



An
Bord
Pleanála

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

**Inspector's Report on
Recommended Opinion
ABP-310233-21**

Strategic Housing Development

287 no. residential units (139 no. houses, 148 no. apartments), creche and associated site works

Location

Lands at the former Greenpark Racecourse, Dock Road, Limerick City

Planning Authority

Limerick City and County Council

Prospective Applicant

Voyage Property Limited

Date of Consultation Meeting

24th June 2021

Date of Site Inspection

19th June 2021

Inspector

Sarah Moran

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 site is a disused former racecourse on the western side of Limerick City, c. 2 km from the city centre. It is accessed via the N69/ Dock Road to the northwest, with the N18 Limerick/Clare road and the N18/M7 junction nearby to the south and southeast. There is a commercial / light industrial area at Dock Road the north and west of the site. Limerick Greyhound Stadium is nearby to the south west. There are extensive residential areas to the north and east, within the established area of Dooradoyle, including the Log na gCapall estate and Greenpark Avenue to the immediate east of the site. These areas are served by the R526/ South Circular Road/ Ballinacurra Road. The Mary Immaculate College third level campus is also nearby to the north east.
- 2.2. The overall racecourse lands owned by the prospective applicant, as indicated in the blue line site boundary, are c. 47 ha, of which the current proposed development site is 11.7 ha, located on the southern side of the lands. The prospective applicant's landholding does not include the adjacent greyhound track or surface water retention lagoon. Limerick City and County Council (LCCC) also own lands to the south of the former racecourse.
- 2.3. The proposed development site has not been in use since the racecourse closed in 1999 and is now overgrown with scrub vegetation. There are some mature trees along the northern site boundary. There is an existing access road as far as the western site boundary, from a roundabout on the Dock Road, which also serves the greyhound track and terminates at the western side of the development site. The

Ballynaclough River, a tributary of the Shannon, flows to the south and west of the site. Most of the site is located within Flood Zone C, with areas of the site in Flood Zones A and B. There is existing Irish Water foul water drainage and watermain infrastructure at the site. Surface water from the site currently drains to the retention lagoon to the south, which discharges to the Ballynaclough River.

- 2.4. The site is close to two Natura 2000 sites, the Lower River Shannon SAC and the River Shannon and River Fergus Estuaries SPA.

3.0 Proposed Strategic Housing Development

- 3.1. The development involves the following key points:

Site Area	11.7 ha, stated 'development area' c. 7 ha Remaining 4.7 ha includes access road and 'overburden area' to facilitate soil movement and deposition works across the development site to achieve site formation levels to mitigate flood risk
No. of Residential Units	287
Ancillary Residential Development	Apartment block reception, gym, library, lounge, café, dining area service rooms and circulation (1,717 sq.m.)
Childcare	Creche (550 sq.m.)
Height	2-4 storeys
Residential Density	Net density 41 units/ha for current proposed SHD Overall density of 47 units/ha for Masterplan lands
Roads / Access	New 374 m long road to connect to Dock Road to provide vehicular, cycle and pedestrian access Emergency, pedestrian and cycle access to Log na gCapall to east of site Pedestrian and cycle connections to Greenpark Avenue and on to South Circular Road

Cycle Parking	287 no. spaces for residential development and 20 no. creche spaces
Car Parking	375 no. surface car parking spaces, including car sharing and accessible spaces, also electric vehicle charging points. 2 spaces per house +25% visitor parking 15 no. spaces for apts 12 no. spaces for creche
Part V	Transfer of 29 no. units on site to LCCC
Site Works	Soil movement and deposition works (47,389.7 cu.m. of cut and 46,953.4 cu.m. of fill, resulting in site formation levels of 4.7m OD). These works are to be carried out in the northern part of the overall site.
Site Services	Connection to existing foul sewer network at site. Surface water drainage system incorporating SUDS to drain to adjacent retention lagoon.

