 number two-bed units and three number three-bed units. The houses comprise two-storey units, including eight number four-bed units and 14 number three-bed units. The PBSA scheme is distributed across four number separate blocks of five

storeys in height, including provision of three number seven-bed apartments, 36 number eight-bed apartments and ancillary building service infrastructure at ground floor level in Block 1, including communal space, laundry facilities and a meeting room. The development also includes provision of a creche and ancillary site development works, including car and bicycle parking, bicycle stands, two number bicycle sheds, boundary treatments, public lighting, water supply, foul and surface water drainage infrastructure, ESB substation, temporary construction access, and landscaping. Vehicular and pedestrian access to the site will be from the Groody Road and Caisleán Na hAbhann. Permission is also sought for use of the accommodation outside of student term time for short-term letting purposes, all on land situated between the Groody Road and Caisleán Na hAbhann in the townland of Kilbane, 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 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 Settlements Guidelines for Planning Authorities (January 2024),
- (e) the Planning Design Standards for Apartments Guidelines for Planning Authorities (2025),
- (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 Design Guide for State Sponsored Student Accommodation issued by the Department of Further and Higher Education, Research, Innovation and Science (2025),
- (l) the National Student Accommodation Strategy 2026-2035 issued by the Department of Further and Higher Education, Research, Innovation and Science (2026),
- (m) the availability in the area of a wide range of social and transport infrastructure, including the availability of public transport in close proximity to the site,
- (n) the proximity of the campus to University of Limerick,
- (o) the pattern of existing and permitted development in the area,
- (p) the planning history relating to the site and to the wider area of the site,
- (q) the planning report and supporting technical reports of the planning authority,



- (r) the submissions and observations received at planning application and appeal stage, and
- (s) 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 planning application, the Inspectors' reports, and the submissions on file.

In completing the screening exercise, the Commission adopted the reports of the Inspectors 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 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 pattern of development in the surrounding area,
- (e) the absence of any significant environmental sensitivity in the vicinity,

- (f) 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,
- (g) 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),
- (h) 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 which are envisaged to avoid or prevent what might otherwise be significant effects on the environment, as outlined in the plans and particulars, including the Ecological Impact Assessment, Bat Survey, Bat Derogation License and Construction and Environmental Management Plan,

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.



Water Framework Directive Screening:

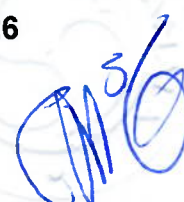
The Commission completed a screening exercise with regard being had to the objectives of Article 4 of the Water Framework Directive, taking into account the nature of the proposed development, site and receiving environment, the hydrological and hydrogeological characteristics of proximate waterbodies, the absence of any meaningful pathways to any waterbody, the standard pollution controls and project design features, the information and reports submitted as part of the planning application and the appeal, and the planning inspector's report.

In completing the screening exercise, the Commission adopted the report of the planning inspector, and concluded that proposed development would not result in a risk of deterioration to any waterbody (rivers, lakes, groundwaters, transitional and coastal) either qualitatively or quantitatively or on a temporary or permanent basis or otherwise jeopardise any waterbody in reaching its Water Framework Directive objectives, and that a Water Framework Directive Assessment would not, therefore, be required.



Conclusions on Proper Planning and Sustainable Development:

The Commission considered that, subject to compliance with the conditions set out below, the proposed development would be consistent with the site's zoning objective 'New Residential' and other relevant policies and objectives of the Limerick Development 2022-2028, would result in an appropriate density of residential development and student accommodation, would constitute a satisfactory mix and quantum of residential development and student accommodation, would provide acceptable levels of residential amenity for future occupants, would address an identified shortfall in student bedspaces in Limerick, would not result in an overconcentration of student accommodation in the area, would not seriously injure the residential or visual amenities of property in the vicinity, would not cause adverse impacts on or result in serious 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 Groody Road and Caisleán na hAbhann to the east of the site, 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, would not impact negatively on the immediate vicinity of the site, and would otherwise constitute an appropriate development on these zoned, serviced lands. 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, 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. The 117 number residential units hereby permitted shall be used and occupied as a single unit for residential purposes and shall not be subdivided or used for any commercial purpose, including short-term letting, without a prior grant of planning permission.

