



An
Bord
Pleanála

Inspector's Report PL06D.247871

Development	Change of use of unoccupied floor space from retail and related use to education training use. Additional floor space at ground and 1st floor, reused internal layouts.
Location	Coonagh Cross Shopping Centre Retail and Entertainment Park, Clondrinagh, Co. Limerick
Planning Authority	Limerick City and County Council
Planning Authority Reg. Ref.	16/1.
Applicant(s)	Limerick Institute of Technology
Type of Application	Permission.
Planning Authority Decision	Grant.
Type of Appeal	Third Party
Appellant(s)	An Taisce
Observer(s)	None
Date of Site Inspection	29.03.2017
Inspector	Fiona Fair.

1.0 Site Location and Description

The appeal site is located at the vacant part of the Coonagh Cross Shopping Centre, to the north-west of the Coonagh Cross Roundabout on the western suburbs of Limerick City Centre and approx. 2Km from the Limerick Institute of Technology (LIT) Moylish Campus. The Ennis Road (N18) is a dual carriageway to the west of the Coonagh Cross Roundabout with a speed restriction in this vicinity of 60 kph.

The development is proposed on a site that was the subject of planning permission for a large retail park comprising an array of land uses including a retail store, cinema, leisure facilities and warehousing (ABP PL. 13.210562 / LCC Reg. Ref. 03/2050 granted planning permission in April 2006). To date only the retail store has been occupied on site by Tesco.

The constructed, however, unoccupied shopping centre building, is fenced off from the adjacent Tesco store and car park. The site contains the unoccupied shopping centre building and a car park. The surrounding properties include Tesco to the east, retail premises fronting onto the R445 to the south, which comprise of a garden centre, furniture store and mobile home sales outlet, and unoccupied development sites to the north and west of the appeal site. The shells of some half constructed retail ware housing units are also located to the west access off the Clondrinagh Roundabout.

The appeal site, has a stated area of 3.15 ha, the shopping centre site as per PL. 13.210562 extends to 15.7 ha. Access to the Tesco car park is via a link road which forms the northern arm of the Coonagh Roundabout. The link road runs along the northern boundary of the mixed use zoned lands, constructed as part of the Coonagh Shopping centre development. The road connects to the Coonagh Roundabout and Clondrinagh Roundabout.

There are currently two vehicular access locations to the proposed site from the surrounding link road. The main access to the site is at the existing Tesco access. There is an existing right of access through the Tesco site allowing access to the proposed development site via the Tesco car park circulatory road. The main entrance to the Tesco car park is via a 'left in / left out' arrangement. An additional exit from the car park is located on the north east side of the car park.

2.0 Proposed Development

2.1. Permission is sought for a proposed College Campus at Coonagh Cross, Co Limerick to consist of:

- The demolition of 95sqm. of unoccupied floor space and the demolition of entrance structures and canopies;
- The change of use of unoccupied floor space (7,328sqm.) (in addition to part of the existing car park) from retail and related used to education and training use with related ancillary enterprise and innovation uses and ancillary café use (140sqm.).
- The development will also consist of the following:
 - additional floor space at ground level (100sqm.) and at first floor level, within the existing building envelope (2,751sqm.) for education and training use with related ancillary enterprise and innovation uses;
 - Bike storage areas (58sqm.);
 - storage area (44sqm.);
 - elevational amendments, including new opes and signage;
 - revised internal layouts;
 - alterations to existing roof profile (without increasing the maximum height of the building);
 - provision of roof plant;
 - new service yard to the south;

- bus shelter;
 - all hard and soft landscaping;
 - revisions to existing car park;
 - external lighting;
 - boundary treatments;
 - changes to levels;
 - all associated development above and below ground.
- The gross floor space of the new educational facility (including ancillary café use and external storage areas) will be 10,281sqm.
 - It is proposed to relocate several existing engineering departments of Limerick Institute of Technology (LIT) from their current location at Moylish Park Campus, to a new location at Coonagh Cross.

LIT propose to change the use of the vacant part of the shopping centre and part of the adjoining car park for education and training use with related ancillary enterprise and innovation. The building adjoins an existing retail facility (Tesco) on the western suburbs of Limerick City. The change of use involves internal building works to make the existing structure more suitable for the desired purposes. Additional floorspace would be provided at first floor level and there are minor elevational amendments including new opes and signage.