3.17. The proposed housing mix is as follows:

UNIT TYPE	NO. OF UNITS	%
Houses		
2 bed house	15	5
3 bed house	114	40
4 bed house	10	3
Total Houses	139	
Duplex Units		
1 bed duplex	36	13
2 bed duplex	48	17
3 bed duplex	12	4

Total duplex	96	
Apartments		
2 bed apartment	33	11
1 bed apartment	19	7
Total Apartments	52	
TOTAL	287	

3.17.1. The documents submitted include a proposed Masterplan for the entire racecourse lands within the ownership of the prospective applicant, which provides for the future development of the lands over a number of phases and future connections into adjoining lands. The Masterplan includes an office campus (39,500 sq.m.); 831 no. residential units (including houses, duplexes and apartments) at a density of 47 units/ha; neighbourhood centre; nursing home (120 no. beds); crèche and open space provision with related car parking, ancillary services and roads infrastructure, indicative access arrangements and internal roads and pedestrian/cycle links. The subject proposal comprises the first phase of the development of the Masterplan lands and includes the primary access road serving the Masterplan lands from Junction 1 (Greenpark Roundabout) on the N69/ Dock Road, with a potential future link road to the Alandale Roundabout to the north of the racecourse and outside the boundary of the current development site. It is stated that the prospective applicant also intends to lodge an application to LCCC for the nursing home, located in the south eastern corner of the overall Masterplan lands and to the immediate south east of the development site and accessed via Log na gCapall, which to be lodged as a concurrent planning application to LCCC during the SHD process. The proposed foul drainage infrastructure is designed to cater for the future residential and nursing home developments within the Masterplan lands. The existing retention lagoon to the south of the site provides SUDS attenuation for the development site and adjacent areas. It attenuates flows to greenfield discharge rate and discharges to Ballynaclogh River. It is submitted that the lagoon has sufficient capacity to attenuate flows from the Masterplan lands and adjoining areas.

3.18. A Flood Risk Assessment is submitted, which includes a Development Management Justification Test.

- 3.19. The prospective applicant intends to submit an EIAR and NIS with the application, which will consider cumulative impacts including the adjacent nursing home development.

4.0 Planning History

4.1. Reg. Ref. 15/428 PL91.246035

- 4.1.1. Permission sought for 110 no. houses on a site at the racecourse lands with the stated area of 4.85 ha accessed from the South Circular Road, via Log na gCapall. The development site was at the south eastern corner of the current proposed development site. The application included filling of lands in certain areas to allow for housing to be constructed at an appropriate finished floor level. Planning permission was refused by LCCC on 11th December, 2015 for the following stated reason:

The proposed development would be contrary to the proper planning and development of the area in that the applicant has failed to adequately demonstrate to the satisfaction of the Planning Authority that vehicular access through the existing housing estate of Log na gCapall is the most appropriate option available as detailed in the Travel & Transport Department Report received on the 10th December 2015. It is therefore considered that as presented the proposed development would not be in accordance with the proper planning and sustainable development of the area.

- 4.1.2. The Board also refused permission for the following reasons:

1. *Notwithstanding the zoning objective afforded to the subject site, and having regard to the level of information submitted in support of the proposed development to date, the details of the existing traffic assessment, the requirements of the Design Manual for Urban Roads and Streets, the original master plan proposals in terms of access to the overall Racecourse site, the existing residential developments in the area and the potential impact of the proposed development and the traffic generated together with the already congested local road network, it is considered that the proposed development would endanger public safety by reason of traffic hazard, particularly for residents and pedestrians and other vulnerable road users due to the increased traffic through Log na gCapall estate and would also contribute to traffic congestion within the local road network and would adversely affect the carrying capacity of*

the South Circular Road and the Ballinacurra Road, the R526, an important traffic route for Limerick City by reason of the additional traffic resulting from the proposed development. It is, therefore, considered that the proposed development would be contrary to the proper planning and sustainable development of the area.

2. *It is considered that the proposed development would constitute piecemeal and premature development pending the provision of vehicular access to the site from Dock Road in accordance with an agreed Masterplan for the entire Greenpark Racecourse site. Accordingly, it is considered that the proposed development would be contrary to the proper planning and sustainable development of the area.*

4.2. **Reg. Ref. 17/1190 ABP-302015-18**

- 4.2.1. Relating to a 1.6 ha site to the north east of the development site, outside the ownership of the prospective applicant and therefore outside the Masterplan lands. Permission granted by LCCC for 31 houses accessed from Greenpark Avenue with potential future connection to the Masterplan lands with a pedestrian link to Boreen a Tobair to the north. The Board granted permission for 30 no. houses at the site on 5th November 2018.

