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<b>Development</b>	Demolition of an existing derelict dwelling 'Curragower House' and the construction of 1 no. house and 3 no. apartments over 1 no. café unit and all associated site works
<b>Location</b>	Curragower House, Clancy's Strand, Limerick.
<b>Planning Authority</b>	Limerick City and County Council
<b>Planning Authority Reg. Ref.</b>	18/752
<b>Applicant(s)</b>	Derry Corbett
<b>Type of Application</b>	Permission
<b>Planning Authority Decision</b>	Grant Permission
<b>Type of Appeal</b>	Third Party V. Grant
<b>Appellant(s)</b>	An Taisce Limerick Gerard Wall
<b>Observer(s)</b>	Anne Kavanagh Luke Curley Brian Leddin

Irish Georgian Society

Gearóid Mahon

Brigid Henihan

Grainne O'Kelly

Fiona Oliver

Nick Boston

**Date of Site Inspection**

21<sup>st</sup> June 2019

**Inspector**

Elaine Power

## 1.0 Site Location and Description

- 1.1. The subject site is located on Clancy's Strand, on the western side of the River Shannon and south of Thomond Bridge. The site has extensive views across the river to St. Johns Castle and the city centre.
- 1.2. The site has a stated area of 515sqm and currently accommodates a vacant three-storey, red brick, semi-detached house known as 'Curragower House'. The doors and windows of the building are boarded up. However, the external walls and roof are in relatively good condition. The house has an overall floor area of approx. 184sqm. It was constructed in two phases, between approx. 1790's – early 1800's and between approx. 1860's -1870's. An area of open space is located to the north of the house and is currently overgrown. The majority of the site is bound by the existing stone wall, approx. 2.4m in height. The low plinth wall with railing and access gates to the front of the house are surrounded by a 2.4m high galvanised palisade fence.
- 1.3. 'Curragower House' abuts 'Strandville', a two-storey house to the south. 'Strandville' is currently occupied. To the north of the site is 'Jackson's Turret' which is a protected structure (RPS 300). This house is also on the National Inventory of Architectural Heritage (ref. 21512021). It is a two-storey, L-shaped house with a rendered finish. It is currently occupied. The southern elevation of the protected structure, which contains a number of windows, forms the northern boundary of the subject site.

## 2.0 Proposed Development

- 2.1. It is proposed to demolish 'Curragower House' and construct 1 no. house and 3 no. apartments over a café unit.
- 2.2. The proposed development comprises two distinct elements, both of which are approx. 13m in height. The development on the northern portion of the site comprises a three-storey house over a ground floor level, which accommodates communal car parking, cycle parking, storage and bin storage for the overall development. The house has a gross floor area of 248sqm. It is a contemporary design with a flat roof and large windows. A 14sqm terrace is proposed at first floor level and a 31sqm terrace is proposed at third floor level, on the front (east) elevation.

- 2.3. The proposed development on the southern portion of the site comprises 3no. apartments over a café unit. The ground floor café unit has a gross floor area of approx. 83sqm and includes a 18sqm outdoor terrace, which adjoins the front (eastern) boundary of the site with Clancy's Strand. The 3no. apartments above have a gross floor area of approx. 83sqm with identical floor plans. A 14sqm terrace is provided on the front (eastern) elevation of all apartments.
- 2.4. The proposed external materials include tiles, reclaimed brick from the house and seam cladding at third floor level.
- 2.5. There is a separation distance of approx. 5.8m between the 2no. proposed buildings which allows for vehicular access to the undercroft car parking spaces. An area of open space with a minimum width of 1.8m has been provided to the north (side) of the house, adjacent to 'Jackson's Turret' (protected structure) and an additional triangular shaped area of open space, with a minimum width of 0.5m, has been provided to the west (rear) of the house, adjacent to a green area associated with the Reidy Park residential estate. The development sits at the boundary with 'Strandville' to the south and is located a minimum of 2m from the eastern (front) boundary with Clancy's Strand
- 2.6. Access is proposed via a 3.5m wide vehicular gate with a separate 1m wide pedestrian gate from Clancy's Strand. Direct pedestrian access to the café is also proposed from Clancy's Strand.
- 2.7. A Design Statement and photographic survey of 'Curragower House' was submitted with the application.
- 2.8. ***Further information lodged 13<sup>th</sup> February 2019***

