



An  
Bord  
Pleanála

## **S. 6(7) of Planning and Development (Housing) and Residential Tenancies Act 2016**

### **Inspector's Report on Recommended Opinion ABP-303724-19**

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**Strategic Housing Development**

126 no. residential units (87 no. apartments, 12 no. duplex/apartments, 27 no. houses, crèche and associated site works.

**Location**

Walkers Road, Annacotty, Co. Limerick.

**Planning Authority**

Limerick City and County Council

**Prospective Applicant**

Regal Park Developments Limited

**Date of Consultation Meeting**

27<sup>th</sup> March 2019

**Date of Site Inspection**

14<sup>th</sup> March 2019

**Inspector**

Erika Casey

## **1.0 Introduction**

- 1.1 Having regard to the consultation that has taken place in relation to the proposed development and also having regard to the submissions from the planning authority, the purpose of this report is to form a recommended opinion as to whether the documentation submitted with the consultation request under section 5(5) of the Planning and Development (Housing) and Residential Tenancies Act 2016 - (i) constitutes a reasonable basis for an application under section 4, or (ii) requires further consideration and amendment in order to constitute a reasonable basis for an application under section 4.

## **2.0 Site Location and Description**

- 2.1 The application site has a stated area of 2.59 hectares and is located immediately south of the R445 Dublin Road adjoining the Annacotty Roundabout. The site is located approximately 6km to the east of Limerick City Centre and c. 500 metres to the west of Annacotty Village. Castletroy College, Castletroy Neighbourhood Centre and the Newtown Neighbourhood centre are all located c. 500 metres to the south of the site. The site is located in close proximity to the National Technological Park which is directly to the north of the site. University of Limerick is c. 2km to the north west.
- 2.2 The application site is rectangular in shape and is bound by roads three sides. To the north, is the R445 Dublin Road, to the west, is the Castletroy College Road and to the south, is a local access road known as Walkers Lane from which it is proposed to provide vehicular access to the site. The site is undeveloped and characterised by grass and scrub vegetation. There are some mature trees and vegetation located along the northern and western boundaries. There is a steep bank along the northern boundary adjacent to the Dublin Road. The topography varies across the site with a fall of c. 5 metres across the site from the south east to the north west. There are archaeological features (RMP site L1006-063 – Enclosure, L1006-094001 – Burnt Mound Activity, L1006-094002 (Corn Drying Kiln) and L1006-094003 – Excavation – Miscellaneous) located in the north west corner of the site. There is extensive low density suburban housing in the vicinity of the site and the eastern

boundary abuts two detached dwellings. Further low density housing is located to the immediate south of the site.

### 3.0 Proposed Strategic Housing Development

3.1 The proposal comprises a development of 126 residential units as follows:

Unit Type	No. of Units	%
1-bed apartment	17	14
2-bed apartment	66	52
3-bed apartment	4	3
2 bed ground floor duplex apartment	6	5
3 bed duplex apartment	6	5
27 no. 4 bed detached houses (23 no. house type H-A and 4 no. house type H-B)	27	21
<b>Total</b>	<b>126</b>	<b>100</b>

#### Development Parameters

Parameter	Site Proposal
<b>Density</b>	Gross – 48.95 per/ha.
<b>Car Parking</b>	Apartments: 110 spaces (91 basement and 19 surface). 89 no. spaces to serve apartments plus 19 visitor spaces.  Crèche: 15 spaces.  Duplex Units: 12 spaces.  Houses: 62 spaces (2 spaces per house and 8 no. visitor spaces)
<b>Bicycle Parking</b>	110 spaces – 60 no. in the basement and 50 at surface level
<b>Part V</b>	12 duplex units.
<b>Vehicular Access</b>	From existing access road located to the south of the site

<b>Application Site</b>	2.57 ha.
<b>Open Space</b>	28%. Children's playground of 130 sq. metres.

## **Apartments**

- 3.2 The apartments are provided in 2 no. blocks (referred to as Block A and Block B) each of which are 7 storeys in height. The ground floor of Block A accommodates a gym, primarily intended for use by the residents with a floor area of 206 sq. metres. In addition, 2 no. meeting rooms are provided at first and second floor level. A resident's communal area and 2 no. communal external roof terraces are proposed at 5<sup>th</sup> floor level. A total of 772 sq. metres of communal amenity space including the gym is provided. The design of the apartments is contemporary.
- 3.3 Within Block B, a Kid's Club is provided at first floor level and a co-working space is proposed at second floor level. A resident's communal area with an area of 322 sq. metres and external roof terrace is provided at 5<sup>th</sup> floor level.
- 3.4 The apartments are generally larger than the minimum size thresholds set out in the Sustainable Urban Housing: Design Standards for New Apartments 2018.