5.0 **National and Local Planning Policy**

5.1. **Section 28 Ministerial Guidelines**

- 5.1.1. Having considered the nature of the proposal, the receiving environment, the documentation on file, including the submissions from the planning authority, I am of the opinion that the directly relevant section 28 Ministerial Guidelines are:
 - Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas (including the associated Urban Design Manual)
 - Design Standards for New Apartments Guidelines for Planning Authorities
 - Design Manual for Urban Roads and Streets (DMURS)
 - The Planning System and Flood Risk Management Guidelines for Planning Authorities (including the associated Technical Appendices)

- Childcare Facilities Guidelines for Planning Authorities
- Urban Development and Building Heights Guidelines for Planning Authorities

5.2. Limerick City Development Plan 2010-2016 (as varied)

- 5.2.1. Most of the development site is zoned '2A Residential', with the objective:

To provide for residential development and associated uses.

Part of the proposed access road is zoned '5A Mixed Use' with the objective:

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 primary purpose of this zoning is to provide for a range of employment and related uses. Permissible uses within this zone includes general offices, conference centre, third level education, hospital, hotel, commercial leisure, cultural, residential, public institutions, childcare services, business and technology/research uses (including software development, commercial research and development, publishing, information technology, telemarketing, data processing and media activities), light industrial uses and in addition, local convenience stores/corner shops and community/civic uses. Residential uses are also permitted.

A small area at the centre of the site is zoned '5C Neighbourhood Centres' with the objective:

To protect, provide for and/or improve the retail function of neighbourhood centres and provide a focus for local services.

- 5.2.2. Table 2.4 of the development plan Core Strategy identifies the racecourse lands (36 ha) as having capacity for 1,188 no. residential units.

- 5.2.3. Development plan Chapter 6 sets out policy on housing. The following policies are noted in particular.

Policy H.3 It is the policy of Limerick City Council to encourage the establishment of sustainable residential communities by ensuring that a mix of housing and apartment types, sizes and tenures is provided within the City.

Policy H.5 It is the policy of Limerick City Council to promote increased density where appropriate to do so, having regard to the existing or proposed public transport provision and proximity to the City Centre.

Policy H.6 It is the policy of Limerick City Council to ensure a balance between the reasonable protection of existing residential amenities, the established character of the area, and the need to provide for sustainable residential development.

5.2.4. The following additional development plan policies are also noted:

Policy SC.7 It is the policy of Limerick City Council to encourage the provision of childcare facilities in appropriate locations, including residential areas, City Centre and neighbourhood centres, in areas of employment and educational institutions and convenient to public transport nodes.

Policy LBR.9 It is the policy of Limerick City Council to ensure that proposals along the River Shannon and other waterways associated with the River Shannon catchment within Limerick City will achieve an appropriate balance of uses commensurate with the sensitivity of the natural environment and avoiding adverse impacts on European conservation sites and sensitive natural receptors associated with the River Shannon.

Policy WS.9 Flood Risk It is the policy of Limerick City Council to ensure that development should not itself be subject to an inappropriate risk of flooding nor should it cause or exacerbate such a risk at other locations.

5.2.5. Development plan Chapter 14 provides area profiles including South Circular Road/ Ballinacurra, where the racecourse lands are located. It states:

The former Limerick Race Course represents one of the largest remaining undeveloped land banks in the City which when integrated with the adjacent Allendale developments represents the newest housing area in the City.

