



An
Bord
Pleanála

Inspector's Report

ABP-317795-23

Development

Partial change of use from office to community support services. This planning application is for partial change of use of the building for those parts of the building that the Society of Saint Vincent de Paul propose to occupy and from which it will offer community support services and all associated site works. The building is a protected structure (RPS no. 3147).

Location

Mechanics Institute, Hartstonge Street, Limerick

Planning Authority

Limerick City and County Council

Planning Authority Reg. Ref.

2360351

Applicant(s)

Frederic Ozaman Trust

Type of Application

Permission

Planning Authority Decision

Grant subject to conditions

Type of Appeal

Third Party

Appellant(s)

Ann and Jenny Blake and others

Damien Duggan and John Moran

Observer(s)

None

Date of Site Inspection

7th March 2024

Inspector

Ciara McGuinness

1.0 Site Location and Description

- 1.1. The appeal site comprises the existing Mechanics Institute Building, located on the corner of Hartstonge Street and Pery Square Lane in Limerick City Centre. The applicant has stated that the building has previously been used as a constituency office for local TDs, but that use has ceased. The Limerick Mechanics Institute maintain a presence in the building through archive, library and offices use, as well as a general-purpose hall, but the building is only used occasionally and is generally underutilised. The building is in poor condition due to lack of use in recent years.
- 1.2. The Mechanics Institute Building is a protected structure (RPS No.3147) and is located in the Newtown Perry Architectural Conservation Area (ACA). The immediate area is characterised by a mix of residential and commercial uses. The People's Park is located c.30m to the east of the appeal site. Colbert Station is located c.300m east of the site and the main retail core of Limerick City is located c.350m to the north of the site.
- 1.3. The site has a stated area of 0.03ha. A terrace of Georgian houses and associated yards are located to the south of the site. Ozanam House is located to the north of the appeal site also on Hartstonge Street. The Society of St Vincent de Paul (SVP) operates a drop-in centre at the existing coach house to the rear of Ozanam House.

2.0 Proposed Development

- 2.1. The proposed development will consist of the partial change of use of the Mechanics Institute building from Office Use to Community Support Services for use by SVP. The application documentation sets out that SVP has insufficient space to properly support the range of services they offer at the rear of Ozanam House. The proposed change of use will allow for an extension to the support services provided by SVP which include food provision, practical and emotional support, hygiene facilities, laundry facilities, food parcels and housing transition support services. The building will be divided into two spaces with SVP occupying circa 70% of the building, and the Mechanics Institute retaining the remaining circa 30% of the building.
- 2.2. Works are proposed to repair and reconfigure the building and include the following;

- Relocation of the entrance door to Perry Square Lane (opposite the entrance of the existing coach house).
- Conversion of the existing entrance door to a partially glazed screen.
- Lowering of the internal floor area by c.600mm in the area immediately inside the new entrance door from Perry Square Lane, removing the existing semi-basement at the 6 Perry Square end of the building and introducing a new floor at the same level as the rest of the floor plan.
- Construction of a first-floor level over the proposed Dining and Recreation Hall to accommodate the activities of the Mechanics Institute delegate Board. The new first floor area is recessed from the external walls so as to allow for natural light and ventilation to the dining and recreation hall and so as not to abut the tall front windows onto Hartstonge Street.
- Fabric repairs in accordance with conservation best practice.
- Replacement of roof finish.
- Replacement of external windows and doors.
- Installation of rooflights and services penetrations.
- Installation of a lift.
- Replacement of building services generally.
- External plant at roof level.
- Photovoltaic panels to the rear slope of the roof.

2.3. It is noted that the operational hours of the community support services delivered by SVP normally extend from 10am to 4pm Monday to Friday and 11am to 1pm on Saturdays, although operational hours may be extended in certain circumstances such as cold weather events. Neither the existing premises nor subject site will be used to provide overnight accommodation.

2.4. The application is accompanied by a variety of supporting documentation including an Architectural Design Statement, Conservation Report and a Planning Report.

3.0 Planning Authority Decision

3.1. Decision

- 3.1.1. The Planning Authority issued a Notification of Decision to Grant Permission on 19th July 2023, subject to 2 no. of conditions. Condition 1 is a standard condition which requires the development to be carried out in accordance with the plans and particulars lodged. Condition 2 relates to the Architectural Heritage and requires, inter alia, a Grade 2 accredited conservation architect to be engaged and supervise the works.