## **Housing**

- 3.5 The residential housing units comprise 27 no. 3 bed detached houses. Two house types are proposed – 23 no. house type H-A and 4 no. house type H-B. The design of both is similar and is of an arts and craft style. The dwellings range in size from 155 to 166 sq. metres. All are served by 2 no. off street car parking spaces and a rear garden with a minimum depth of 11 metres. Materials are a combination of self coloured render, red brick and limestone detailing.
- 3.6 The 12 no duplex units comprise 6 no. 3 bed two storey units and 6 no. 2 bed single storey units. The 2 storey duplex units have a floor area of 114.7 sq. metres and are served by a private terrace of c. 16.6 sq. metres. The single storey ground floor units have an area of c. 79.2 sq. metres and a rear garden with a minimum depth of 11 metres. The duplex units are proposed as Part V housing.

### **Crèche**

- 3.7 The crèche facility is located to the north of the proposed duplex terrace and has a floor area of 437 sq. metres. It is designed to accommodate up to 50 children and is served by its own dedicated external play area with an area of 214 sq. metres.

### **Archaeology**

- 3.8 An archaeological assessment including on site test trenching has confirmed the presence of an enclosure within the north western corner of the site as well as a number of other features. It is proposed to avoid development in this part of the site and maintain a buffer of 5 metres around the feature, free from development. There will be no disturbance to the feature and it is proposed to bury it under 2 metres of material excavated from the site. No underground services will be placed within the protected zone of the feature.

### **Trees**

- 3.9 Tree survey submitted with the documentation. The full tree group along the northern boundary of the site will be retained.

### **Road Improvements**

- 3.10 It is stated that the Roads Department of the Council requires a set back to facilitate road widening and the provision of a new bus stop along the Castletroy College Road to the west of the site. Provision has been made to provide a set back along the Castletroy College Road to the west of the site.

## **4.0 Planning History**

- 4.1 There are two previous applications pertaining to the site:

### **Planning Authority Reference 06/1724/An Bord Pleanála Reference PL13.219350**

- 4.2 Permission refused by the Board on April 2007 for a development comprising a two storey/part three storey (including mezzanine level) building with a gross floor area of 11,920 sq. metres to accommodate convenience and bulky good retailing and provision of 641 car parking spaces. Reasons for refusal related to retail impact, traffic hazard and quantum of parking.

- 4.3 Permission refused by the Board in November 2009 for a development comprising a design/tourist retail centre, 6 no. design centre outlets with ancillary retail provision, office/financial institution, 3,749 sq. metres of offices space, a cafe/bar, medical centre, crèche, 14 no. apartments, 4 no. houses and basement parking. The reason for refusal related to retail impact.

## **5.0 National and Local Planning Policy**

### **5.1. National and Regional Policy**

#### **Project Ireland 2040 - National Planning Framework**

- 5.1.1 Chapter 4 of the Framework addresses the topic of ‘making stronger urban places’ and sets out a range of objectives which it is considered will assist in achieving same. National Policy Objective 13 provides that in urban areas, planning and related standards, including in particular building height and car parking, will be based on performance criteria that seek to achieve well-designed high quality outcomes in order to achieve targeted growth. These standards will be subject to a range of tolerance that enables alternative solutions to be proposed to achieve stated outcomes, provided public safety is not compromised and the environment is suitably protected.

#### **Section 28 Ministerial Guidelines**

- 5.1.2 Having considered the nature of the proposal, the receiving environment, the documentation on file, including the submission from the Planning Authority, I am of the opinion that the directly relevant S.28 Ministerial Guidelines are:
- Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas’ (including the associated ‘Urban Design Manual’).
  - Design Manual for Urban Roads and Streets.
  - Sustainable Urban Housing: Design Standards for New Apartments (2018).
  - Childcare Facilities – Guidelines for Planning Authorities.

- Urban Development and Building Heights – Guidelines for Planning Authorities 2018.
- Framework and Principles for the Protection of the Archaeological Heritage Department of Arts, Heritage, Gaeltacht and the Islands 1999.

