An Coimisiún Pleanála

Commission Order

PL-501684-LK-26

Planning and Development Acts 2000, as amended

Planning Authority: Limerick City and County Council

Planning Register Reference Number: 26/117

Appeal by Dominic Lipper against the decision made on the 25th day of June, 2026 by Limerick City and County Council, to grant subject to conditions a permission, to Davidson Pharmacy Limited in accordance with plans and particulars lodged with the said Council.

Proposed Development: (1) Demolition of front wall of existing takeaway premises, including removal of section of mono-pitched front roof; removal of existing railings and dwarf walls at front of premises (Blackboy Road-Mulgrave Street). (2) Permission for change of use and subdivision of existing takeaway unit into two number units – (Unit 1) pharmacy, including new extension at front; new glazed shop front and entrance (Blackboy Road-Mulgrave Street), two number rooflights to existing flat roof (proposed pharmacy); (Unit 2) medical centre at rear to include new rear extension new entrance, entrance steps, and disabled ramp. Enlargement of existing three number windows at rear, new flat roof to proposed extension (medical centre) at rear to include one number rooflight. Permission for new signage (proposed medical centre) at rear above proposed new entrance; new insert sign for proposed pharmacy to replace inset sign of existing freestanding metal framed sign at Blackboy Road-Mulgrave Street. Internal alterations and associated site works, all at Blackboy Road, Mulgrave Street, 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 'Existing Residential' zoning objective for the site where health facilities are considered generally permitted in principle, the planning history of the site, which establishes the commercial and retail use of the site, the infill nature of the site at a location that is easily accessible, and the pattern of development in the vicinity, it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the amenities of the area, including property in the vicinity, would be acceptable in terms of pedestrian and traffic safety, would provide enhanced community services to the location, would be in accordance with Objective SCSI O15 (Health Care Facilities), Policy CGR P1 (Compact Growth and Revitalisation) and Objective CGR O3 (b) (Urban Lands and Compact Growth) of the Limerick Development Plan 2022-2028, as varied and 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 hours of operation of the units shall not commence before 0800 hours or extend beyond 2200 hours, seven days per week.
   Reason: In the interests of orderly development and the proper planning and sustainable development of the area.

3. Details of bike storage facilities for staff shall be submitted to, and agreed in writing with, the planning authority, prior to commencement of development.
   Reason: To support the provision of active travel infrastructure.

4. A plan containing details for the management of waste within the proposed development, including the provision of facilities for the storage, separation and collection of the waste and, in particular, recyclable materials shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. Thereafter, the agreed waste facilities shall be maintained, and waste shall be managed in accordance with the agreed plan.
   Reason: To provide for the appropriate management of waste and, in particular recyclable materials, in the interest of protecting the environment and the amenities of properties in the vicinity.

5. Notwithstanding the exempted development provisions of the Planning and Development Regulations 2001, as amended, and any statutory provision amending or replacing them, the use of the proposed development shall be restricted to medical use and retail pharmacy use as specified in the lodged documentation, unless otherwise authorised by a prior grant of planning permission.
Reason: In the interest of orderly development.

6. 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 amenities.

7. Other than the advertising signage proposed as part of the proposed development, no advertisement or advertisement structure, the exhibition or erection of which would otherwise constitute exempted development under the Planning and Development Regulations 2001, as amended, shall be displayed or erected on the building exterior/within the curtilage of the site without a prior grant of planning permission.
Reason: To allow further assessment of the impact of the permitted advertisement on the amenities of the area and in the interest of visual amenity.

8. Drainage arrangements, including the attenuation and disposal of surface water, shall comply with the requirements of the planning authority for such works and services.
Reason: In the interest of public health and surface water management.

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

10. (a) All foul sewage and soiled water shall be discharged to the public foul sewer.

(b) Only clean, uncontaminated storm water shall be discharged to the surface water drainage system.
Reason: In the interest of public health.

11. 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 agreement has been received from the planning authority.
Reason: To safeguard the amenity of property in the vicinity.

12. Prior to commencement of development, 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 proposed development, including noise and dust management measures and off-site disposal of construction/demolition waste.
Reason: In the interests of public safety and amenity.

13. 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.

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

Dated this 27th **day of** October **2026.**