The response to further information result in minor alterations to the car parking layout. The submission also included a Historical Assessment, a Structural Survey, a Flood Risk Assessment and Screening for Appropriate Assessment.

## 3.0 Planning Authority Decision

### 3.1. Decision

Permission was granted subject to 18 no. conditions. The relevant conditions are noted below: -

**Condition 1:** Clarified that permission was granted for the scheme as modified by way of further information.

**Condition 5:** Required that details of the occupier of café be submitted to the Planning Authority.

**Condition 6:** Related to surface water details.

**Condition 7 and 14:** Required road signage, markings and details the internal vehicular and pedestrian routes be agreed with the Planning Authority.

**Condition 8:** Required a lighting scheme to be agreed with the Planning Authority.

**Condition 10 and 16:** Required a Construction Management Plan to be agreed with the Planning Authority and ensured that all party boundaries are protected during construction.

**Conditions 12 and 13:** Related to the café signage.

### 3.2. Planning Authority Reports

#### 3.2.1. Planning Reports

The initial Area Planners report raised a number of concerns regarding the proposed development and requested that further information be submitted regarding the following:

- Justification to demolish the building, including a structural report. Revised design incorporating the existing building.
- Shopfront and signage proposals for the café.

- Compliance with ‘Sustainable Urban Housing: Design Standards for New Apartment Guidelines for Planning Authorities, 2018’.
- Compliance with ‘The Planning System and Flood Risk Management Guidelines for Planning Authorities, 2009’.
- Appropriate Assessment Screening
- Sightlines, car parking layout and design.
- Details of lighting proposals.
- Proposals for surface water disposal.
- Pre-Connection agreement from Irish Water.
- Details of proposed bin storage.
- Compliance with safety standards.

The final report by the Area Planner considered that all concerns raised had been adequately addressed and recommended that permission be granted.

### 3.2.2. ***Other Technical Reports***

***Conservation Officer:*** Raised concerns regarding the demolition of the existing house and recommended that further information be sought. No final report on file.

***Environmental Services Report:*** Recommended that further information be sought regarding an Asbestos survey. Conditions were also provided.

***Environmental Services (Operations) Report:*** No objection

***Operations and Maintenance Services Report:*** No objection.

***Physical Development Directorate Report:*** No objection.

***Part V Report:*** An exemption certificate should be granted.

***Fire and Emergency Services:*** No objection

***HSE – Environmental Health Officer Report:*** No objection

### 3.3. Prescribed Bodies

***The Department of Culture, Heritage and the Gaeltacht:*** Recommended an Architectural Heritage Impact Assessment and Visual Assessment be provided and that revised proposal for the site be submitted.

***Irish Water:*** Requested that further information be sought regarding a pre-connection query and details of a foul sewer running through the site.

### 3.4. Third Party Observations

Third party submissions were received from both adjoining landowners, (1) James Wall, of 'Strandville' and (2) Gerard Wall of 'Jackson's Turret' (protected structure). A third submission was received from An Taisce Limerick. The concerns raised are similar to those in the appeal.

## 4.0 Planning History

***Reg. Ref. 04/524, PL30.213444:*** Permission was refused in 2005 to demolish an existing building and construct 8 no. apartments. The reason for refusal related to the design, scale, height, density and visual and physical setting of the proposed development in close proximity to existing dwellings, and which is deficient in terms of open space, bicycle parking facilities and communal waste storage facilities, would result in an excessive form of development which would seriously injure the character and amenities of existing residential development in its vicinity by reason of noise, disturbance and loss of privacy, and would provide a substandard form of residential amenity for the future occupants.