## **Regional Policy**

### **Draft Regional Spatial and Economic Strategy for the Southern Region**

5.1.3 The site is located within the boundary of the Limerick Shannon Metropolitan Area. It is an objective to promote a cohesive metropolitan area and encourage compact growth. RPO prioritises housing and employment development in locations within and contiguous to existing city footprints where it can be served by public transport, walking and cycling.

5.1.4 The strategy states that Limerick Shannon Metropolitan Area Transport Strategy will provide for the development of an enhanced Citywide public transport system with enhanced accessibility from the City Centre to the National Technological Park. Under Policy Objective 7: Strategic Road Infrastructure: it is an objective to upgrade arterial roads including the R445 to increase capacity, including the provision of public transport infrastructure.

## **5.2. Local Planning Policy**

### **Limerick County Development Plan 2010**

5.2.1 Under the County Plan, Castletroy is identified as part of the Tier 1 Gateway. Under the Core Strategy, it is stated that by 2016 an additional 1,208 units would be required and by 2022 a further 1,932 units would be required. Section 4.6 sets out guidance regarding the design of residential development.

### **The Castletroy Local Area Plan 2019-2025**

5.2.2 The subject site is located in the administrative area of the Castletroy Local Area Plan. Castletroy is recognised as an important trade/market and service centre for the resident population and the surrounding hinterland. Under the settlement strategy (Table 4), 22% of the total National Planning Framework population target for Limerick of 56,000 persons is allocated to Castletroy. This equates to 12,320 persons over the next 24 years. It is stated that a total of 1,232 houses will be

required for the settlement over the next 6 year period. A minimum net residential density of 35 units per hectares is required on residentially zoned lands.

- 5.2.3 The subject site is zoned as a 'residential development area' where it is an objective of the LAP to provide for new residential development and other services associated with residential development. It is identified as a Phase 1 development site.
- 5.2.4 It is an objective of the plan to provide for the widening and upgrading of the R445 to provide for improved bus lanes, cycle and walking facilities. Objective T8 states that: *"it is the objective of the Council to safeguard the capacity of the M7 and the R445 to ensure that any future developments do not compromise the strategic function of these roads."*
- 5.2.5 The plan under objective UD1 and UD2 states that high quality urban design which makes a statement in terms of 'distinctiveness', 'landmark feature', and 'sense of place' will be expected at locations of high visibility in the built environment of Limerick. It is stated: *"The Council will encourage quality innovative modern design in terms of its context with the surrounding urban area. Any development proposals at landmark locations within Castletroy and on the approaches to Limerick City should be of a high quality design. These proposals should, therefore, demonstrate innovative architectural design principles, contribute to a sense of distinctness, reflect arrival at a city and 'sense of place', and thereby, enforce a positive image of Castletroy and the greater metropolitan area."*

## **6.0 Documentation Submitted**

- 6.1 The prospective applicant has submitted information pursuant to section 5(5)(a) of the Planning & Development (Housing) and Residential Tenancies Act 2016 and Article 285 of the Planning and Development (Strategic Housing Development) Regulations 2017.
- 6.2 This information included, inter alia, a Completed Application Form, Cover Letter, Pre-connection Enquiry from Irish Water, Statement of Consistency, Architectural Drawings including 3D visualisations, Architectural Design Statement, Engineering Drawings and Services Report, Traffic and Transport Report, Engineering Report regarding Design of Archaeological Burial Systems, Tree Survey Report, Landscape



Plan, Tree Survey Plan, Tree Retention and Protection Plan, Archaeological Assessment, Lighting Plan, Schedules of Drawings and Documents.

6.3 Section 5(5)(b) of the Act of 2016 requires the submission of a statement that, in the prospective applicant's opinion, the proposal is consistent with both the relevant objectives of the development plan or local area plan concerned, and the relevant guidelines issued by the Minister under section 28 of the Act of 2000. These statements have been submitted, as required. The applicant's case is summarised as follows:

