



An
Coimisiún
Pleanála

**Commission Order
PL-500972-LK-26**

Planning and Development Act 2000, as amended

Planning Authority: Limerick City and County Council

Planning Register Reference Number: 2560399

Appeal by John Crowley and others against the decision made on the 17th day of February, 2026 by Limerick City and County Council, to grant subject to conditions a permission, to Jada Projects Limited in accordance with plans and particulars lodged with the said Council.

Proposed Development: Construction of a residential development comprising 74 number residential units, (46 number terrace houses, 4 number duplex units, 24 number apartments) in two number three-storey blocks, construction of all associated roads, site entrance, boundary treatments, footpaths, car parking, street lighting, landscaping and all ancillary site development works, all at Rivers, Annacotty, County Limerick, as amended by the revised public notice received by the planning authority on the 15th day of December, 2025.

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 residential zoning provisions for the site and the specific inclusion of the site in the Limerick Development Plan 2022-2028 as Tier 1 serviced site and as identified as site 62 in Map1- Residential Settlement Capacity Map for Limerick City and Suburbs (in Limerick), Mungret and Annacotty, to the pattern of residential development in the area and its proximity to a range of services and facilities within walking distance, and to the nature and scale of the proposed development, it is considered that, subject to compliance with the conditions set out below, the proposed development would be consistent with the Core Strategy of the current Limerick Development Plan 2022-2028, the proposed density, height and layout of development is appropriate, would not seriously injure the amenities of adjacent properties within the area, would not result in the creation of a traffic hazard or adversely impact the capacity of the adjoining road network and would be acceptable in protecting the local ecology of this urban area. 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 submitted to the planning authority on the 15th day of December, 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. (a) Details of all boundary treatments shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.
- (b) No walls, fences or other boundary treatment including hedges/trees shall be constructed or erected around the front gardens of units 1-12 (inclusive). The front gardens of these units hereby approved shall be kept as Open Plan Class 5 of Part 1 of Schedule 2 to the Planning and Development Regulations 2001, as amended and any statutory provision replacing or amending them shall not apply.

Reason: To ensure that the proposed scheme remains open plan in nature/appearance, in the interests of urban design and visual amenity.

3. Drainage arrangements, including the attenuation and disposal of surface water, shall comply with the requirements of the planning authority for such works and services. Prior to the commencement of development, proposals for increased on-site attenuation in accordance with the Limerick City and County Council surface water and SuDS specification and Greater Dublin Regional Code of Practice for Drainage Works where applicable, shall be submitted to, and agreed in writing with, the planning authority.

Reason: In the interest of public health.

4. The developer shall enter into water and/or wastewater connection agreement(s) with Uisce Éireann prior to the commencement of this development.

Reason: In the interest of public health.

5. Details of the materials, colours, and textures of all the external finishes to the proposed development, including external lighting throughout the development, shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interests of visual and residential amenities.

6. The following shall be submitted to, and agreed in writing with, the planning authority prior to the commencement of development:
- (a) The internal road network serving the proposed development including turning bays, junctions, parking areas, footpaths, and kerbs shall comply 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).
 - (b) Footpaths shall be dished at road junctions in accordance with the requirements of the planning authority. Details of all locations and materials to be used shall be submitted to, and agreed in writing with, the planning authority prior to the commencement of development.

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

7. (a) Recommendations of section 4 of the Tree Survey entitled Arboriculture Method Statement shall be implemented in full.
- (b) Artificial House Martin nest sites shall be included in the new development. This species has been identified as using the site in the Bird and Bat Survey. Artificial Nests such as Schwegler 9b could be used. The location and individual siting of these nests shall be supervised by a competent ecologist and these details shall be provided to the planning authority.

- (c) The installation of bat boxes on trees associated with the development as mentioned on page 7 of the Bat and Bird Survey shall be carried out. Other locations in addition to trees may also be suitable. This is to take place under the supervision of a competent ecologist and details of these shall be provided to the planning authority.
- (d) Artificial Swift Nests shall be installed on suitable buildings to increase coverage of such nest sites in the city and enhance the ecological effects of the development. The location and individual siting of these nests shall be supervised by a competent ecologist and these details shall be provided to the planning authority.

Reason: To protect and enhance the local ecological environment.

- 8. Proposals for a naming and numbering scheme and associated signage shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. Thereafter, all signs, and numbers shall be provided in accordance with the agreed scheme.

Reason: In the interests of amenity and of the proper planning and sustainable development of the area.

- 9. A phasing programme for the development shall be submitted to, and agreed in writing with, the planning authority prior to the commencement of development. Each phase shall be completed including all services and public open space within three months of work commencing on a subsequent phase.

Reason: To provide for the orderly development of the site.

10. 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. All existing over ground cables shall be relocated underground as part of the site development works.

Reason: In the interests of visual and residential amenity.

11. The landscape masterplan proposals, as submitted to the planning authority as amended in further information shall be carried out within the first planting season following substantial completion of external construction works. 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.

12. All the communal parking areas serving the residential units shall be provided with functional electric vehicle charging points, and all of the in-curtilage car parking spaces serving residential units shall be provided with electric connections to the exterior of the houses to allow for the provision of future electric vehicle charging points. Details of how it is proposed to comply with these requirements shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interest of sustainable transportation.

13. Site development and building works shall be carried out only between the hours of 0700 and 1900 from Mondays to Fridays inclusive, between 0800 and 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 property in the vicinity.

14. 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 and off-site disposal of construction/ demolition waste.

Reason: In the interests of public safety and amenity.

15. 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. The scheme shall include lighting along pedestrian routes through open spaces and shall take account of trees. 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.

16. 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.

17. Prior to the commencement of Development, the developer shall submit a drawing identify the areas proposed to be taken in charge by the planning authority for the written agreement of the planning authority. 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 local authority, shall be maintained by a legally constituted management company. Details of the management company contract, and drawings/particulars describing the parts of the development for which the company would have responsibility, shall be submitted to, and agreed in writing with, the planning authority before any of the residential units are made available for occupation.

Reason: In the interest of orderly development and to provide for the satisfactory future maintenance of this development.

18. Prior to commencement of development, the applicant 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 transfer of a percentage of the land, to be agreed with the planning authority, in accordance with the requirements of section 94(4) and section 96(2) and 96(3)(a), (Part V) of the Planning and Development Act 2000, as amended, and/or the provision of housing on lands in accordance with the requirements of section 94(4) and section 96(2) and 96(3) (b), (Part V) of the Planning and Development Act 2000, as amended, unless an exemption certificate has been granted under section 97 of the Act, as amended. Where such an agreement cannot be reached between the parties, the matter in dispute (other than a matter to which section 96(7) applies) shall 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 for the area.

19. The developer shall:
- (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,
- (d) 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 and 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,
- (e) 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. The Development Applications Unit, National Monuments Service, Department of Housing, Local Government and Heritage and the planning authority's Archaeologist 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, and

- (f) should an archaeological excavation be required then the following shall apply:

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.

20. (a) Prior to the 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 and duplex unit), pursuant to Section 47 of the Planning and Development Act 2000, 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.

21. 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.

22. Prior to commencement of development, the developer shall lodge with the planning authority a cash deposit 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 Comisiún Pleanála for determination.

Reason: To ensure the satisfactory completion and maintenance of the development until taken in charge.



Mary Henchy

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

Dated this 8th day of July 2026.