3.0 Planning Authority Decision

3.1. Decision

Following a request for Significant Further Information with respect to (1) vehicular access, (2) pedestrian access (3) probable future access and implications on access by works to Coonagh – Knockalisheen Road (4) Safety Audit for implications of using Tesco car park (5) Work place travel plan / mobility management plan. And a request for Clarification of FI with respect to: (1) mobility management plan (2) interim plans for access to the site until completion of the Coonagh to Knocknashreen Road (3) in the long term the applicant shall provide pedestrian / cycle facilities at the Tesco

delivery entry point (4) sightlines at the newly modified junction to the rear of Tesco complex (5) consent from landowners to carry out junction improvement works. Planning permission was Granted subject to 21 number conditions.

3.2. Conditions of Note are summarised as follows:

Condition No. 2 Restricts the use of the development to the mechanical and automobile engineering faculty.

Condition No. 11 – a 3m wide high quality raised shared surface cycle and footpath shall extend to the LIT campus entrance.

Condition No.14. A Traffic Management Plan shall be submitted for written agreement prior to occupation of the site.

Condition No. 16. Measures with regard to Flood Risk

Condition No. 17 The developer shall prepare an Emergency Flood Response Plan to manage the risk to persons using the building.

Condition No. 20 A private shuttle bus shall operate between LIT Moylish and LIT Coonagh at the expense of LIT until such time as suitable public transport provision is in place. When suitable public transport is in place the applicant shall obtain written agreement from the planning authority that sufficient public transport is available prior to the ceasing of the private shuttle bus.

Condition No. 21 LIT shall support and implement smarter travel objectives set down in the mobility management plan submitted with the planning application.

3.3. Planning Authority Reports

3.3.1. Planning Report: The planning report supports the draft decision to grant planning permission. The report states that 'in light of the information submitted and the nature of the development and the location' it is considered that subject to compliance with conditions the proposed development would be in accordance with the proper planning and sustainable development of the area.

3.3.2. Other Technical Reports

- Travel and Transportation: Initial report prior to additional information request requests further information
- Water Services Flood Report: No objection subject to condition
- Fire Department: No objection
- Mid-West National Road Design Office: No objection
- Limerick Smarter Travel (LST): Report subsequent to A.I and C.A.I No objection subject to condition
- Roads Report: Sets out areas / issues of concern and conditions in the event of a grant of planning permission.
- Planning and Environmental Services: No objection subject to condition

3.3.3. External Reports:

- Irish Water: No objection
- Transport Infrastructure Ireland: No objection
- HSE: Report prior to FI request sets out further consultation necessary with Environmental Health Officer prior to commencement of a food business / café.
- OPW: Report (dated 24th February 2016 received by Limerick City and County Council on the 29.02.16) sets out requirements with respect to storage channels of The Coonagh Embankment Scheme, these channels to remain

accessible to mechanical plant. The site is within the benefitting Land of a drainage scheme. The draft CFRAMS maps do not consider a total failure of embankments when calculating the extents of flooding and that as identified in the applicants FRA the ground floor levels of the proposed development are below the 0.5% AEP (1 in 200 chance in any year) coastal flooding levels for the main channel of the Crompaun River.

As the application is for a change of use, it must be highlighted that The Planning System and Flood Risk Management Guidelines for Planning Authorities developed by the DoEHLG and OPW classify 'schools' as 'Highly Vulnerable Development' as opposed to 'retail' which is classified as 'Less Vulnerable Development' and the guidelines consider 'Highly Vulnerable Development' as inappropriate in a location where there is a moderate probability of flood risk. The Guidelines recommend that a justification test should be performed to determine whether development of this type is appropriate.

The FRA outlines the applicant's intentions to implement demountable barriers and other measures to mitigate the impact of flooding. It may be appropriate for the Council to seek further detail on the extents of these measures being proposed and the management and maintenance regime to be imposed.

- 3.3.4. Inspectors Note: The file was referred by An Bord Pleanála to DAU of Department of Arts, Heritage, Regional, Rural and Gaeltacht Affairs and The Heritage Council, no response to date.

3.4. **Third Party Observations**

Observations / Objections received subsequent to Significant Further Information Request, concerns raised are similar in nature to those raised in the third party appeal on file, summarised below.

4.0 Planning History

- 4.1.1. **Reg. Ref. 03/2050 / PL13.210562** Permission Granted (06/04/2006) for construction of a shopping centre on a total site area of approximately 39 acres at Clondrinagh, Clonconane, Ennis Road, Limerick.

A stated floor area of 49,933 square metres incorporating 3 anchor stores.