Reason: In the interest of clarity and to ensure the maintenance of a residential community.



3. The 309 student bedspaces hereby permitted shall be used for student accommodation or accommodation related to a Higher Education Institute or tourist/visitor accommodation only during academic holiday periods and shall not be used for the purposes of permanent residential accommodation, such as a hotel, hostel, apart-hotel or similar use, without a prior grant of planning permission.

Reason: To clarify the scope of the permission, in the interest of the proper planning and sustainable development of the area, and in accordance with the details submitted with the planning application.

4. Mitigation and monitoring measures, as outlined in the plans and particulars, including the Ecological Impact Assessment, Bat Survey and Construction and Environmental Management Plan submitted with the planning application, 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. The proposed development shall be carried out on a phased basis, in accordance with the phasing scheme submitted with the planning application, unless otherwise agreed in writing with, the planning authority. Work on any subsequent phases shall not commence until such time as the written agreement of the planning authority is given to commence that phase. The creche facility shall be made available for occupation as part of the implementation of phase two of the proposed development.

Reason: To ensure the orderly delivery of development on site.

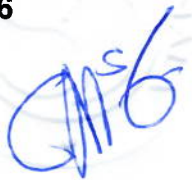
6. The proposed development shall be implemented as follows:

- (a) The student accommodation and complex shall be operated and managed in accordance with the measures identified in a finalised Student Accommodation Management Plan which shall be submitted to, and agreed in writing with, the planning authority prior to first occupation of the development. The management scheme shall also include adequate measures for the future maintenance of open spaces, roads and communal areas.
- (b) The proposed student housing units shall not be amalgamated or combined.

Reason: In the interest of the amenities of the occupiers of the units and surrounding properties.

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 shall be as submitted with the planning application, unless otherwise agreed in writing with the planning authority.

Reason: In the interest of visual amenity.

9. The proposed landscaping scheme, including levelling, grading and grassing, shall be carried out during the first planting season after the commencement of development. The species planted may include trees such as mountain ash, birch, cedar, willow, sycamore, larch, spruce, pine, oak, hawthorn, holly, hazel, beech alder (Leylandii trees shall not be planted). Any trees or plants which fail during the first three years after planting shall be replaced by the developer. Adequate drainage works to prevent flooding of these areas shall also be carried out.

Reason: In the interest of orderly development and the visual amenities of the area.

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 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 enter into connection agreements with Uisce Éireann to provide for service connections to the public water supply and/or wastewater collection network.

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

13. The attenuation and 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.

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15. Prior to commencement of development, a Stage 2 Road Safety Audit, in compliance with the Transport Infrastructure Ireland Publication 'Road Safety Audit GE-STY-01024', shall be submitted for the prior written agreement of the planning authority. Upon completion of the development, and prior to first occupation of any residential unit, a Stage 3 Road Safety Audit, in compliance with 'Road Safety Audit GE STY-01024' and including revised site layout plan drawings shall be submitted for the prior 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) All ecological mitigation in the Bat Fauna Survey, EclA, and Landscape Plan shall be implemented in full.
 - (b) The removal of the Lesser Noctule bat roost tree shall be carried out strictly in accordance with the National Parks and Wildlife Service derogation licence, including seasonal restrictions, pre-felling inspections, and supervised removal.
 - (c) A minimum of three Noctule bat boxes and three Leisler's bat boxes shall be installed under ecological supervision.
 - (d) Swift bricks and at least five bird nesting boxes shall be integrated into the development at locations agreed with the planning authority.

- (e) A post-construction bat survey and light-spill assessment shall be submitted to the planning authority within six months of occupation.

Reason: To mitigate the loss of roost habitat, to enhance biodiversity and to ensure effective mitigation.