- States that due to its limited public transport connectivity, that the site is more akin to that of an outer suburban greenfield site where density in the range of 35-50 units per hectare is advocated. In this context, it is considered that a density of 48.95 units per ha is appropriate. The proposed density exceeds the minimum net density recommended in the LAP.
- The apartments sit at a pivotal location at a roundabout junction fronting a wide road to the west and a regional road to the north. It is considered the height of the proposal is in accordance with the principles set out in the Urban Development and Building Height Guidelines. Consider the height appropriate having regard to the landmark location of the site on the approach to the City. States development will enhance the character and public realm of the area. The two blocks provide for visual variety. High quality finishes and materials will ensure the development is an interesting intervention in the environment. Blocks have been carefully positioned to ensure no overshadowing to remainder of site.
- Consider that the development is in line with the core strategy set out in the County Development Plan and the provisions of the LAP which identifies Castletroy as an area appropriate for significant future population growth. The development is in accordance with the zoning objective pertaining to the site.
- The development is compliant with the guidance set out in Sustainable Urban Housing: Design Standards for New Apartments for Planning Authorities 2018. A minimum of 50% of the units will be dual aspect. There are no single aspect apartments facing north. Ceiling heights of 2.7m are provided throughout with 3m at ground floor level. Storage and private amenity space standards are met and exceeded throughout. 566 sq. metres of communal open space is provided

within the blocks comprising 244 sq. m. open terraces and 322 sq. m. resident's communal area. Car parking, generally in accordance with the Development Plan standards will be provided.

- Notes that the site is located in close proximity to existing services and amenities including Newtown Neighbourhood Centre, Castletroy College, Castletroy Park and Plassey Technological Park. The site is within 200 metres of a bus stop and there is a bus connection to the city every 30 minutes.
- A broad range of housing types are proposed including 13% 1 bed units, 57% 2 bed units, 8% 3 bed and 21% 4 bed. The housing mix is considered appropriate.
- 28% of the overall site comprises external open space. A play lot/pocket park is within easy access of all houses. A small park (0.2-2ha) is also available on site within 400m of all residential units.
- Tree survey undertaken. The front roadside boundary is to be removed to facilitate provision of footpaths and cycle paths. Loss will be mitigated by replacement planting.
- Archaeological testing, including test trenching has confirmed the presence of an enclosure on the site. This feature will be preserved and protected by a 5m buffer zone.
- The proposed development will be connected to the public mains. In terms of SuDS, storm water will be attenuated to greenfield runoff rate and will discharge to an existing manhole to the north of the site.
- States that the proposed application will be supported by a Traffic Transport Assessment. The development has been designed in accordance with DMURS. The development provides for footpaths and cycle paths along the roadside boundary fronting the site.
- The crèche facility will have capacity for 50 children.
- The development will deliver Part V through the provision of 12 no. duplex units.
- A substantial set back from the northern boundary along with the retention of trees and the existing embankment will mitigate any potential noise impacts resulting from traffic on the public road.

- Proposal is consistent with the policies and objectives contained in National and Local Planning Guidelines and Plans.

## 7.0 Planning Authority Submission

7.1 A submission was received by An Bord Pleanála on the 12<sup>th</sup> March 2019 from Limerick City and County Council. The 'opinion' of the planning authority included, inter alia, the following:

- Design of apartments is acceptable in principle and they will act as a focal point at the entrance to the Metropolitan Area of the City. Photomontages and sunlight/shadow cast analysis are required to adequately assess impact of development. Consider height of development is appropriate and in compliance with Urban Development and Building Heights Guidelines for Planning Authorities.
- Housing and duplex units are considered acceptable in terms of design and location. Design and location of crèche is considered acceptable. Note that with respect to the duplex units, that the car parking spaces and open space should be arranged to provide a clear distinction between private, semi-private and public open spaces. Privacy strips/areas to the front of units would eliminate the need for communal bin storage areas. ESB substation should be relocated. Notes that a number of the housing units present high walls to the public realm with inactive frontage. Recommends that height of walls should be reduced to 1.2 metres.
- The layout could be seen as demonstrating a poor level of enclosure with a number of 'leaky' green spaces. The constraints of the site (archaeology, topography, residential amenity, preservation of trees) are acknowledged. State that the Board should be satisfied that the layout and scale is acceptable.
- The site is in proximity to key services, on a bus corridor and within walking distance of the National Technology Park, the University of Limerick, Annacotty Village Centre and the Castletroy District Centre. In this context, the density of 49 units per hectare is considered appropriate.