***Reg. Ref. 06/213, PL30.227368:*** Permission was refused in 2008 to demolish Strandville, and Curragower House, retain Jackson's Turret (protected structure) and provide 49 no. apartments. The 4 no reasons for refusal related to (1) the loss of the buildings would seriously injure the setting of the protected structure and the streetscape character of the area, (2) the excessive height, scale and proximity to the protected structure would be out of character with the area and detracted from the setting of the protected structure, (3) the development is contrary to standards set out in the Development Plan, the 'Residential Density Guidelines for Planning Authorities'

and the ‘Sustainable Urban Housing: Design Standards for New Apartments Guidelines for Planning Authorities’, and (4) No justification for the partial demolition of a protected structure.

## 5.0 Policy Context

### 5.1. Limerick City Development Plan, 2010-2016 (as extended)

5.1.1. The subject site is located within an area zoned 2A – ‘Residential’ with the associated zoning objective ‘*to provide for residential development and associated uses*’. The proposed residential use is permissible in principle while the café use is open for consideration.

5.1.2. **Policy BHA.11:** Re-Use & Refurbishment of Structures of Architectural Heritage merit & Protected Structures ‘*It is the policy of Limerick City Council to positively encourage and facilitate the careful refurbishment of the Structures of Architectural Heritage merit and Protected Structures for sustainable and economically viable uses*’.

5.1.3. Housing policies H.3, H.4, H.5, H.6 and Chapter 16 – Development Management are considered relevant.

### 5.2. National Guidance

- National Planning Framework (2018)
- Sustainable Urban Housing: Design Standards for New Apartments - Guidelines for Planning Authorities (March 2018)
- Guidelines for Planning Authorities on Sustainable Residential Development in Urban Area (2009).
- Urban Design Manual, A Best Practice (DOEHLG, 2009)
- Design Manual for Urban Roads and Streets DMURS (2013)
- Architectural Heritage Protection Guidelines for Planning Authorities (2004)

### 5.3. Natural Heritage Designations

The site is located adjacent to the west of Lower River Shannon SAC (002165) and approx. 840m north east of the River Shannon and River Fergus Estuaries SPA (site code 004077).



## 5.4. EIA Screening

Having regard to the limited nature and scale of the proposed development and the absence of any connectivity to any sensitive location, there is no real likelihood of significant effects on the environment arising from the proposed development. The need for environmental impact assessment can, therefore, be excluded. An EIA - Preliminary Examination form has been completed and a screening determination is not required.

## 6.0 The Appeal

### 6.1. Grounds of Appeal

2 no. third party appeals were received from (1) Gerard Wall, owner of the adjoining protected structure 'Jackson's Turret' and (2) An Taisce Limerick. The issues raised are summarised below.

- An Bord Pleanála have previously refused permission to demolish 'Curragower House'.
- The Planning Authority have taken no action under the Derelict Sites Act which suggests that the property is not derelict or beyond repair. The Planners report describes the house as vacant and not derelict. A reasoned justification for the demolition of the house has not been provided.
- The demolition of a section of a historical streetscape would have a negative impact on the visual setting of Clancy's Stand and on tourism in Limerick City. The applicant has not addressed the visual impact of the demolition of the house on the surrounding streetscape.
- The adjoining property to the north of the site 'Jackson's Turret' is a protected structure and listed as being of national importance in the NIAH. The impact of the development on the protected structure has not been addressed by the applicant. It is considered that the subject site is within the curtilage and the attendant grounds of the protected structure.