The development plan identifies the following key objectives for the area:

- To protect the existing architectural heritage of the area by creating architectural conservation areas.
- To provide adequate public transportation infrastructure (green routes) in the area through negotiation with the stakeholders of the area;
- To examine means of reducing traffic congestion at peak times through more sustainable and coordinated school mobility planning;

- To support the continuing development of Mary Immaculate College in a manner that does not adversely impact of the amenities of the area;
- To seek the relocation of the Seveso Site activities out of the area. Tank Farm, Courtbrack Avenue and Grassland Fertiliser, Dock Road;
- To support the development of the docklands as a major employment zone in the City.
- To sustainably develop the Baggott Estate and the open space area in the former race course lands in a coordinated manner for recreational purposes both passive and active.
- To ensure that the residential amenities of those residences along the southern ring road are not adversely impacted.
- To ensure that the regeneration programmes do not adversely impact on the amenities of the area.
- To ensure an appropriate mix of uses in the area to support the primary residential function of the area these include specific supports for the population of the area;
- To seek the balanced development of the existing under utilised lands in the area in particular the former racecourse lands.
- To seek that the contribution of the former racecourse to the cultural and sporting history of the city is commemorated in the development of the lands.
- To ensure the provision of infrastructure appropriate to the needs of the area

6.0 **Forming of the Opinion**

6.1. Pursuant to section 6(7) of the Act of 2016, regard is had in the forming of the opinion to the documentation submitted by the prospective applicant; the planning authority submissions and the discussions which took place during the tripartite consultation meeting. I shall provide a brief detail on each of these elements hereunder.

6.2. Documentation Submitted

6.2.1. 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. This information included, inter alia, the following:

Completed application form; Planning Report; Planning Statement of Consistency; Summary of Environmental Impacts; Masterplan dated December 2020; Part V Submission; Site Location Plan; Existing and Proposed Site Plans; Planning Report and Statement of Consistency; Architectural Drawings and Design Statement; Housing Quality Assessment Report; Engineering Drawings and Report; DMURS Compliance Statement; Traffic and Transport Statement; Proposed SHD Indicative Cut and Fill Areas; Planning Stage Construction and Environmental Management Plan; Construction Waste Management Plan; Operational Waste Management Plan; Public Lighting Design; Landscape Design Report and Drawings; Arboricultural Impact Assessment Report; Flood Risk Assessment; Natura Impact Assessment; Assessment of Sunlight and Daylight Access within the Proposed Development; Archaeological, Architectural and Cultural Heritage Impact Assessment.

6.2.2. 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.

6.2.3. I have reviewed and considered all of the above-mentioned documents and drawings.

6.3. Planning Authority Submission

6.3.1. In compliance with section 6(4)(b) of the 2016 Act the planning authority for the area in which the proposed development is located, Limerick City and County Council (LCCC), submitted a copy of their section 247 consultations with the prospective applicant and also their opinion in relation to the proposal. These were received by An Bord Pleanála on the 14th June 2021. The planning authority's 'opinion' included the following matters.

6.3.2. LCCC General Planning Comments

- The new draft Limerick Development Plan is due to go on display on 26th June 2021.
- The site is considered to be between an 'Intermediate Urban Location' and a 'Central/ Accessible Urban Location' as defined by the Apartment Guidelines. The proposed residential density should be reconsidered with regard to the location of the site close to Limerick City Centre, Dooradoyle District Centre and employment zones such as the Raheen Industrial Estate and University Hospital Limerick campus, as well as the onside employment zones indicated in the proposed Masterplan, all of which are within reasonable walking/cycling distance from the development.
- The site is also serviced by public transport with a high frequency bus route along the Ballinacurra Road with the nearest bus stop c. 650m from the site. The site is served by three bus routes with a frequency of 15 minutes.
- The planning authority considers that a higher density with a greater mix of units should be sought to provide a better balance
- A detailed phasing plan should be submitted with any application, with regard to the strategic importance of the site in achieving residential development in the Limerick Metropolitan Area.
- The biodiversity led approach to the development is welcomed.
- LCCC notes that, following on from a recent conversation with the Fire Authority, the Topaz Tank Farm is no longer in use and therefore should not be considered as a Seveso Site. The prospective applicant should consider including any possible decommissioning of the tank farm in the NIS.

6.3.3. LCCC Comment on Access, Roads and Traffic Issues

- Pedestrian and cycle access from the site to the Alandale development is considered critical to providing linkages to and through the Mary Immaculate College third level campus and on to the city centre. This route is more suitable than the Dock Road for pedestrian and cycle usage.

