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

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

**Planning Register Reference Number: 2461182**

**Appeal** by Daniel Ryan and Jeremiah Ryan against the decision made on the 20<sup>th</sup> day of November, 2025 by Limerick City and County Council to grant, subject to conditions, a permission to Rinberry Limited in accordance with the plans and particulars lodged with the said Council.

**Proposed Development:** Permission is sought to construct 27 residential units, consisting of three number three bed detached dwellings, six number two bed semi-detached dwellings, eight number two bed terraced dwellings, eight number three bed terraced dwellings, one number apartment block containing two number two bed apartments, together with entrance, estate road, cycle path, footpaths, car parking and bicycle stands and associated site works including attenuation tanks and surface water out fall. Outline planning permission sought for 10 number serviced site together with estate road, footpaths and associated site works, all at Bottle Hill, Doon, County Limerick. The proposed development was revised by further public notices received by planning authority on the 24<sup>th</sup> day of October, 2025.

## **Decision**

**GRANT permission for the above proposed development in accordance with the said plans and particulars based on the reasons and considerations set out below.**

## **Reasons and Considerations**

Having regard to the provisions of the Limerick City and County Development Plan 2022-2028, to the Level 4 settlement designation and residential zoning of the site that allows for appropriate residential development, to the provisions of Objectives CGR P1 in terms of providing for consolidated growth while also adhering to Objective CGR O15 to protect residential amenity, to the nature of the proposed development and to the pattern of development in the surrounds, it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the residential or visual amenities of the area or the amenities of property in the vicinity and would constitute an acceptable form of development at this location. The proposed development, would, therefore, be in accordance with the proper planning and sustainable development of the area.

## Conditions

1. The 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 24<sup>th</sup> day of October 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 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, revised plans shall be submitted for the written agreement of the planning authority to include the following:
  - (a) First-floor window on the southern elevation of house number 28 to be opaque glazing.
  - (b) Revised boundary treatment proposals at the main entrance onto the R505 Regional Road including appropriate connection to the existing boundary walls at Saint Fintan's Terrace to the west and the existing dwellings to the east. Proposals shall have regard to the character of the surrounding area and the omission/ replacement of concrete bollards.

- (c) Revised proposals for the boundary between the permitted development and properties along Saint Fintan's Terrace, in particular number 7 Saint Fintan's Terrace, to ensure protection of existing structures.

**Reason:** To prevent overlooking and in the interests of residential amenity.

3. 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.

4. (a) This outline planning permission for the 10 number serviced sites shall expire within three years of the date of the final grant of outline permission. Permission consequent is required for the individual houses on the serviced sites and shall be limited to a period of two years.
- (b) This planning permission for the construction of 28 number houses, an entrance, internal roadway, footpaths and connection mains services together with all associated site works shall be limited to a period of five years.

**Reason:** To ensure the site is developed in an orderly fashion and within a reasonable timeframe.

5. The site shall be landscaped in accordance with a comprehensive scheme of landscaping, details of which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This scheme shall include the following:
- (a) A plan to scale of not less than 1:500 showing:
    - (i) existing trees, hedgerows specifying which are proposed for retention as features of the site landscaping,
    - (ii) the measures to be put in place for the protection of these landscape features during the construction period,
    - (iii) the species, variety, number, size and locations of all proposed trees and shrubs which shall comprise predominantly native species such as mountain ash, birch, willow, sycamore, pine, oak, hawthorn, holly, hazel, beech or alder,
    - (iv) details of boundary treatments between each unit and at external boundaries,
    - (v) details of planting at external boundaries of the site, and
    - (vi) hard landscaping works, specifying surfacing materials, furniture and finished levels.
  - (b) Details of proposed pedestrian links to open space.
  - (c) A timescale for implementation.

All planting shall be adequately protected from damage until established. Any plants which die, are removed or become seriously damaged or diseased, within a period of five years from the completion of the development or until the development is taken in charge by the local authority, whichever is the sooner, shall be replaced within the next planting season with others of similar size and species, unless otherwise agreed in writing with the planning authority.

**Reason:** In the interests of residential and visual amenity.

6. The access from the public road and internal road and vehicular circulation network serving the proposed development, including layout of the R505 at the entrance to the site, turning bays within the development, parking areas, driveways, a raised table/crossing or similar traffic calming measure at the entrance to the development, bicycle parking, electric vehicle charging, footpaths, cycle paths and kerbs shall be in accordance with the detailed construction standards of the planning authority for such works and design standards outlined in Design Manual for Urban Roads and Streets (DMURS). In default of agreement the matter(s) in dispute shall be referred to An Coimisiún Pleanála for determination.