- Car parking provision is adequate. Visitor parking should be clearly delineated. Additional cycle parking should be provided to serve apartments. Segregated cycle path should be indicated on access ramp to car park.
- Access and connectivity to all adjoining lands needs to be appropriately addressed. The lack of a footpath/cycle lane on the L-1112-105 on lands outside the applicant's control connecting the site to Annacotty Village is identified. Note that footpath proposed through open space area should run parallel to proposed cycle track on Walkers Lane. Cycle tracks and bus stop lay by should be provided by the Applicant.
- Application should be accompanied by Traffic Impact Assessment which should include auto tracking, forecasts showing opening and future year scenarios and include the proposed slip road on the IDA site. A Road Safety Audit should also be submitted.
- A number of specific recommendations by the Roads Department regarding the internal layout including removal of mini roundabout, minimum road widths, dished footpaths, sightlines etc.
- Full surface water design required. A number of specific technical issues that need to be required with are identified. The site is located outside of the CFRAM Flood Maps.
- With regard to the proposal to locate the Part V provision within the duplex units, note that Part V should be adequately addressed as part of the overall development in consultation with the Housing Development Directorate of LCCC. State that it is policy of the Council to 'pepper pot' the distribution of Part V units and to align the household type to demand on the housing waiting list.
- Noise impact should be considered in the design of the proposed housing development having regard to the Strategic Noise Mapping (2017) for Limerick.
- Note that LCCC has a policy of a 20 metre buffer zone around archaeological monuments and that burying the site does not necessarily preserve it. The Board should be satisfied that the design approach and buffer proposed is acceptable.

- Bat friendly landscaping proposals and sensitive lighting should be included in the application. Trees used for bat roosting should not be isolated. Invasive Species Management Plan should be submitted with application.
- States that application should be accompanied by sustainability statement and social infrastructure assessment, photomontages, shadow cast and sunlight/daylight analysis, refuse management statement, public lighting layout, landscape plan, DMURS statement and mobility management plan.

### **Other Prescribed Bodies**

#### **Irish Water (15.03.2019)**

- Note that Confirmation of Feasibility has been issued.
- IW confirms that subject to a compliant water and wastewater layout and a valid connection agreement being put in place between Irish Water and the developer, the proposed connection(s) to Irish Water network(s) can be facilitated.

#### **Department of Culture, Heritage and the Gaeltacht (22.03.2019)**

- Notes the development will have a direct impact on the Recorded Monument L1006-063. The development will also have a direct impact on 3 additional monuments recorded during previous archaeological investigations on the site. These monuments represent a wider area of archaeological material associated with the Enclosure and demonstrate the potential for survival of an extended area of archaeological activity within the overall site.
- It is considered that the proposal to raise the ground above the RMP L1006-063 and to develop a roadway, turning circle, car parking and playground area directly over the monument is not an acceptable form of preservation in situ. The proposed buffer area of 5m between the RMP and the construction of the residential blocks is considered unacceptable. Given the scale and location of the overall proposed development, it is possible that further subsurface archaeological remains could be countered during the construction phases that involve ground disturbance.
- Recommend a number of conditions to ensure the appropriate archaeological resolution of the site.

## 8.0 The Consultation Meeting

8.1 A Section 5 Consultation meeting took place at the offices of Limerick City and County Council on the 27<sup>th</sup> March 2019, commencing at 11.30 AM. Representatives of the prospective applicant, the planning authority and An Bord Pleanála were in attendance. The main topics raised for discussion at the tripartite meeting were based on the Agenda that issued in advance and contained the following issues:

1. Development strategy for the site including overall site layout and architectural approach; transition of scale and height; open space layout, building typology and urban design.
  - 1.2 Landscaping proposals, including tree retention policy/rationale, quantum, design and purpose of open space.
  - 1.3 Archaeology.
  - 1.4 Architectural design, particularly the landmark building, as well as finishes and materials.
2. Density.
3. Roads infrastructure, access and parking, in particular measures to address wider pedestrian, cyclist and public transport connectivity and measures to reflect DMURS.
4. Surface water drainage including SuDs.
5. Wastewater infrastructure.
6. Childcare/ provision of crèche – location within the site, design, scale, catchment, etc.
7. Any other matters.

8.2 In relation to the **Development Strategy** for the site including overall site layout and architectural approach, transition of scale and height, open space layout, building typology and urban design, An Bord Pleanála sought further elaboration/discussion/consideration of the following:

- the appropriateness of the overall layout of the development having regard to the perceived site constraints;

- the need to fully investigate the development potential of the site in terms of archaeology and tree removal;
- development of an appropriate landmark building addressing the Annacotty roundabout that demonstrates an innovative architectural design and contributes to a sense of distinctiveness and sense of place;
- the requirement to have an appropriate transition of scale and height across the development site as a whole;
- the need to create a strong urban edge and appropriate public realm;
- the need for a coherent architectural approach to the site in terms of building typology, design, materials and finishes and housing mix;
- the need to create a high quality living environment with a focus on quality of place making;
- the quantum and purpose of open space provided and the need to develop an appropriate hierarchy of open spaces; surveillance of open spaces and requirement to avoid blank walls addressing open spaces and ensuring the open spaces are well connected and integrated within the overall site.
- details of the finishes and materials for the proposed apartment block including suitability and durability; clarification of the architectural treatment for the proposed crèche; the appropriateness of the use of render on the duplex units; coherency in the use of materials across the whole development site.