- The development should also connect to Council owned lands to the south of the site.
- LCCC Operations & Maintenance Section. Revised detailed lighting design required. Revised car parking layout and other roads details. Traffic and Transport Assessment required and revised Road Safety Audit, also other details of roads / pedestrian cycle infrastructure.

6.3.4. LCCC Comment on Flood Risk

- LCCC is currently preparing a Strategic Flood Risk Assessment for the draft Limerick City and County Development Plan, due on 26th June 2021.
- Notes that lands to the immediate northwest of the development site, indicated within the Masterplan as a site for future office development, are within a flood zone. Less vulnerable uses could be considered for that location in future.
- Revised surface water drainage design is required as per the requirements of LCCC Operations & Maintenance Section. Revised hydraulic modelling required.

6.3.5. LCCC Miscellaneous Comments

- LCCC Archaeologist recommends conditions requiring archaeological monitoring.
- LCCC Heritage Officer makes recommendations in relation to AA and ecological issues.
- LCCC Physical Section (noise), notes no noise report on file, concerns about noise impacts from N18. Recommends an Acoustic Design Statement and assessment of road noise.

6.4. **Irish Water Submission**

6.4.1. The following points are noted:

- Irish Water has issued a Confirmation of Feasibility for the proposed development.
- Irish Water has advised that applicant that its records indicate there is significant existing water and wastewater infrastructure traversing through the site. IW records indicate existing 300mm and 600mm diameter trunk watermains and a

1500mm foul sewer line traverse the proposed redline site boundary. Due to the size and significance of these IW assets a diversion(s) will not be feasible.

- Additionally, the proposed wastewater network and associated connection to the public network will be carried out at a significant depth and in excess of 6m.
- Irish Water respectfully requests the Board to ensure the applicant is requested to engage with its Diversions section to agree measures before any SHD Application is progressed in order to demonstrate adherence to separation distances and IW 2 Uisce Éireann Irish Water Codes of Practice and Standard Details as part of the development proposal design and layout.

6.5. Consultation Meeting

6.5.1. A section 5 Consultation meeting took place via Microsoft Teams on the 24th June 2021. Representatives of the prospective applicant, the planning authority and An Bord Pleanála were in attendance. An agenda was issued by An Bord Pleanála prior to the meeting.

6.5.2. The main topics raised for discussion at the tripartite meeting were based on the Agenda that issued in advanced and contained the following issues:

1. Residential Density and Planning Context
2. Design and Layout of Development
3. Roads, Traffic and Transportation Issues. Pedestrian and cycle connections.
4. Flood Risk
5. Ecology
6. Any other matters.

6.5.3. In relation to Residential Density and Planning Context, ABP representatives sought further elaboration / discussion on:

- The racecourse lands are of strategic importance to the overall development of Limerick City. They are well connected and adjacent to existing services and amenities and centres of employment.
- The prospective applicant is advised to address the strategic importance of the site in any application.

- The site is well served by public transport and is adjacent to several high frequency bus routes. The prospective applicant is advised to provide details of adjacent public transport services at application stage.
- The publication of the draft Limerick City Development Plan is imminent. ABP will have regard to the draft development plan but it will not have any statutory status if it is not in force when an application is brought forward.
- The prospective applicant is advised to consider any draft Strategic Flood Risk Assessment of the draft Development Plan in relation to flood risk at the proposed site.
- The prospective applicant is advised to give detailed consideration to the Masterplan for the overall racecourse lands in progressing the subject application, including matters relating to land use zoning, road capacity, childcare provision, connectivity to adjoining areas, flood risk, etc.

6.5.4. In relation to Design and Layout of Development, ABP representatives sought further elaboration / discussion on:

- The prospective applicant is to consider the development in the context of existing residential areas to the north and east of the site and in the context of the Masterplan for the racecourse lands, e.g. the proposed nursing home and neighbourhood centre, which would adjoin the development site. Also the development permitted to the north east of the proposed development site under Reg. Ref. 17/1190 ABP-302015-18.
- Further details / modifications to the proposed areas of open space and landscaping are advised. The layout is dominated by roads and parking at present. The prospective applicant is advised to give more detailed consideration to shared spaces, parking and landscaping around the public open spaces, also the functionality and materiality of the spaces. Biodiversity enhancement measures could also be considered.
- The prospective applicant is advised to consider potential impacts on adjacent residential amenities, including sunlight and daylight analysis and visual impacts with regard to changes in levels.