- Retail Warehousing – 4,950 square metres.
- Supermarket – 5,378 square metres (including comparison floor space).
- Comparison – 4,932 square metres.

In addition, a multi-screen cinema, general shopping units, leisure facilities and a garden centre.

5.0 Policy Context

5.1. Development Plan

- 5.1.1. The operative plan for the area is the Limerick City Development Plan 2010 - 2016

I note from the website that – ‘In September 2015, in accordance with Section 28 of the Electoral, Local Government and Planning and Development Act 2013, the Planning Authority proposed not to commence the review of the Limerick County Development Plan 2010 - 2016 and the Limerick City Development Plan 2010 - 2016. Therefore, the City and County Development Plans will continue to have effect until a new Development Plan for Limerick City and County is prepared’.

Policy EDS 18 It is the policy of Limerick Council to recognise the contribution of the major education and health institutions in Limerick City to the overall economy of the city and their role in training, innovation and research and to support their continued operation and where appropriate expansion.’

The appeal site is zoned ‘general mixed use’ - ‘Schools/educational training’ facilities are ‘open for consideration’ within this zoning objective.

- 5.1.2. Strategic Integrated Framework Plan for the Shannon Estuary
- 5.1.3. Limerick 2030 – An Economic and Spatial Plan for Limerick

5.2. **Grounds of Appeal**

The grounds of the Third Party Appeal by An Taisce can be summarised as follows

Undermining Limerick City Centre

- Development is on an isolated site 4.1 Km walking distance from Limerick City Centre
- Proposal is contrary to the plan for a ‘City Centre Higher Education Campus’ as recognised in ‘Limericks 2030 Plan’ referred to in the Limerick City Development Plan.
- Contrary to Objective No. 4 Vibrant City Centre – Limerick 2030 Plan (pg18) to create a vibrant city centre economy with a new mix of economic uses and a strong education presence.
- Proposal contrary to Project 1: The City Centre High Education Campus as per Limerick 2030 plan pg 30 which seeks creation of a new Higher Education facility in Limerick City Centre that is more connected socially and physically embedded in a high quality urban living environment providing a range of well linked facilities.
- Allowing this development would serve to undermine efforts to attract people to live and work in the city centre.
- Undermine efforts to focus on the urban core of Limerick and the case for the City Centre higher Education Campus

Transport and Accessibility

- The appeal site is isolated only served by a bus service with a frequency of 60 minutes

- Albeit the applicant was required, through further information process, to improve accessibility to the site, the site at the very periphery of the city would not be compatible with sustainable planning standards.
- Contrary to cycling, walking and connectivity objectives and policies stated in the Limerick City Development Plan 2010 – 2016
- A private shuttle bus is not a provision of public transport, no specific conditions attached to the requirement.
- Peripheral location represents a dispersed rather than concentrated development which will undermine accessibility to a location of education and is not optimal for the provision of a high quality sustainable public transport system.
- The current car commuting levels reported in the existing campus in Moylish are over 80% for staff. The subject proposal would further encourage commuting by car and would be contrary to Smarter Travel Objectives.

Future Developments

- The applicant has published a ‘Master Plan’ for a full campus to be built on the site
- [www.lit.ie//Docs/140909%20Masterplan%20Document%20\[low-res\].pdf](http://www.lit.ie//Docs/140909%20Masterplan%20Document%20[low-res].pdf)
- The planning authority in its decision has restricted the use of the site ‘to the mechanical and automobile engineering faculty.’ This leaves this development isolated from the rest of the applicant’s campuses and result in considerable duplication of services and extra transport drivers between the campuses.

Insufficient Assessment of Alternatives

- No evidence alternatives have been considered
- It has not been sufficiently demonstrated that the appeal site is preferable to other sites in the city centre which would better align with the Limerick City Development Plan, or a reconfiguration of the current campus at Moylish

5.3. Planning Authority Response

5.3.1. None Received.

5.4. **First Party Response**

A response was received from Tom Philips & Associates on behalf of the applicant Limerick Institute of Technology. It is summarised as follows:

Benefits Associated with Proposal for Both Limerick City and LIT

- Resolution of an underutilised brownfield site at a highly visible site location
- Improvements of Limerick City's educational services
- Increased educational capacity to respond directly to industry needs
- Modernisation and expansion of the LITs engineering – related facilities
- Space to provide for a new north city sports facility in the future subject to planning permission

Requirements for New LIT Development

- Need for the specific industrial style spaces to accommodate specialist equipment and training
- Location specific requirements – movement of large vehicles
- Space for partnership with industry at regional or national level - 'active learning'
- Space for future expansion and potential to provide for a sports facility

Campus 2030 – Our Places: LIT's Masterplan for All its Campuses

- Should be considered in the context of Campus 2030 – Our Places, published by LIT
- The proposed facility at Coonagh is not suitable for a city centre location
- No Development Plan Policy requiring all higher education developments / educational uses to locate in the city centre
- Intention of the Limerick 2030 Plan that a Higher Education Campus development would take place in the City Centre, which is relevant to the activities and enterprises that would be expected to locate in a city centre.