- The demolition of the house would result in the loss of internal historic fabric, including iron fireplaces, sash windows, architrave, shutters and rare paintworks from the 1920's of ecclesiastical design.
- The proposed development is contrary to Policy BHA.11 which relates to the re-use and refurbishment of structures of architectural heritage merit and protected structures. Policy BHA.12 which relates to protected structures notes that '*most structures can generally and practically be repaired, once an economical and viable use can be found*'. The House of Industry and Kate O'Brien's house in Mulgrave Street are provided as examples of buildings in the city which have been restored.
- There is no boundary treatment between the subject site and the southern elevation of the protected structure, which contains a number of windows. The scale and design of the proposed development would have a negative impact on the existing residential amenities of the adjoining property, in terms of overlooking and overshadowing and would devalue the property. A survey of the protected structure and a Daylight and Sunlight analysis has been included with the appeal.
- The proposed development is visually intrusive and unsympathetic to the location and the character of the area. It would be contrary to Development Plan policy which aims to preserve and enhance views and prospects, landscape assets and key landscape sites.
- The Structure Survey Report commission by the applicant notes that 1 no. chimney may serve the adjoining property. A full detailed study is required prior to any demolition to ensure the stability of the adjoining property.
- The proposed development would result in undue overlooking of existing residential properties in Reidy Park and Priory Park.
- The proximity of the development to the adjoining property and the scale of the development would detract from the setting of a protected structure. The development would also have a negative impact on 'Strandville' located to the south of the subject site. No construction method statement or visual

assessment of the development and its impact on 'Strandville' has been provided.

- The proposed scheme would result in overdevelopment of the site.
- Insufficient amenity space has been provided with the development for future occupants.
- The existing boundary treatments have not been incorporated into the design.
- The proposed sightlines (approx. 33.5m) are insufficient.
- The Planning Authority failed to comply with Planning and Development Regulations in that it did not notify An Taisce Limerick of revised plans submitted by way of further information.
- The development is not compliant with Part M of the Building Regulations.

## 6.2. Applicant Response

6.2.1. The applicant's response to the appeal by An Taisce Limerick is summarised below:

- A detailed history of Curragower house has been provided and notes that while the ceiling decoration is notable it is not part of the original fabric of the house. A building survey has been completed and will be preserved for public record.
- There are a variety of architectural styles located along Clancy's Strand and the proposed development would make a positive contribution to the streetscape. 'Curragower House' is not exceptional or unique and its siting is not informed by a relationship with Jackson's Turret or within the Georgian grid of the city centre.
- The building is not a protected structure and very little notable details of the original fabric of the building remains.
- The retention of the building is not possible as the existing finished floor level is below the acceptable level for flood risk. A design solution is not practical as the window levels would not relate to the required floor levels.
- It is uneconomical and financially impossible to bring the building back into use.
- The proposed materials are suitable having regard to the site context.

- The development is compliant with Building Regulations.
- Photomontages of the proposed development have been provided.

6.2.2. In response to the appeal by Gerard Wall the applicant modified the scheme to create a single building, relocated away from 'Jackson's Turret' (protected structure). The revised design does not result in any alterations to the apartments or the café however it does result in alterations to the layout of the house and the location of car parking spaces, bin storage and general storage units. The proposed vehicular access from Clancy's Strand has also been revised. Photomontages of the proposed scheme have been submitted.

### 6.3. **Planning Authority Response**

None

### 6.4. **Observations**

9 no. observations were received. The concerns raised are summarised below: -

- The loss of Georgian architecture in the city has damaged the character of Limerick. Neglect of the house has facilitated proposals to demolish it. No effort has been made to restore the house by the application, local authority or state agencies. The house is perfectly capable of being restored, as noted by the Planning Authority's Conservation Officer.
- The proposed demolition of Curragower house, which is over 200 years old, would have a negative visual impact on the streetscape.
- Permission to demolish a building with architectural merit would set an undesirable precedent for similar sites.
- The sites location on a bend in the River Shannon results in it forming part of historic views from the opposite site of the quays. The site is highly visible from a number of tourist attractions and the proposed design would be visually obtrusive.
- The scale and nature of the design is insensitive and unimaginative and would negatively impact on the adjoining property 'Strandville'. The proposed height

is excessive and out of character and would result in undue overlooking of adjoining properties.