8.3 In relation to **Density** An Bord Pleanála sought further elaboration/discussion/consideration of the following: Density and compliance with the Residential Density Guidelines in the context of the location of the site within the Tier 1 Metropolitan Area as identified in the Castletroy LAP and the Draft Limerick Shannon Metropolitan Area Strategic Plan. The effective utilisation of the site having regard to open space and unit typology.

8.4 In relation to **Roads Infrastructure, Access and Parking**, An Bord Pleanála sought further elaboration/discussion/consideration of the following: works proposed to Walker's Lane and Castletroy College Road to facilitate future pedestrian and cyclist facilities and public transport and implementation of same; wider pedestrian and cyclist connectivity; compliance of the scheme with DMURS; the extent of parking

proposed particularly along the primary access road and adjacent to the crèche and duplex units; the internal road layout, particularly the extensive turning area.

- 8.5 In relation to **Surface Water Management**, An Bord Pleanála sought further elaboration/discussion/consideration of the following: the proposed surface water management proposals including any proposals for the incorporation of SuDS measures within the site and details required by Limerick City and County Council; location of the attenuation tank in the context of tree preservation and Cat A tree located along NE boundary.
- 8.6 In relation to **Wastewater Infrastructure**, An Bord Pleanála sought further elaboration/discussion/consideration of the following: the contents of the Irish Water correspondence dated the 18<sup>th</sup> of January 2019 stating that a suitably sized pumping station may be required to be installed on the site; requirements for a CCTV survey.
- 8.7 In relation to the **Crèche** facility, An Bord Pleanála sought further elaboration/discussion/consideration of the appropriateness of the location of the crèche and justification of its size having regard to the catchment demand.
- 8.8 In relation to any **Other Matters**, An Bord Pleanála sought further elaboration/discussion/consideration of the following: Part V and in particular the Council requirement to 'pepper pot' units and the reference in the S247 minutes regarding a 'land grab'.
- 8.9 Both the prospective applicant and the planning authority were given an opportunity to comment and respond to the issues raised by the representatives of ABP. Those comments and responses are recorded in the 'Record of Meeting '303724' which is on file. I have fully considered the responses and comments of the prospective applicant and planning authority in preparing the Recommended Opinion hereunder.

## 9.0 **Conclusion and Recommendation**

- 9.1 Based on the entirety of the information before me, it would appear that the proposed development falls within the definition of Strategic Housing Development, as set out in section 3 of the Planning and Development (Housing) and Residential Tenancies Act 2016.



- 9.2 I have examined all of the information and submissions before me including the documentation submitted by the prospective applicant, the submissions of the planning authority and the discussions which took place at the tripartite meeting. I have had regard to both national policy, via the s.28 Ministerial Guidelines, and local policy, via the statutory plan for the area.
- 9.3 Having regard to all of the above, I recommend that **further consideration and/or possible amendment** of the documents submitted are required at application stage in respect of the following elements: architectural design and layout, archaeological response, density, layout of open space, vehicular and cycle parking provision, internal road network and wider pedestrian and cyclist connections which are set out in the Recommended Opinion below.
- 9.4 Having regard to the above, I recommend that the Board serve a notice on the prospective applicant, pursuant to Section 6(7)(b) of the Planning and Development (Housing) and Residential Tenancies Act 2016, stating that it is of the opinion that the documentation submitted with the consultation request under section 5(5) of the Act **requires further consideration and amendment in order to constitute a reasonable basis for an application** under section 4 of the Planning and Development (Housing) and Residential Tenancies Act 2016.
- 9.5 I would also recommend that the prospective applicant be notified, pursuant to article 285(5)(b) of the 2017 Regulations, that specified information (as outlined hereunder) be submitted with any application for permission that may follow. I believe the specified information will assist the Board at application stage in its decision making process. I am also recommending that a number of prescribed bodies (as listed hereunder) be notified by the prospective applicant of the making of the application.