17. The developer shall comply with the requirements of the planning authority with respect to roads, access, footpaths, parking and mobility as follows:

- (a) All internal footpaths shall provide a minimum 2.0-metre width, except where widened at perpendicular parking areas to ensure pedestrian clearance from vehicles.
- (b) Revised drawings addressing forward visibility, pedestrian crossings, tactile paving, cycle infrastructure, kerb details, and tie-in to existing roads, shall be submitted for the written agreement of the planning authority prior to commencement of development.
- (c) All residential car parking spaces shall be ducted for future EV charging, and at least 20% of all spaces shall be EV-enabled prior to occupation.
- (d) Bicycle parking shall comply with the Cycle Design Manual, and visitor cycle parking shall be covered wherever requested in the Active Travel submission.

Reason: In the interest of traffic safety, to support sustainable travel and to comply with development plan standards.

18. The proposed development shall be implemented as follows:

- (a) Prior to commencement of development, a revised site layout drawing shall be submitted to, and agreed in writing with, the planning authority which continues the existing Groody Road cycle lane to meet the new proposed vehicular entrance at Caisleán na hAbhann.
- (b) The internal bicycle stores serving the apartment blocks shall be revised to comply with the Cycle Design Manual, including adequate turning/manoeuvring space and the provision of cargo-bike-appropriate spaces.
- (c) Visitor bicycle parking shall include covered bicycle stands in a number of locations within the development.
- (d) A minimum of 32 number EV parking spaces (20% of total car parking provision) shall be provided and distributed appropriately across the development prior to occupation.
- (e) A revised Mobility Management Plan shall be submitted for the written agreement of the planning authority prior to occupation, including updated modal share targets, identification of a Travel Plan Coordinator, provision of car-share targets, and commitments to baseline and on-going monitoring surveys.

Reason: In the interest of promoting sustainable transport and compliance with the provisions of the development plan.



19. A 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.

20. 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 sustainable transport and safety.

21. (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 on-going 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 within the planning 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.

22. Prior to commencement of development, the developer shall prepare 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), including demonstration of proposals to adhere to best practice and protocols. The RWMP shall include specific proposals as to how the RWMP will be measured and monitored for effectiveness; these details shall be placed on file and retained as part of the public record. The RWMP shall be submitted to the planning authority for written agreement prior to commencement of development. 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 sustainable waste management.

23. The roof areas shall not be accessible other than for maintenance purposes only.

Reason: In the interest of residential amenity.

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24. (a) The communal open spaces, including hard and soft landscaping, car parking areas and access ways, communal refuse/bin storage, and all areas not intended to be taken in charge by the planning authority, shall be maintained by a legally constituted management company.
- (b) The management and maintenance of the proposed development following its completion shall be the responsibility of a legally constituted management company (to include details of the proposed student accommodation complex, which shall be operated and managed by an on-site management team on a 24-hour, full-time basis), 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.

25. Prior to commencement of development, the developer shall:
- (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, and
- (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.

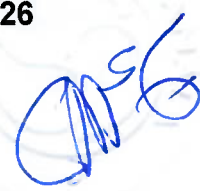
26. Prior to commencement of development, the developer shall:

- (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 & Heritage and the planning authority 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 twelve 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.



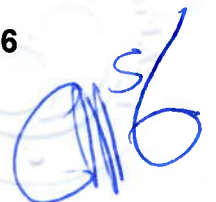
27. Prior to commencement of development, the applicant, or any other person with an interest in the land to which the application relates, shall enter into an agreement in writing with the planning authority in relation to the provision of housing in accordance with the requirements of section 94(4) 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.

28. (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 apartment) 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 housing 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 housing 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 housing 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.



29. 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.

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30. 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.

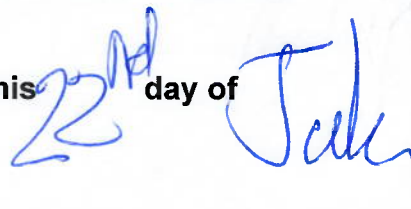
Reason: It is a requirement of the Planning and Development Act 2000, as amended, that a condition requiring a contribution in accordance with the Development Contribution Scheme made under section 48 of the Act be applied to the permission.



Chris McGarry

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

Dated this



2026.