## 6.5. Further Responses

An Taisce Limerick responded to the appeal by Gerard Wall and included photographs of the damage to the roof. The submission reiterates points raised in their submission and it is noted that the house is capable of being repaired. Additional information provided in the submission is summarised below.

- Repairs were made to the front elevation of the roof in April 2019.
- An Taisce Limerick area opposed in principle to an infill development on the site.

## 7.0 Assessment

7.1. The main issues in this appeal relate the demolition of 'Curragower House', design approach, open space and traffic. Flood Risk and Appropriate Assessment requirements are also considered. I am satisfied that no other substantial planning issues arise. The main issues can be dealt with under the following headings:

- Demolition of 'Curragower House'
- Design Approach
- Open Space
- Traffic
- Flood Risk
- Appropriate Assessment

### 7.2. *Demolition of 'Curragower House'*

7.2.1. The site is located on a bend in the River Shannon and is therefore highly visible from the river and from historically important sites within the city, in particular from King John's Castle, Thomond Bridge and Sarsfield Bridge. Serious concerns have been raised in the appeals and observations regarding the proposed demolition of the

existing 'Curragower House' and the negative impact it would have on the historic streetscape.

- 7.2.2. In response to these concerns the applicant stated that the retention of the building is not possible, as the existing finished floor level is below the acceptable level for flood risk. A revised design solution is not practical as the window levels would not relate to the required floor levels. In addition, the applicant considered it uneconomical and financially impossible to bring the building back into use and noted that 'Curragower House' is not a protected structure or an exceptional or unique building and very little notable detail of the original fabric of the building remains.
- 7.2.3. 'Curragower House' is a three-storey, red brick house. It abuts 'Strandville' house to the south, which is a two-storey house with a rendered finish. 'Jackson's Turret' (protected structure) is located to the north of the site and is an L-shaped two-storey house with a rendered finish. 'Curragower House' is not a protected structure, however in my opinion it, in conjunction with the adjoining properties, provides a valuable contribution to the distinct historic character of the area.
- 7.2.4. 'Curragower House' is currently vacant. The applicant has described the house as derelict. It is acknowledged that the doors and windows of the building are boarded up, however, the external walls and roof appear to be in relatively good condition. A Historical Assessment was submitted in response to the request for further information, which includes a history of the building and a photographic survey. It notes that the building has been vacant for 19 years and has suffered significant decline with fires in 2004 and 2017 with an additional lightning strike in 2008. The damage to the house includes wet and dry rot, partially collapsed ceilings and a destroyed staircase. It is also noted that the ceiling in the ground floor room, has a notable example of a stencilled decorative feature.
- 7.2.5. A Structural Survey was submitted by way of further information. It concluded that consideration should be given to the demolition and rebuilding of the property. However, within the body of the report, it is noted that it should be possible to retain and reinforce the external walls if the house was to be retained. The appeal by An Taisce Limerick references other buildings within the city that were in a similar state of disrepair and have been renovated, in this regard 'The House of Industry' and 'Kate O'Briens house' in Mulgrave Street,

- 7.2.6. It is noted that the Planning Authorities Conservation Officer considered that 'Curragower House' was capable of being *'retained, refurbished and extended to provide a new set of residential accommodation'*. However, there is no report on file from the Conservation Officers following receipt of further information.
- 7.2.7. The Architectural Heritage Guidelines for Planning Authorities (2004) note that *'Historic structures are a unique resource. Once lost, they cannot be replaced'*. Of particular relevance to the proposed development, Section 7.9.1 of the Guidelines states:- *"It should be the aim of good conservation practice to preserve the authentic fabric which contributes to the special interest of the structure... Where a damaged or deteriorated feature could reasonably be repaired, its replacement should not be permitted"*.
- 7.2.8. In conclusion, having regard to the external structure, the building cannot be reasonably considered "derelict", as the brick frontage, the rendered gable walls and the roof and chimneys all appear in relatively good repair. Having regard to Architectural Heritage Protection Guidelines for Planning Authorities and Policy BHA.11 of the current Development Plan, to support the re-use and refurbishment of structures of architectural merit, I would have serious concerns regarding the demolition of 'Curragower House' and consider that, in this instance, the refurbishment of the existing building, a prominent historic feature in the City, is both feasible and appropriate.