## 10.0 Recommended Opinion

- 10.1 An Bord Pleanála refers to your request pursuant to section 5 of the Planning and Development (Housing) and Residential Tenancies Act 2016. Section 6(7)(a) of the Act provides that the Board shall form an opinion as to whether the documents submitted with the consultation request (i) constitute a reasonable basis for an application under section 4 of the Act, or (ii) require further consideration and

amendment in order to constitute a reasonable basis for an application under section 4.

10.2 Following consideration of the issues raised during the consultation process, and having regard to the opinion of the planning authority, An Bord Pleanála is of the opinion that the documentation submitted requires **further consideration and amendment** to constitute a reasonable basis for an application for strategic housing development to An Bord Pleanála.

10.3 In the opinion of An Bord Pleanála, the following issues need to be addressed in the documents submitted to which section 5(5) of the Act of 2016 relates that could result in them constituting a reasonable basis for an application for strategic housing development:

#### **Architectural Design and Overall Layout**

10.4 Further consideration of documents as they relate to the development strategy for the site, in particular the architectural approach and overall layout of the proposed development in relation to:

- The overall design approach to the site to ensure that the development appropriately responds to the sites context and constraints including a full investigation of the optimal layout having regard to the existing archaeological features and response to same; that there is an appropriate transition of height and scale across the site; that there is a coherent architectural approach to the development in terms of building style, materials and finishes; that the development creates a strong urban edge having regard to the extent of road frontages abutting the site and an appropriate public realm; that an appropriate range of housing typologies and mix is provided and a high quality living environment created.
- The design of the apartment blocks to ensure that they address the Annacotty roundabout and the R445 in an appropriate manner with an innovative architectural approach. In this regard, the prospective applicant should satisfy themselves that the design strategy for the site as it relates to height and design provides the optimal architectural solution for this strategic gateway site. The proposed development shall have regard to inter alia, national policy including the National Planning Framework and Sustainable Urban Housing:

Design Standards for New Apartments March 2018 and local planning policy, the sites context and locational attributes.

- The configuration of the layout particularly as it relates to the creation of a hierarchy of high quality, functional and amenable public and semi-private open spaces with maximum surveillance, amenity and pedestrian connectivity should be given further consideration.
- The 12 criteria set out in the Urban Design Manual which accompanies the Sustainable Residential Development in Urban Areas Guidelines for Planning Authorities and the Design Manual for Urban Roads and Streets. The documentation at application stage should clearly indicate how the 12 criteria were applied and should demonstrate consistency with the 12 criteria.
- The need, scale and location of the crèche facility.
- Further consideration of these issues may require an amendment to the documents and/or design proposals submitted.

### **Density**

- 10.5 Further consideration of documents as they relate to the density in the proposed development, specifically in relation to the 'Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas' (May 2009). Particular regard should be had to the need to develop at a sufficiently high density to provide for an acceptable efficiency in serviceable land usage given the proximity of the site to established social and community services in the area. Regard should be had to the effective utilisation of the site in terms of open space and unit typology. The further consideration of this issue may require an amendment to the documents and/or design proposals submitted relating to density and layout of the proposed development.

### **Roads Infrastructure, Access and Parking**

- 10.6 Further consideration of documents as they relate to road infrastructure and parking particularly in relation to:
- The extent of surface parking proposed particularly along the primary access road and adjacent to the crèche and duplex units; the design and layout of the internal road layout, particularly the extensive turning area and the requirements to comply with DMURS. Further clarity should be provided on

how car parking is to be assigned and managed and how visitor parking will be managed.

- The extent of works to be undertaken to Walkers Lane including provision of footpaths, cycle paths and public lighting.
- The extent of works to Castletroy College Road including set down for public bus and enhanced cycle and pedestrian facilities.
- Pedestrian and cyclist connectivity to the wider area including future linkages to Annacotty Village.
- The provision is adequate cycle parking including visitor parking.
- The design and layout of the internal road network and location of principal vehicular access.
- Further consideration of these issues may require an amendment to the documents and/or design proposals submitted.