- Prospective applicant to consider the relationship with adjoining lands/ sites in the event that current development proposals are not brought forward.

6.5.5. In relation to Roads, Traffic and Transportation Issues. Pedestrian and cycle connections, ABP representatives sought further elaboration / discussion on:

- The prospective applicant is advised to provide as much clarity as possible regarding roads and traffic capacity in adjoining residential areas, including Log na gCapall and the pedestrian / cycle capacity of Greenpark Avenue.
- Also to consider roads / pedestrian / cycle capacity with regard to the development of the overall Masterplan lands.
- Need for detailed consideration of the Log na gCapall access in the context of the proposed access to the nursing home on the Masterplan lands.
- The prospective applicant is advised to liaise with the planning authority regarding connectivity to Council lands to the south of the development site. They should at a minimum not preclude any future connections to adjoining lands.

6.5.6. In relation to Flood Risk, ABP representatives sought further elaboration / discussion on:

- The site is adjacent to the Ballynaclough River, which drains to the Shannon, with associated flood zones
- The prospective applicant is to ensure clarity regarding roads levels and finished floor levels (FFLs) throughout the application, including cross sections, relationship with adjoining residential areas, etc.
- Prospective applicant to consider implications of raising roads levels and FFLS for visual impacts, landscaping and connectivity across the site
- Provide clarity on ground works at application stage

6.5.7. In relation to Ecology, ABP representatives sought further elaboration / discussion on:

- There are critical issues at the proposed development site including connectivity to designated sites.

- Prospective applicant is to address all potential ecological impacts.

6.5.8. In relation to any other matters, ABP representatives sought further elaboration / discussion on:

- The report from Irish Water raised questions over existing IW infrastructure at the site, suggesting that it cannot be relocated
- Prospective applicant is to liaise further with Irish Water, proposed development may need some amendments in response to the issues raised
- The Flood Risk Assessment should provide clarity regarding potential impacts for 3rd parties

6.5.9. 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 ABP-310233-21', 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.

7.0 Conclusion and Recommendation

7.1. 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.

7.2. 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 section 28 Ministerial Guidelines, and local policy, via the statutory development plan for the area.

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:

- **Residential Density and Housing Mix**

- **Design and Layout of Development**
- **Roads, Pedestrian and Cycle Connectivity**

details of which are set out in the Recommended Opinion below.

- 7.3. 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.
- 7.4. 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.

8.0 Recommended Opinion

- 8.1. 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.
- 8.2. 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.

- 8.3. 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:

Residential Density and Housing Mix

Further consideration / justification of the documents as they relate to the issues of residential density and housing mix, with regard to the following matters:

- The status of the Racecourse lands as one of the largest remaining undeveloped land banks in Limerick City.
- The strategic importance of the proposed development site and the Racecourse lands for the development of the Limerick Metropolitan area, in the context of national planning policy to achieve compact urban areas and, specifically, National Planning Objectives NPO 2a, NPO 3b, NPO 7, NPO8 regarding the development of Ireland's existing cities; NPO 5 regarding the development of cities and towns of sufficient scale and quality to compete internationally and to be drivers of national and regional growth, investment and prosperity and NPO 35 to increase residential density in settlements, as set out in the National Planning Framework.
- National planning policy on residential development as set out in the Sustainable Residential Development in Urban Areas Guidelines for Planning Authorities and the Design Standards for New Apartments Guidelines for Planning Authorities.
- Table 2.4 of the Core Strategy of the Limerick City Development Plan 2010-2016 (as varied), which identifies the Racecourse lands (36 ha) as having capacity for 1,188 no. residential units, also the objectives for the Racecourse lands set out in Development Plan Chapter 14.
- The accessible location of the proposed development site close to Limerick City Centre, Mary Immaculate College, Dooradoyle District Centre and employment zones such as the Raheen Industrial Estate and University Hospital Limerick campus.