**Reason:** In the interests of amenity and of traffic and pedestrian safety.

7. The developer shall comply with the following Transportation requirements of the planning authority:
- (a) A Stage 2 Road Safety Audit shall be submitted for the written agreement of the planning authority prior to the commencement of development in compliance with the Transport Infrastructure Ireland (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 Transport Infrastructure Ireland (TII) Publication 'Road Safety Audit GE STY-01024'.
  - (c) The developer shall address all problems raised with the stage 2 and 3 Audits in full and submit revised Site Layout Plans to include the recommendations of the Audits, which must be clearly labelled, for the written agreement of the planning authority.
  - (d) The proposed residential car parking spaces shall be constructed and have appropriate ducting to be capable of accommodating future electric charging points for electrically operated vehicles.
  - (e) Road Markings and Signs shall be in accordance with "I.S. EN 1436 European Standard for Road Markings" and in accordance with the "Traffic Signs Manual". All road markings and signage shall be kept maintained by the developer.

**Reason:** In the interests of traffic safety, amenity and orderly development.

8. (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.
- (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:** To ensure the continued preservation of places, caves, sites, features or other objects of archaeological interest.

9. (a) On completion of the ground works, the developer shall submit 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 should 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 may have work on the site stopped, pending a decision as to how best to deal with the archaeology. On completion of the ground works, the developer shall submit 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 should 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.
- (c) Should an archaeological excavation be required then the following shall apply:
- (i) 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 should 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.

10. (a) Prior to the commencement of any house in 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), pursuant to Section 47 of the Planning and Development Act 2000, that restricts all houses 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 specified house or unit 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 developer 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 in accordance with the 'Regulation of Commercial Institutional Investment in Housing Guidelines for Planning Authorities', May 2021.

11. The development hereby permitted shall be carried out and completed at least to the construction standards as set out in the planning authority's Taking In Charge Standards. In the absence of specific local standards, the standards as set out in the 'Recommendations for Site Development Works for Housing Areas' issued by the Department of the Environment and Local Government in November, 1998. Following completion, the development shall be maintained by the developer, in compliance with these standards, until taken in charge by the planning authority.

**Reason:** To ensure that the development is carried out and completed to an acceptable standard of construction.

12. 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.

13. A plan containing details for the management of waste 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 for each unit 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 plan.

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

14. Water supply and drainage arrangements, including the attenuation and disposal of surface water, shall be submitted to the planning authority and agreed prior to the commencement of development.

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

15. The developer shall enter into water supply and wastewater connection agreements with Uisce Eireann, prior to commencement of development. A Confirmation of Feasibility for connection to the Irish Water network shall be submitted to the planning authority prior to the commencement of development.

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

16. Public lighting shall be provided in accordance with a final scheme to reflect the indicative details in the submitted External Lighting Report, details of which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development/installation of lighting. Such lighting shall be provided prior to the making available for occupation of any residential unit and shall include lighting of proposed pedestrian link to the southeast of the site.

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

17. 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 interests of visual and residential amenity.

18. The construction of the development shall be managed in accordance with a Construction Environment Management Plan, which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This plan shall provide details of the intended construction practice for the proposed development, including measures for the protection of existing residential development, traffic management during the construction phase, noise and dust management measures and off-site disposal of construction/demolition waste.

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

19. Construction and demolition waste shall be managed in accordance with a final construction waste and demolition management plan, which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This plan shall be prepared in accordance with the “Best Practice Guidelines on the Preparation of Waste Management Plans for Construction and Demolition Projects”, published by the Department of the Environment, Heritage and Local Government in July, 2006. The plan shall include details of waste to be generated during site clearance and construction phases, and details of the methods and locations to be employed for the prevention, minimisation, recovery and disposal of this material in accordance with the provision of the Waste Management Plan for the Region in which the site is situated.

**Reason:** In the interest of sustainable waste management.

20. Site development and building works shall be carried only out between the hours of 0700 to 1900 Mondays to Friday and between the hours of 0800 and 1400 hours on Saturday inclusive, 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.

21. Proposals for an estate/street name, apartment/house numbering scheme and associated signage shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. Thereafter, all estate and street signs, and apartment/house numbers, shall be provided in accordance with the agreed scheme. The proposed name(s) shall be based on local historical or topographical features, or other alternatives acceptable to the planning authority. 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 and to ensure the use of locally appropriate placenames for new residential areas.

22. Prior to commencement of development, the developer 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 section 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.

23. 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 local authority of roads, footpaths, watermains, drains, public open space and other services required in connection with the development, coupled with an agreement empowering the local 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.

24. 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.

*Patricia Calleary*

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



Dated this 30<sup>th</sup> day of March 2026.