10.7 Pursuant to article 285(5)(b) of the Planning and Development (Strategic Housing Development) Regulations 2017, the prospective applicant is hereby notified that, in addition to the requirements as specified in articles 297 and 298 of the Planning and Development (Strategic Housing Development) Regulations 2017, the following specific information should be submitted with any application for permission:

1. A detailed report outlining the proposed works to be undertaken to Walkers Lane and Castletroy College Road in terms of pedestrian and cycle facilities, public lighting and any road upgrade works necessary to facilitate the development and provide for appropriate connections to the wider area. The report should also detail who is going to undertake the works required and the timelines involved relative to the construction and completion of the proposed development.
2. A report that specifically addresses the proposed materials and finishes to the scheme including specific detailing of finishes, the treatment of balconies in the apartment buildings and duplex units, landscaped areas, pathways, entrances and boundary treatment/s. The treatment/screening of access areas to exposed areas of basement ramps to apartment blocks as well as the treatment of the ground floor and interface with the public realm should also be addressed. Particular regard should be had to the requirement to provide high quality and sustainable finishes and details which seek to create a distinctive character for

the development. The documents should also have regard to the long term management and maintenance of the proposed development.

3. Photomontages/CGI's to include distant views of the development when viewed east and west along the R445, from the access road to the Technology Park and from Castletroy College Road.
4. A life cycle report shall be submitted in accordance with Section 6.3 of the Sustainable Urban Housing: Design Standards for New Apartments (2018).
5. A report that addresses issues of residential amenity (both existing residents of adjoining properties and future occupants), specifically how the proposed apartment building will limit the potential for overlooking and overshadowing. The report should include full and complete drawings including levels and cross sections showing the relationship between the development and adjacent residential units. A comprehensive daylight and sunlight analysis assessing proposed residential units and open spaces should also be included.
6. A detailed schedule of accommodation which shall indicate compliance with relevant standards in the Sustainable Urban Housing: Design Standards for New Apartments, Guidelines for Planning Authorities' 2018.
7. A layout plan that details the location and appropriate quantity of bicycle parking spaces at basement and surface level. Clarity should be provided as to how basement cycle parking will be accessed.
8. A Traffic and Transport Assessment (to include Road Safety Audit) for the proposed development.
9. A report prepared by a suitably qualified and competent person demonstrating specific compliance with the requirements set out in the Design Manual for Urban Roads and Streets.
10. A plan of the proposed open spaces within the site clearly delineating public, semi-private and private spaces and an indication of any open spaces to be taken in charge.
11. Detailed report regarding how the appropriate Sustainable Urban Drainage Systems have been incorporated into the development.

12. Phasing plan for the proposed development which includes phasing arrangements for delivery of public open spaces and Part V provision.
  13. Landscaping proposals including and overall landscape masterplan for the development site including detail of tree planting, quantity, type and location of all proposed hard and soft landscaping including details of play equipment, public lighting, pedestrian entrances and boundary treatments. Resolution of any conflict between location of attenuation tank and trees to be preserved.
  14. Construction and Environmental Management Plan to include a plan for the treatment and removal of Japanese Knotweed.
  15. Waste management plan.
  16. Archaeological Impact Assessment: A report prepared by a suitably qualified person the likely impact of the proposed development on archaeology. The applicant should satisfy themselves that the report addresses the points raised by the Development Applications unit of the Department of Culture, Heritage and the Gaeltacht detailed in their submission dated the 22<sup>nd</sup> March 2019.
  17. Noise Report detailing in particular how noise impacts from the R445 will be mitigated in the proposed design of the housing/apartment units.
  18. Childcare demand analysis and the likely demand for childcare places resulting from the proposed development.
  19. Bat Report including any measures proposed to mitigate potential adverse impacts.
- 10.8 Pursuant to article 285(5)(a) of the Planning and Development (Strategic Housing Development) Regulations 2017, the prospective applicant is informed that the following authorities should be notified in the event of the making of an application arising from this notification in accordance with section 8(1)(b) of the Planning and Development (Housing) and Residential Tenancies Act 2016:
1. Transport Infrastructure Ireland
  2. National Transport Authority
  3. Minister for Culture, Heritage and the Gaeltacht
  4. Heritage Council
  5. An Taisce — the National Trust for Ireland

6. Irish Water
7. Limerick County Childcare Committee

**PLEASE NOTE:**

Under section 6(9) of the Planning and Development (Housing) and Residential Tenancies Act 2016, neither the holding of a consultation under section 6, nor the forming of an opinion under that section, shall prejudice the performance by the Board, or the planning authority or authorities in whose area the proposed strategic housing development would be situated, of any other of their respective functions under the Planning and Development Acts 2000 to 2016 or any other enactment and cannot be relied upon in the formal planning process or in legal proceedings.

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**Erika Casey**  
**Senior Planning Inspector**

**8th April 2019**