- Commitment to the north side of the city supports the regeneration of the area and positively contributes to its image and identity.
- The facilities expected to relocate and or be developed at Coonagh Cross include automobile testing and training garage, HGV testing and training garage, agricultural machinery testing workshop, welding and heat treatment workshop, computer aided design / computer aided manufacturing etc.
- Limerick 2030 Plan refers to a smaller education facility than that proposed at Coonagh Cross.
- LIT remain actively engaged in plans to provide a higher education campus in the city centre.

Transportation and Accessibility

- The subject appeal site is not a greenfield site, it has already been developed and requires completion of ancillary works and occupation
- Proposed development principally comprises the change of use of an existing building.
- LIT has had ongoing and detailed engagement with Bus Eireann throughout the planning process to discuss existing and possible future bus services at the Coonagh site.
- There is a public bus service operating within a 5 min walk of the site
- A proposed bus set down area with accompanying bus shelter directly adjacent to the front door of the building and an indicative route for buses to access the site has been included within the proposed development site
- It is proposed to provide a shuttle bus service between the LIT Moylish Campus and the Coonagh Campus
- Bus Eireann services could cater for demand once the level of critical mass has been reached to make new routing and increased frequency viable.
- Condition No. 20 of the draft decision to grant permission requires the interim service to be provided until such time that sufficient public transport services are available.

- While it is accepted the site is not a city centre location, believe it is sufficiently close to the city centre at c. 4.1 Km and to the existing IT campus at Moylish approx. 2 Km (25 min walk / 7 min cycle) and is served by public transport.
- LIT is aware of the Smarter Travel Targets for Limerick City, have expertise to ensure significant improvement in modal split can be made with active support of LIT senior management
- Cycling and walking to / from the campus has been taken into consideration and connected into Limericks Cycle Network
- A total of 92 bike parking spaces will be conveniently located and regularly monitored
- Changing rooms, lockers, drying rooms, facilities for minor repairs showers, 'pool bikes' and fleet bikes will be considered based upon demand,

Potential Future Developments at Coonagh Cross

- The Master Plan for Coonagh was prepared as part of a 3 Campus Strategy
- Long term development strategy for the entire LIT's facilities
- The proposal should be considered on its own merits
- It is not possible to provide the proposed development within the existing Moylish campus, whilst addressing existing constraints and meeting competing demands from other programmes.

Potential Revised Wording of Condition No. 2

- The applicant is willing to adhere to the wording of Condition 2 of the notification of decision to grant permission if the Board considers it appropriate to permit the proposed development with Condition No. 2 reattached. However, it is considered that the alteration of Condition No. 2 as follows would provide a more appropriate degree of flexibility necessary for the optimal functioning of the proposed development;

‘The use of the development for higher education use and ancillary enterprise and innovation uses shall be restricted to the engineering faculty.’

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

- LIT’s intentions to relocate a number of engineering departments to the appeal site was clearly set out in the planning application documentation
- The Limerick City and County Council’s planning reports do not provide a detailed rationale for the restrictive wording of Condition no. 2
- The restriction provided by condition no. 2 would potentially constrain LIT’s ability to adapt its course structure to reflect ongoing technological advances, which are of critical importance to an IT
- The proposed wording would allow for appropriate connections between different engineering programmes and reflect their evolving technologies and interrelationships

Assessment of Alternatives

- The proposed development is appropriately sited at this brownfield site
- The development is not suitable for a city centre location
- Positive impact on Moylish Campus which can grow and improve (specifically in the areas of science and information technology)
- There is not sufficient space within the Moylish Campus to provide state of the art engineering facilities in addition to developing other faculties.

