

An
Coimisiún
Pleanála

**Commission Order
PL-500913-LK-26**

Planning and Development Act 2000, as amended

Planning Authority: Limerick City and County Council

Planning Register Reference Number: 2561281

Appeal by Matthew and Kate Graham against the decision made on the 6th day of February 2026, by Limerick City and County Council to refuse permission for the proposed development.

Proposed Development: The demolition of the existing bungalow and the construction of a new two-storey dwellinghouse and associated site works at The Nook, Castleview Gardens, Clancy Strand, 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 provisions of the Limerick City and County Development Plan 2022 2028, the pattern of development in the immediate and wider environs of the site, the size and secluded location of the site within a built up urban area and its setback from the public street, and the nature, scale, height and design of the proposed development, it is considered that, subject to compliance with the conditions set out below, the proposed development would be an acceptable form of development at this location and would not seriously detract for the character of the area or injure the residential amenities of the adjacent properties. Furthermore, it is considered that having regard to the building condition, size, layout and site configuration that the demolition of the existing dwelling to provide for the proposed dwelling is reasonably justified. 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, 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 site boundaries 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/shrubs, stone walls, 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 where feasible.
- (iv) Details of screen planting which shall not include cupressocyparis x leylandii.

(b) A timescale for implementation (including details of phasing).

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 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 interest of residential and visual amenity.

3. Details of the materials, colours and textures of all the external finishes to the proposed dwellings shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. Roof colour shall be blue-black, black, or dark grey in colour only.

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

4. Details of boundary treatment proposals shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

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

5. All public service cables for the development, including electrical and telecommunications cables, shall be located underground throughout the site, unless otherwise agreed in writing with the planning authority.

Reason: In the interest of visual amenity.

6. Site development and building works shall be carried out only between the hours of 0800 to 1800 Mondays to Friday inclusive, and between the hours of 0800 to 1400 on Saturdays and not at all on Sundays and 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.

7. Drainage arrangements, including disposal of surface water, shall comply with the requirements, in writing where necessary, of the Planning Authority for such works and services. In this regard a Surface Water and SuDs Management Plan shall be submitted for the written of the planning authority prior to commencement of development and shall provide for the following:

- (a) Raised SuDs planters.
- (b) All surface water from the development shall be disposed of appropriately. No such surface water shall discharge to adjoining properties or onto the public road.
- (c) All surface water run-off from the public road which flows onto the site shall continue to be accommodated within the site unless alternative arrangements acceptable to the planning authority are carried out.
- (d) Permeable paving to all hard surface areas.

Reason: In the interest of public health and to prevent flooding.

8. Prior to commencement of development, the developer shall enter into water and/or wastewater connection agreement(s) with Uisce Eireann.

Reason: In the interest of public health.

9. A Construction and Environmental Management Plan (CEMP) shall be submitted to, and agreed in writing with, the planning authority prior to the commencement of development. The CEMP shall include but not be limited to construction phase controls for dust, noise and vibration, waste management including specific measures for asbestos removal handling and disposal, 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.

10. A detailed Construction and Delivery Management Plan and a Site-Specific Traffic Management Plan shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. The plans shall include details of arrangements including advance warning to road users for timings for demolition and construction traffic, parking during the construction phase, the location of the compound for storage of plant and machinery and deliveries to the site.

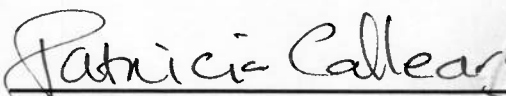
Reason: In the interest of traffic safety and convenience.


11. Prior to commencement of development, 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) 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 reducing waste and encouraging recycling.

12. 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
Planning Commissioner of An Coimisiún Pleanála duly authorised to authenticate the seal of the Commission.



Dated this 22 day of June 2026