- The availability of existing and proposed roads, pedestrian, cycle and public transport infrastructure in the vicinity of the site, in the context of the draft Limerick Shannon Metropolitan Area Transport Strategy (LSMATs).

The further consideration of this issue may require an amendment to the documents and/or design rationale submitted.

Design and Layout of Development

Further consideration/justification of the documents as they relate to the design and layout of residential development. The prospective applicant should satisfy themselves that the proposed design and layout provide the optimal urban design and architectural solution for this site and are of sufficient quality to ensure that the proposed development makes a positive contribution to the character of the area over the long term. In this regard, the submitted documents should allow for particular consideration of the following matters:

- The development shall comprise separate Character Areas, with an integrated hierarchy of public open spaces at accessible, well overlooked locations throughout the site. The public open spaces shall address specific functions such as active / passive open spaces and play areas. The Character Areas shall include a consistent approach to (i) the design and finish of houses / apartment buildings; (ii) roads and footpaths layout materials and finishes; (iii) hard and soft landscaping and tree retention (where proposed); (iv) biodiversity enhancement measures; (v) relevant SuDS measures.
- Details of the proposed development shall be provided in the context of any other current proposals for adjacent developments within the Racecourse lands, such as the nursing home to the south east of the development site, also the development permitted to the north east of the proposed development site under Reg. Ref. 17/1190 ABP-302015-18.
- The associated provision of a public lighting scheme, to the satisfaction of the planning authority.

The further consideration of these issues may require an amendment to the documents and/or design proposals submitted relating to design and layout of the proposed development.

Roads, Pedestrian and Cycle Connectivity

Further consideration of the documents as they relate to road / pedestrian / cycle connectivity to South Circular Road via adjacent residential areas to the north and east of the site, to include the capacity of existing roads, pedestrian and cycle infrastructure at these locations, as well as the potential cumulative impacts of the development of adjacent sites within the overall Racecourse lands in the context of the proposed Masterplan and any current proposals to develop adjacent sites within the Masterplan area, also the development permitted Reg. Ref. 17/1190 ABP-302015-18. The prospective applicant is also advised to consider connectivity to adjoining development sites within the Masterplan lands and to potential future connectivity to the lands owned by Limerick City and County Council to the south of the development site. The following matters should also be taken into consideration:

- The draft Limerick Shannon Metropolitan Area Transport Strategy, including proposals for roads, pedestrian, cycle and public transport infrastructure in the area.
- The prospective applicant is advised to liaise with the planning authority regarding connectivity to Council lands to the south of the development site. They should at a minimum not preclude any future connections to adjoining lands.
- Existing and proposed roads levels with regard to the SSFRA.

The further consideration of these issues may require an amendment to the documents and/or design proposals submitted relating to design and layout of the proposed development.

- 8.4. 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. Where the applicant considers that the proposed strategic housing development would materially contravene the relevant Development Plan or Local Area Plan, other than in relation to the zoning of the land, a statement indicating the plan objective(s) concerned and why permission should, nonetheless, be granted for the proposed development, having regard to a consideration specified in section 37(2)(b) of the Planning and Development Act 2000. Notices published pursuant to Section 8(1)(a) of the Act of 2016 and Article 292 (1) of the Regulations of 2017, shall refer to any such statement in the prescribed format
2. A site plan showing the layout of the proposed development in relation to the various zonings that apply to the site.
3. A Masterplan for the overall Racecourse lands in the ownership of the prospective applicant, which is to consider the strategic importance of the lands for the development of Limerick Metropolitan Area and is to address matters including land use zoning, residential density, housing mix, provision of a neighbourhood centre, childcare provision, details of the capacity of roads / pedestrian / cycle / public transport infrastructure and connectivity to adjoining areas, IW foul and watermain infrastructure, surface water drainage and flood risk, landscaping and biodiversity enhancement measures.
4. A detailed phasing plan for the proposed development, in the context of the Masterplan for the overall Racecourse lands.
5. Housing Quality Assessment with regard to the standards set out in the Sustainable Urban Housing Design Standards for New Apartments Guidelines for Planning Authorities.
6. A building life cycle report shall be submitted in accordance with section 6.3 of the Sustainable Urban housing: Design Standards for New Apartments (2020). The report should have regard to the long term management and maintenance of the proposed development.