### 7.3. ***Design Approach***

- 7.3.1. Concerns were raised that the height, scale and design of the development was not sympathetic to the historic character of the area and would result in undue overlooking and overshadowing of adjoining properties. Concerns were also raised that the proposed development would have a significant negative impact on the streetscape.
- 7.3.2. The proposed development comprises two distinct elements, both of which are approx. 13m in height and have a contemporary design approach with flat roofs and large windows. The development on the northern portion of the site comprises a three-storey townhouse over ground floor level, which accommodates communal car parking, bin storage and general storage. The development on the southern portion of the site accommodates 3no. apartments over a ground floor café use.

- 7.3.3. The proposed development retains the established front building line, which sits approx. 1.5m beyond the front building line of the adjoining property, 'Strandville' to the south. It is located approx. 1.8m from Jackson's Turret' (protected structure) to the north a minimum of approx. 0.5m from the rear (western) boundary and approx. 2m from the front (eastern) boundary. There is a separation distance of approx. 5.8m between the two buildings.
- 7.3.4. In response to concerns raised in the appeal regarding the impact of the development on 'Jackson's Turret' (protected structure) the applicant submitted a revised layout. The modified development comprises a single block. The southern section of the block comprises the original layout and accommodates a café use at ground floor level with 3 no. apartments above. The northern section of the block comprises a townhouse at first, second and third floor levels with car parking, bin storage and general storage at ground floor level. The revised design and siting of the development is located approx. 7m from the northern boundary and, therefore, reduces the impact on the protected structure in terms of overlooking and overshadowing.
- 7.3.5. I would have serious concerns regarding the scale, height, design and siting of the proposed development, and considered that both of the proposed layouts provided by the applicant would result in overdevelopment of the site, have an overbearing impact on adjoining properties and negatively impact the residential amenities of the adjoining properties in terms of overlooking. Having regard to the proximity of the terraces to the public road I would also have concerns regarding the residential amenities of the future occupants in terms of privacy levels and noise.
- 7.3.6. In addition, having regard to the prominent location of the site, with extensive views of and from the city, and the residential zoning it is considered that the redevelopment of the site is appropriate. However, in my opinion the scale, height and design of the proposed development does not create a positive contribution to the historical streetscape or relate to its immediate surroundings.

#### 7.4. ***Open Space***

- 7.4.1. Concerns were raised in the appeal regarding the under provision of open space on site for the proposed residential units. The Development Plan sets out a standard of 15sqm of open space per bed space for houses. A traditional garden has not been provided for the house, however, it is proposed to provide 2 no. terraces with a gross



floor area of 45sqm. Having regard to the limited size and nature of the site, the provision of terraces is considered appropriate in this instance.

- 7.4.2. Sustainable Urban Housing: Design Standards for New Apartments - Guidelines for Planning Authorities (March 2018) sets out standards for open space for apartment developments. It is noted that the private amenity space standard for the apartments has been reached and exceeded. With regard to communal open space it is proposed to provide approx. 75sqm of open space, along the northern (side) and partially along the western (rear) boundary of the site. Access to the area of open space is provided via the ground floor communal area under the proposed house. The quantity of open space is in accordance with the Guidelines. However, having regard to the orientation of the site, the height of the proposed buildings and the narrow width of the open space, I would have serious concerns regarding the quality of the space.

