



An
Coimisiún
Pleanála

Commission Order
PL-500616-LK-26

Planning and Development Act 2000, as amended

Planning Authority: Limerick City and County Council

Planning Register Reference Number: 2561108

Appeal by Pierce Rowsome against the decision made on the 16th day of December 2025, by Limerick City and County Council to grant, subject to conditions, a permission to Jeffrey and Sean Markham in accordance with plans and particulars lodged with the said Council.

Proposed Development: (a) Construct a block of four number domestic houses, (b) construct new access onto public road and install new service road, public footpath car parking and associated works, (c) install new foul and storm sewer with connection to public sewer along with all ancillary services connecting to public utility services with all associated site works at Bóthar Buí, Knockane, Newcastle West, 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

Having regard to the zoning objective of the site, the nature of the proposed development, the location of the site, the pattern of development in the area, and the benefits of bringing forward much needed housing on a serviced and sustainable infill site within the existing built up area, it is considered that, subject to compliance with the conditions set out below, the proposed development would provide an acceptable level of amenity for future residents, would not seriously injure the residential amenities of property in the vicinity or the visual amenities and character of the area, would not compromise traffic or pedestrian safety and would, therefore, be in accordance with the provisions of the Limerick Development Plan 2022-2028, the Newcastle West Local Area Plan 2023-2029, and 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 on the 29th 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. The proposed development shall be amended as follows:
- (a) The layout of the turning head shall be revised to move the turning head to the end of the access road at the western boundary of the site.
 - (b) Parking spaces 1 - 3 shall be omitted and the space shall be landscaped in line with the wider open space provisions.
 - (c) EV charging facility ducting shall be provided to all parking spaces.

Prior to the commencement of development revised drawings showing compliance with the above shall be submitted for the written agreement of the planning authority.

Reason: In the interests of visual and residential amenity and the quality of open space.

3. Details of the materials, colours and textures of all the external finishes to the proposed dwellings and structures shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interest of visual amenity and to ensure an appropriate high standard of development.

4. (a) The developer shall submit a signed Stage 1 Road Safety Audit for the written agreement of the planning authority prior to the commencement of development.

- (b) The developer shall submit a Stage 2 Road Safety Audit for written agreement with the planning authority prior to commencement of development, in compliance with Transport Infrastructure Ireland (TII) Publication Road Safety Audit GE-STY-01024 and shall complete and submit a Stage 3 Road Safety Audit for written agreement with the planning authority, in compliance with the same TII Publication.
- (c) The developer shall submit details of the proposed Audit Team for written agreement with the planning authority prior to proceeding with the audits.
- (d) All problems identified in the Stage 1, 2 and 3 Audits shall be addressed in full, and revised Site Layout Plans, incorporating the recommendations of the audits, shall be submitted. These plans must be clearly labelled and shall be agreed in writing with the planning authority.

Reason: In the interest of road traffic safety.

- 5. A comprehensive boundary treatment and landscaping scheme shall be submitted to, and agreed in writing with, the planning authority, prior to commencement of development. This scheme shall include the following:
 - (a) Details of all proposed hard surface and/or permeable surface finishes, including details of proposed paving slabs/materials for footpaths, kerbing and road surfaces within the development.
 - (b) Landscaping details including the proposed locations of trees and other landscape planting in the development, including details of proposed species.

- (c) Details of proposed street furniture, including bollards and lighting fixtures.
- (d) Details of all proposed boundary treatments, including type, heights, materials and finishes. The developer shall consult with the owner of the adjacent property to the northwest in relation to the boundary treatment along the boundary with that property. All boundary treatments shall be of a permanent nature and designed to facilitate the retention and protection of existing trees and hedgerows. Boundaries shall be installed in a manner that prevents the creation of inaccessible or unmanaged areas.

The boundary treatment and landscaping shall be carried out in accordance with the agreed scheme.

Reason: In the interest of visual amenity.

- 6. Proposals for an estate/street name, 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 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.

7. 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.

8. Public lighting shall be provided in accordance with a scheme which shall be submitted to, and agreed in writing with, the planning authority prior to the commencement of development. Such lighting shall be provided prior to the making available for occupation of any residential unit.

Reason: In the interests of amenity and public safety.

9. Drainage arrangements, including the attenuation and disposal of surface water, shall comply with the requirements, in writing where necessary, of the planning authority for such works and services.

Reason: In the interest of public health.

10. The internal road network serving the proposed development including turning bays, parking areas, footpaths, kerbs, materials and surfacing shall be in accordance with the detailed construction standards of the planning authority for such works and design standards outlined in the Design Manual for Urban Roads and Streets (DMURS) issued by the Department of Transport, Tourism and Sport and the Department of the Environment, Community and Local Government in March 2019, as amended. The development shall otherwise comply with the transport requirements of the planning authority.

Reason: In the interest of traffic safety.

11. Safe and secure bicycle parking spaces shall be provided within the site. Details of the layout, form and location of these spaces shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: To ensure that adequate bicycle parking provision is available to serve the proposed development, in the interest of sustainable transportation.

12. 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.

13. Prior to the commencement of development, the developer shall enter into a Connection Agreement with Uisce Éireann to provide for a service connection to the public water supply and/or wastewater collection network. The developer shall note that all development shall be carried out in compliance with Uisce Éireann's Standard Details and Codes of Practice. Uisce Éireann does not permit build over of its assets. Where it is proposed to build over or divert existing water or wastewater services, the Applicant shall have received written Confirmation of Feasibility from Uisce Éireann prior to any works commencing.

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

14. Prior to the commencement of development, the developer or any agent acting on its behalf, shall prepare a Resource Waste Management Plan (RWMP) as set out in the Environmental Protection Agency'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 the file and retained as part of the public record. The RWMP must be submitted to the planning authority for written agreement prior to the 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 proper planning and sustainable development.

15. 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 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 properties in the vicinity.

16. Prior to commencement of works, the developer shall submit to, and agree in writing with, the planning authority, a Construction Management Plan, which shall be adhered to during construction. This plan shall provide details of intended construction practice for the development, including noise and dust management measures, storage of plant and materials, and off-site recovery and disposal of construction/demolition waste.

Reason: In the interests of public safety and amenity.

17. 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.

18. 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.



Mary Gurrie

Mary Gurrie

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

Dated this 15 day of April 2026