6.0 Assessment

I consider the key issues in determining this appeal are as follows:

- **Principle of the Proposed Development.**
- **Wording of Condition Number Two**
- **Transport and Accessibility**
- **Appropriate Assessment**

6.1. Principle of the Proposed Development

The appeal proposal essentially comprises a change of use for the vacant part of Coonagh Cross Shopping Centre (including part of the existing car park) from retail and related uses to education and training use with related ancillary enterprise and innovation uses. It is proposed to relocate several existing engineering departments of Limerick Institute of Technology (LIT) from their current location at Moylish Park Campus, some 2 Km to the east of the subject appeal site, to the subject site at Coonagh Cross.

The proposed development comprises of a student campus for LIT which will accommodate some 800 LIT students and 80 staff. The development at Coonagh is proposed as a Phase 1 development, to progress as part of a coordinated sequence of developments that will deliver new facilities for new programmes at Coonagh, decanting of existing facilities from Moylish to Coonagh and adaptation of vacated spaces at Moylish to deliver new facilities for academic programmes at Moylish. Given any future developments at Coonagh would need to be assessed in the planning context then applicable, I am of the opinion the current proposal for Coonagh Cross must, therefore, be considered on its own merits.

The existing Coonagh Cross Shopping Centre comprises an unoccupied building constructed initially as a retail and entertainment park / shopping centre (ABP PL. 13.210562 / LCC Reg. Ref. 03/2050 refers; under which planning permission was granted in April 2006). The gross floor space of the new educational facility (including ancillary café use and external storage areas) will be 10,281sqm.

The appeal site is zoned as General Mixed Use, described as, '5A Mixed Use' as per the Landuse Zoning Map No. 1 of the Limerick City Development Plan 2010 – 2015 Objective Z0.5(A) 'General Mixed Use' states: 'To promote the development of mixed uses that serves an area greater than its immediate catchment and to ensure the creation of a vibrant and sustainable urban area'.

The City Development Plan sets out that the primary purpose of this zoning is to provide for a range of employment and related uses. Permissible uses within this zone includes among other uses 'third level education', 'public institutions', 'general offices', 'conference centre', 'business and technology/research uses', 'light industrial uses'. 'Residential uses are also permitted'.

'Schools/educational training facilities' are 'open for consideration' within the 5A 'General Mixed Use zone' of the City Development Plan zoning matrix.

The principle of development has been established on the subject site and I consider the principle of a change of use from retail and leisure to educational use, in particular given the vacant nature of the unit would be wholly reasonable. The site is serviced and the new LIT facility would utilise existing water, electricity and wastewater services all of which have sufficient capacity to accommodate the planned change of use. No significant building works are required.

Cognisance is had to third party concern that the proposal would undermine Limerick City Centre and that no alternative sites were considered. The appellants seek to argue that any new educational developments by LIT should take place in the City Centre. The appellants quote from the Limerick City Development Plan 2010 and the Limerick 2030 Economic and Spatial Plan.

I however, tend to agree with the first party that given the nature of the proposed campus for mechanical engineering and automobile engineering faculties, as well as large vehicle requirements of agricultural mechanisation that such uses would pose challenging in the city core or at the existing LIT Moylish Campus. I accept that these facilities require a building with large spans and floor to ceiling heights in order that large vehicles can be brought into the building for use in the mechanisation and automobile courses. The existing shopping centre building is an unused building with large building spans and can easily be adapted to third level education use which has a strong practical emphasis.

I note the submission by the first party that there is no Development Plan policy (nor Limerick 2030 Plan policy) requiring all higher education developments to locate in the City Centre. There is also no policy or objective of the Limerick 2030 Plan to restrict higher education uses to City Centre only. From information on the file and from Limerick 2030 Plan I see no evidence to suggest that LIT does not remain engaged in plans to provide a Higher Education Campus in the City Centre. The LIT document Campus 2030 – Our Places makes it clear that LIT has masterplans for all its locations (including Limerick City Centre, Moylish and Coonagh) which will enable the development and growth of various faculties. The faculties LIT has proposed to accommodate at Coonagh are different from the humanities focused uses proposed at LITs existing and future City Centre locations.

I, therefore, tend to agree that the development will not undermine the case for a City Centre Higher Education Campus. Also while I accept that the appeal site is not a city centre location I have had regard to the justification put forward by the first party that it is sufficiently close to the city centre at c. 4.1 Km and to the existing IT campus

at Moylish c. 2 Km. The reuse of this vacant and derelict brownfield site at Coonagh Cross, which is a prominent Gateway to the city from County Clare, is in my opinion wholly desirable and a positive spin off from the proposal.