7. A site layout plan showing which, if any, areas are to be taken in charge by the planning authority.
8. A Sunlight/Daylight/Overshadowing analysis showing an acceptable level of residential amenity for future occupiers and existing residents, which includes details on the standards achieved within the proposed residential units, in private and shared open space, and in public areas within the development and in adjacent properties. This report should address the full extent of requirements of BRE209/BS2011, as applicable.
9. Existing and proposed ground levels across the site. Detailed cross sections indicating proposed FFL's, boundary treatments, road levels, open space levels, SUDS measures, etc. relative to each other and relative to adjacent lands and structures. Also topographical details and cross sections to indicate the relationship between the development and any adjacent watercourses and wetlands with regard to the protection of riparian zones.
10. Traffic and Transport Impact Assessment, to be prepared in consultation with Limerick City and County Council and to include consideration of (i) mobility management and public transport currently available in the area; (ii) potential impacts on relevant local road junctions; (iii) cumulative impacts with traffic associated with nearby schools and residential areas.
11. Rationale for proposed parking provision with regard to development plan parking standards and to the 'Sustainable Urban Housing Design Standards for New Apartments – Guidelines for Planning Authorities' (2020). The proposed car and cycle parking provision should include areas designated for parking or drop off purposes associated with the childcare facility.
12. Stage I Road Safety Audit
13. A noise assessment, which addresses the potential noise impact from the N18 and N69 on the proposed development and clearly outlines proposed noise mitigation measures, if so required. The noise assessment should be carried out by a suitably qualified acoustic engineer.

14. Landscape and Visual Impact Assessment with photomontages and CGIs of the proposed development, to include, *inter alia*, consideration of visual impacts on adjacent residential areas and on any sensitive or designated views / prospects in the vicinity, with regard to relevant development plan landscape designations
15. Site Specific Flood Risk Assessment to include (i) details of proposals for the drainage of the site and the attenuation of surface water runoff and (ii) Justification Test with regard to the presence of Flood Zone A at the site. The issue of existing flood defences in the area is to be considered with regard to the relevant guidance provided in the Planning System and Flood Risk Management Guidelines for Planning Authorities (including the associated Technical Appendices).
16. Comprehensive landscaping scheme for the entire site to include (i) tree Survey, Arboricultural Report and Impact Assessment, to provide a detailed survey of any trees and hedgerows at the development site and assessment of the quality and quantity of the specimens to be removed, along with measures to protect trees and hedgerows to be retained during construction; (ii) rationale for proposed public open space provision for the housing development, to include an open space hierarchy, details of play areas and detailed layouts for the public open spaces; (iii) additional landscaping details including details of hard and soft landscaping, play equipment (if provided), boundary treatments, delineation of public and communal open space provision, pedestrian and cycle facilities, public lighting, car and cycle parking areas and refuse storage areas.
17. Childcare proposals to detail the number of children that the proposed creche will cater for.
18. A draft Construction Waste Management Plan, draft Construction and Environmental Management Plan and a draft Operational Waste Management Plan.
19. Irish Water has advised that applicant that its records indicate there is significant existing water and wastewater infrastructure traversing the site. Due to the size and significance of these IW assets a diversion(s) will not be feasible.

Additionally, the proposed wastewater network and associated connection to the public network will be carried out at a significant depth and in excess of 6m. The prospective applicant is advised to engage with the IW Diversions section prior to lodging any application for the development site.

20. AA screening report or Natura Impact Statement.

21. The information referred to in article 299B(1)(b)(ii)(II) and article 299B(1)(c) of the Planning and Development Regulations 2001-2018, unless it is proposed to submit an EIAR at application stage.

8.5. 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. Irish Water
2. Transport Infrastructure Ireland
3. National Transport Authority
4. Limerick County Childcare Committees
5. Health and Safety Authority

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.

Sarah Moran

Senior Planning Inspector

9th July 2021