## 7.5. **Traffic**

- 7.5.1. Concerns were raised in the appeal that the sightlines available to the site are insufficient and would result in a traffic hazard. As part of the response to the appeal the location of the proposed vehicular access was relocated approx. 5m north. No sightline drawings have been submitted for the revised layout. However, in my view, having regard to the limited number of car parking spaces available, the city centre location and traffic calming measures on the public road, it is considered that the proposed development would not result in a traffic hazard.

## 7.6. **Flood Risk**

- 7.6.1. The site is adjacent to the River Shannon and is located within Flood Zone A, as identified on the OPW Shannon Catchment Flood Risk Assessment and Management (CFRAM) Study Maps. In Flood Zone A the probability of flooding from rivers and the sea is highest (greater than 1% or 1 in 100 for river flooding or 0.5% or 1 in 200 for coastal flooding). A Flood Risk Assessment was submitted by way of further information and notes that the city, which is low lying is protected from flooding by both permanent and demountable river defences along the banks of the Shannon. The CFRAMS flood zoning maps do not take account of the defence barriers.
- 7.6.2. The Planning System and Flood Risk Management Guidelines, 2009 outlines in Table 3.1 the 'vulnerability of different types of development'. The proposed ground floor uses are considered a less vulnerable and the residential uses are considered

vulnerable. In accordance with Table 3.2 of the guidelines a Justification Test was completed. It concluded, that the key risk to the development would be caused by a storm surge in the estuary coinciding with high spring tide levels and high flows and that as such, its occurrence is predictable. Mitigation measures are also proposed to protect the development, including demountable flood barriers and permanent non-opening building elements.

7.6.3. It is noted that the Planning Authority's Area Engineer raised no concerns regarding flood risk. I have reviewed all the submitted relevant documentation and I would conclude that the proposed development would adequately satisfy the flood risk concern.

7.6.4. Notwithstanding the above, it should be noted that the guidelines also allow for minor proposals which relate to existing buildings, which are unlikely to result in significant flooding issues. Therefore, subject to a risk assessment, the retention of a residential use within the ground flood level of the existing 'Curragower' House is permissible in principle.

#### **7.7. *Appropriate Assessment***

7.7.1. The appeal site is located adjacent to the west of Lower River Shannon SAC (002165) and approx. 840m north east of the River Shannon and River Fergus Estuaries SPA (site code 004077). The potential pathways for impacts on the SAC and SPA are confined to potential discharge of contaminated run-off during construction work. However, as the site is located in a serviced urban area and in the absence of a pathway to the SAC and SPA there are no likely effects.

7.7.2. It is reasonable to conclude that on the basis of the information on the file, which I consider adequate in order to issue a screening determination, that the proposed development, individually or in combination with other plans or projects would not be likely to have a significant effect on the Lower River Shannon SAC (002165) and the River Shannon and River Fergus Estuaries SPA (004077), or any other European site, in view of the site's Conservation Objectives, and a Stage 2 Appropriate Assessment is not therefore required.

## 8.0 Recommendation

8.1. I recommend that permission be refused for the reasons stated in the attached schedule.

## 9.0 Reasons and Considerations

1. It is considered that the demolition of an existing historic dwelling 'Curragower House', which contributes to the architectural character of the area, would fail to have due regard for the intrinsic historic character of Clancy's Strand. The proposed development would be contrary to the provisions of the Architectural Heritage Protection Guidelines for Planning Authorities, which promotes the rehabilitation of historic buildings in preference to their replacement and to Policy BHA.11 of the current Limerick City and County Development. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.
2. Having regard to the existing character and the prevailing pattern of development on Clancy's Strand, it is considered that the proposed development, by reason of its overall layout, and its scale, height and design would seriously detract from the character of the area and of the streetscape generally. The proposed development would, therefore, seriously injure the visual amenities of the area and would be contrary to the proper planning and sustainable development of the area.

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Elaine Power

Planning Inspector

25<sup>th</sup> July 2019