With respect to consideration of alternative sites I note that given the proposed development does not require an EIS there is no formal statutory requirement for consideration of alternative sites. This being acknowledged, as set out above, I tend to agree with the first party that the proposed development of new facilities for the Engineering Faculty, is not suitable for a city centre location. I note the first party's submission that there is not sufficient space within the Moylish Campus to provide a state of the art engineering faculty in addition to developing other faculties.

I am of the opinion that the subject appeal site, proximate to the LIT Moylish Campus, provides a suitable location for the proposed use and it also provides an appropriate resolution of a partly completed brownfield site at a prominent location.

6.2. Wording of Condition Number Two

Condition number two of the draft decision to grant planning permission, Reg. Ref. 16/1, states: 'The use of the development for higher education use and ancillary enterprise and innovation uses shall be restricted to the mechanical and automobile engineering faculty'.

Both the first party and the third party raise condition number two as an issue of concern. The third party is of the opinion that restricting the use of the site 'to the mechanical and automobile engineering faculty' leaves the development isolated from the rest of the applicant's campuses and would result in duplication of services and traffic increase between the campuses.

The first party while willing to adhere to the wording of Condition two should An Bord Pleanála consider it appropriate request that it be amended to provide the appropriate degree of flexibility necessary for the optimal functioning of the proposed development, as follows:

‘The use of the development for higher education use and ancillary enterprise and innovation uses shall be restricted to the engineering faculty.’

Given the Limerick City and County Council’s planning reports do not provide a detailed rationale for the restrictive wording of Condition number two and they have not responded to the appeal I see no justifiable reason for such restrictive wording. Cognisance is had to the first party’s argument that traditional separation between engineering specialities are less relevant than would have been the case previously and it is considered that the restrictions provided by the condition would not allow for appropriate connections between different engineering programmes, such as networking and programming engineering, which I agree reflect evolving technologies and interrelationships.

I note that LIT’s intention to relocate a number of engineering departments to the appeal site was clearly set out in the planning application documentation submitted with the planning application. I therefore recommend that condition number two of the draft decision to grant planning permission be amended as proposed by the first party.

6.3. Transport and Accessibility

Third party concern has been expressed that the appeal site at a distance of 4.1 Km from the City Centre is isolated. Concern is raised with regard to sustainable connectivity and accessibility to the site. It is submitted that the peripheral location represents a dispersed rather than concentrated development which will undermine accessibility to a location of education and is not optimal for the provision of a high

quality sustainable public transport system. Concern is also expressed the proposal would further encourage commuting by car and would be contrary to Smarter Travel Objectives.

Cognisance is had that the proposed development comprises the change of use of an existing vacant building which has an extant permission for retail and entertainment use to education and training use. While located on the edge of the city it is clearly classified as a Brownfield location. It is a principle of the County Development Plan 'to promote the renewal of underutilised Brownfield land, thus ensuring the efficient use of urban lands and infrastructure...'

The existing vehicular accesses to the Coonagh Shopping Centre and Tesco Store and the circulatory roads within the Tesco car park were designed as part of the original shopping centre development to cater for traffic accessing the fully developed Coonagh Shopping Centre building and car park. A Road Safety Audit was carried out. No issues have been raised in the appeal with respect to capacity of roads serving the development to cater for additional traffic. Concern is expressed, however, that there is potential for conflict between pedestrians and vehicular traffic, that unsustainable commuting by car would be contrary to Smarter Travel Objectives, that there is a need for a car parking strategy and that there is a need for public transport to serve Coonagh LIT.

Given the nature of the proposed change of use from retail and leisure to education and training, it will continue to attract in the main younger people, therefore public transport, cycling and walking connectivity remain critical issues.

The proposed campus at Coonagh is accessible within 15 minutes' cycle (5Km travel distance) from the City Centre and from a large residential catchment (e.g. Caherdavin, Thomond). Limerick City and County Council are currently developing a cycle network for Limerick City and environs. This network will cover the Coonagh area and will identify potential routes to the Coonagh campus, I note that Condition

number 11 of the notification of decision to grant planning permission Reg. Ref. 16/1 requires that a 3 meter wide high quality raised shared surface cycle and footpath shall extend to the LIT Campus.

The minimum car parking requirement for the development within zone 3 (suburban area) as per the Limerick City Development Plan is 214 car parking spaces. 216 car parking spaces are proposed to serve the development. It is recognised that the provision of car parking must be carefully considered in the context of an overall sustainable transport strategy for the LIT campus. The applicant proposes the implementation of a parking strategy and management proposals, in conjunction with other Mobility Management Plan (MMP) measures to reduce car parking demand.