3.2. Planning Authority Reports

3.2.1. Planning Reports

The Planners Report (dated 18/07/2023) notes that the proposed use as a community drop-in centre to provide self-care services is considered consistent with the 'city centre' land use zoning in terms of civic use. The repurposing of the protected structure will contribute positively to the preservation of the Georgian Core and offer a dignified and sheltered space for its end users. The proposal is considered acceptable in terms of sustainable design and development of the area and is in compliance with the policies and objectives of the Limerick Development Plan 2022-2028. A grant of permission is recommended.

3.2.2. Other Technical Reports

Conservation Officer – No objections. Conditions recommended.

Fire Authority – Comments are noted. The Planner's Report notes that discussions took place between the fire section and the applicant on the 19/07/2023 which satisfies any fire safety issues.

Archaeologist – No issues.

3.3. Prescribed Bodies

None.

3.4. Third Party Observations

Third party observations were received from Damien Duggan and John Moran, and from a group of neighbouring residents. The issues raised generally reflect the grounds of appeal and relate to the overprovision of social support services in the area, safety and security, the inappropriate use of a heritage building and the impact on residential amenity.

4.0 Planning History

No history known.

5.0 Policy Context

5.1. Limerick Development Plan 2022-2028

Zoning

The subject site is zoned 'City Centre' with the following Objective and Purpose;

Objective: *To protect, consolidate and facilitate the development of the City Centre commercial, retail, educational, leisure, residential, social and community uses and facilities.*

Purpose: *To consolidate Limerick City Centre through densification of appropriate commercial and residential developments ensuring a mix of commercial, recreational, civic, cultural, leisure, residential uses and urban streets, while delivering a high-quality urban environment which will enhance the quality of life of residents, visitors and workers alike. The zone will strengthen retail provision in accordance with the Retail Strategy for the Limerick Shannon Metropolitan Area and County Limerick, emphasise urban conservation, ensure priority for public transport, pedestrians and cyclists, while minimising the impact of private car-based traffic and enhancing the existing urban fabric.*

The Land Use Zoning Matrix in Section 12.4 of the Development Plan sets out that 'Community/Cultural/Tourism Facility' use is generally permitted on lands zoned 'City Centre'.

5.1.1. Other relevant objectives in the Development Plan are summarised below: -

- **Objective EH O50 Work to Protected Structures** seeks to ensure that any development, modification, alteration, or extension affecting a Protected Structure and/or its setting, is sensitively sited and designed and is appropriate in terms of the proposed scale, mass, height, density, layout and materials.
- **Objective EH O53 Architectural Conservation Areas** seeks to protect the character and special interest of the Architectural Conservation Area
- **Objective HO O3 Protection of Existing Residential Amenity** seeks to ensure a balance between the protection of existing residential amenities, the established character of the area and the need to provide for sustainable new development.
- **Objective SCSi O6 Strategy on Community Facilities** notes it is an objective of the Council to develop a strategy based on the community facilities audit and identify where new and/or improved community infrastructure should be provided throughout Limerick.
- **Objective SCSi O15 Health Care Facilities** seeks to support and facilitate development and expansion of health service infrastructure by the Health Service Executive, other statutory and voluntary agencies and private healthcare providers in the provision of healthcare facilities at appropriate locations.
- **Objective HO O15 Homeless Accommodation** seeks to support the provision of homeless accommodation and/or support services throughout Limerick. Such facilities should not result in an overconcentration in one area and should not unduly impact upon existing amenities.

5.2. **Architectural Heritage Protection Guidelines for Planning Authorities (2011)**

5.2.1. The guidelines comprise two parts, the first of which sets out legislative and administrative provisions for Protected Structures and Architectural Conservation Areas. The second part comprises detailed guidance notes on conservation principles and works relating to protected structures.

5.3. Natural Heritage Designations

Lower River Shannon SAC (Site Code: 002165) – c.0.5km to the northwest of the site

River Shannon and River Fergus Estuaries SPA (Site Code: 004077) – c.0.5km to the northwest of the site.

5.4. EIA Screening

See completed Form 2 on file. Having regard to the nature, size and location of the proposed development, and to the criteria set out in Schedule 7 of the Regulations I have concluded at preliminary examination that there is no real likelihood of significant effects on the environment arising from the proposed development. EIA, or EIA screening determination, therefore, is not required.