92 cycle parking spaces are proposed to serve the development. This is in excess of the minimum requirement of 80 cycle parking spaces, as per Table 5.2 of the Limerick City Development Plan.

It is submitted that detailed discussions have taken place with Bus Eireann and private bus operators to investigate the possibilities of enhancing bus services to the site. Bus Eireann Route number 343 (limerick – Shannon – Ennis) operates on the Ennis Road. There are inbound and outbound bus stops located within 450m (5 min walk) of the proposed LIT building. The route operates with a 30 minute frequency during peak times.

In discussion with Bus Eireann a bus stop and set down area with an accompanying bus shelter is proposed adjacent to the entrance of the campus. In the interim it is proposed to provide a shuttle bus between LIT Coonagh and LIT Moylish and various student accommodation sites. This service would connect with the existing public transport service stopping at the Moylish Campus (i.e. Bus Eireann route number 302). It is proposed that the shuttle bus service would initially cater for demand for bus transport between Moylish and Coonagh and it has been agreed with Bus Eireann that as demand increases, once the level of critical mass has been

reached to make new routing and increased frequency viable, Bus Eireann services shall cater to this demand.

It is notable that Condition number 20 of the draft grant of planning permission Reg. Ref. 16/1 requires that a shuttle bus service shall be provided to operate between LIT Moylish and LIT Coonagh at the expense of LIT until such time as suitable public transport is in place. Therefore, the concern of the third party appellant that no specific condition has been attached in this regard is unfounded. I recommend that should the Board agree that permission should be forthcoming, that this condition be reattached to any decision to grant permission forthcoming from the Board.

Regard is had that Condition number 21 of the notification of decision to grant planning permission (Reg. Ref. 16/1) requires that the objectives set out in the MMP shall be implemented and a monitoring report is required to assess the level of compliance. Specific objectives are required in respect of public transport services to the new site at LIT Coonagh, level of compliance with travel mode share, identifying modal splits by car, car – sharing, public transport, walking and cycling and to secure sustainable development patterns, a car parking strategy must be undertaken on site and submitted to the p.a. within one year of occupation of the site.

Overall, it is considered that change of use is acceptable in terms of traffic, access, accessibility and connectivity. With respect to the concerns raised I am of the opinion that concerns can be overcome by way of condition. In particular, regard is had to the measures proposed in the MMP to support and implement smarter travel objectives and prioritise public transport services. I recommend should The Board agree that Condition 11, Condition 20 and 21 of the notification of decision to grant planning permission Reg. Ref. 16/1 should be reattached to any grant of planning permission forthcoming.

6.4. Appropriate Assessment (AA)

The subject appeal site is not located within or directly adjacent to any Natura 2000 site. The closest Natura sites are the River Shannon and River Ferguson Estuaries SPA (site code 004077) located approx. 0.8 Km to the west of the appeal site and the Lower River Shannon SAC (site code 002165) located approx. 2 Km to the north east of the appeal site.

AA screening was carried out and a report submitted with the planning application. The AA screening report concludes that the proposed development is highly unlikely to affect the Natura 2000 sites in the wider hinterland. The planning authority have raised no issues with respect to AA.

Overall I consider it is reasonable to conclude on the basis of the information available that the proposal individually or in combination with other plans or projects, would not adversely affect the integrity of a Natura 2000 site having regard to the nature of the proposed development, urban location and separation distances involved to adjoining Natura 2000 sites. It is also not considered that the development would be likely to have a significant effect individually or in combination with other plans or projects on a European Site.

7.0 Recommendation

- 7.1.1. I recommend that the decision of the planning authority be upheld and planning permission be Granted to the proposed development.

8.0 Reasons and Considerations

Having regard to the nature of the proposed development, to the existing and permitted pattern of development on the site and to the General Mixed Use Zoning of the site, 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, would not adversely affect the character of the area, would be acceptable in terms of

access, traffic safety and convenience and would not, therefore, be contrary to the proper planning and sustainable development of the area.

9.0 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 on the 29.08.2016, 08.09.2016 and 16.11.2016, 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 use of the development for higher education use and ancillary enterprise and innovation uses shall be restricted to the engineering faculty.

Reason: In the interest of clarity.

3. The external finishes of the proposed development shall be as indicated on the plans and drawings submitted.

Reason: In the interest of the visual amenity.

4. Water supply and 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.

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

Reason: In the interests of amenity and public safety.

6. A plan containing details for the management of waste and, in particular, recyclable materials 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 shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. Thereafter, the 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.

7. (a) The construction of the development shall be managed in accordance with a Construction Environmental 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 intended construction practice for the development, including noise management measures and off-site disposal of construction/demolition waste.

(b) Site development and building works shall be carried out only between the hours of 08.00 to 19.00 Mondays to Fridays inclusive, between 09.00 to 14.00 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 the interests of public safety and amenity

8. The proposed development borders storage channels of The Coonagh Embankment Scheme, principally channels C7/5 and C2. A five-meter-wide strip shall be retained adjacent to these channels for ongoing access and maintenance. Where access is presently available to these channels from the developer's property it shall remain accessible to mechanical plant and should not be landscaped paved or otherwise further developed in a manner that would prevent access.

Reason: In the interests of proper planning and public health and safety.

9. The following measures shall be implemented with regard to Flood Risk
- a) Implementation of the mitigation measures outlined in the 'Flood Risk Assessment Report' submitted with the application.
 - b) Installation of removable water resistance flood barriers at the entrance doors and openings of the building.
 - c) Installation of electric equipment's above possible flood level of 5.5m OD
 - d) Provide bunded area with a minimum top level of surrounding wall of 5.5mOD for storage of hazardous substance e.g. oils, fuels, chemicals etc
 - e) Provide surface water and foul network against infiltration of flood water to prevent surcharge within the building.

Reason: In the interests of proper planning and public health and safety.

10. The developer shall prepare an Emergency Flood Response Plan to manage the risk to persons using the building, including clearly labelling excavation routes. This shall be maintained in perpetuity. The onus shall be on the management to make themselves aware of flood risk alert issues for the area from various sources.

Reason: In the interests of proper planning and public health and safety.

11. No advertisement or advertisement structure, other than those shown on the drawings submitted with the application, shall be erected or displayed on the building, or within the curtilage of the site, in such a manner as to be visible from outside the building, unless authorised by a further grant of planning permission.

Reason: In the interest of visual amenity.

12. The development shall comply with the requirements of the Engineering and Transportation Division of Limerick City and County Council: Prior to the commencement of development, details of the following shall be submitted for the written agreement of the planning authority:

(a) A minimum of two speed ramps shall be provided between the campus entrance and the junction with the Clondrinagh link road.

(b) The proposed 3m wide high quality raised shared surface cycle and footpath shall extend to the LIT campus entrance. At the two locations where this surface intersects vehicular traffic, a raised table-top surface shall be provided for pedestrians.

(c) Protective railings shall be provided at both sides of the Ferndale road and at both sides of the crossing point at Ferndale road.

(d) Any works on the public road outside of the site boundary shall not commence without a licence being issued by the City and County Council.

(e) Prior to the occupation of the building a traffic signage management plan shall be submitted for written agreement of the planning authority.

Reason: In the interest of traffic safety and orderly development.

13. A private shuttle bus shall operate between LIT Moylish and LIT Coonagh at the expense of LIT until such time as suitable public transport provision is in place.

When suitable public transport is in place the applicant shall obtain written

agreement from the planning authority that sufficient public transport is available prior to the ceasing of the private shuttle bus.

Reason: In the interests of smarter travel objectives and sustainable traffic.

14. The smarter travel objectives set down in the Mobility Management Plan (MMP) submitted with the planning application shall be fully implemented.

- (a) LIT shall prioritise public transport services to LIT Coonagh.
- (b) A monitoring report shall be submitted to the planning authority on the first anniversary of the first occupation of the development. Further monitoring reports shall be completed and submitted to the planning authority on the third and fifth anniversaries of the first occupation of the LIT building.
- (c) The monitoring report shall assess the level of compliance with the Mobility Management Plan in terms of both measures and targets. This monitoring report shall include the following information:
 - I. An assessment of performance against key targets and measures set out in the Workplace Travel Plan
 - II. Information on travel mode share
 - III. Identifying modal splits by car, car – sharing, public transport, walking and cycling and to secure sustainable development patterns
- (d) A car-parking strategy shall be undertaken onsite and submitted within one year of occupation of site to include car parking control measures for written agreement with Limerick City and County Council.

Reason: In the interests of smarter travel objectives and sustainable traffic.

Fiona Fair
Planning Inspector
19.04.2017