6.0 The Appeal

6.1. Grounds of Appeal

Third party appeals were received Damien Duggan and John Moran, the owners of the adjacent property no. 6 Pery Square and from a group of residents from Saint Joseph Street, Killoran Terrace and Pery Square. The grounds of appeal are summarised as follows;

Damien Duggan and John Moran

- The applicant considers that a proper assessment of the application was not undertaken in the Planner's Report for the following reasons;
 - The assessment was not informed by a strategic plan for such services.
 - Lack of considerations with regards to safety and security issues
 - No justification for the significant way the proposal would impinge on the character and integrity of the area.
 - No explanation as to why it is appropriate to allow such a direct negative impact by the removal of an existing community facility.

- The proposed development would impinge on future plans to 'green' adjacent streets.
- No consideration given to alternative uses for the building.
- The proposed development sets an undesirable precedent by adversely impacting the protected structure through the proposed use of publicly visible skylights in the roof and visible photovoltaic panels.
- The Planner's Report ignores objective of the Development Plan that the proposed development is not in compliance with. The Planning Authority has not justified the development by use of a material contravention.
- Insufficient regard was had to the submissions and observations made by the appellant in the assessment of the application.
- The conditions imposed are inadequate to ensure the proper function of the operation; the safety of the residents and users of the buildings in the area; and the protection of the historical fabric of the building.

Residents Group

- The description of development in the public notices is inadequate. Reference to 'Partial change of use' is inaccurate. The proposed new upper floor is not mentioned.
- The proposed capacity and hours of operations are unclear.
- Comparison is made between the proposed development and a takeaway facility. The potential impacts on residential amenity (noise, odour and/or general disturbance through increased activity) have not been assessed in a manner that is required in respect of similar land uses set out in the Development Plan.
- A concentration of such services in the area was identified in the submission on the application.
- The appropriateness of this location to facilitate the proposed facility and the intensification of the existing facility, in the context of the existing provision

and concentration of services in the area has not been demonstrated as required by Objective SCSi O15.

- The provision of intensified services at this location would be out of keeping with the established pattern of development in the vicinity and the heritage character of the area and would give rise to potential conflict with adjoining uses in the vicinity.
- The proposed development would be contrary to Objective EH 053 Architectural Conservation Areas.

6.2. Applicant Response

The applicant's response to the appeal is summarised as follows;

- The development description of a partial change of use is accurate. The Mechanics Institute will maintain a presence in the building. This is shown on the submitted drawings.
- The proposed development will lessen the need for people to queue, offer a safer and more secure environment, provide a more dignified experience for the user as well as reducing noise levels and general impact on residential amenity.
- A letter from An Garda Síochána in support of the development has been submitted.
- The comparison to a restaurant is not comparable as a full commercial kitchen is not being installed. Cooked meals will be bought in. The takeaway element of the existing service will be reduced and a seating capacity for 50 people is being provided.
- The operational hours do not include nighttime opening,
- All waste bins will be contained in the yard between Ozanam House and the Coach House to the rear.
- The conclusions of the Architectural Heritage Assessment in relation to the rooflights and photovoltaic panels are a fair assessment. Development works

to improve the deteriorating condition will have a positive impact on the Protected Structure and Architectural Conservation Area.

- The 'Good Neighbour Protocol of SVP' has been submitted which outlines the steps taken by SVP to foster positive relationships with stakeholders in the community, as well as procedures for responding to issues or complaints that arise in relation to public nuisance or anti-social behaviour associated with the service provision.
- The proposal is to provide a larger physical space and not to increase the numbers of people availing of the service.
- The building is in a poor state of repair and is underutilised. The proposed development will not result in a loss of community facilities.
- The Planner's Report sets out the main issues in relation to the proposed development, including a summary of the issues in the submissions. The proposed development was thoroughly assessed against the development plan and considered fully compliant.
- The applicant engaged with the local community and sought to address any concerns.

6.3. Planning Authority Response

None.

6.4. Observations

None.

7.0 Assessment

- 7.1. Having examined the application details and all other documentation on file, including the submissions received in relation to the appeal, and inspected the site, and having regard to relevant local/regional/national policies and guidance, I consider that the main issues in this appeal are as follows;

- Principle of development

- Procedural Issues
- Residential Amenity
- Architectural Heritage
- Appropriate Assessment

7.2. Principle of Development

- 7.2.1. The appellants have raised concerns over the principle of the proposed development at this location. The site is zoned 'City Centre' with the objective to *protect, consolidate and facilitate the development of the City Centre commercial, retail, educational, leisure, residential, social and community uses and facilities*. I am satisfied that the principle of the proposed development (social and community services) is in accordance with the zoning objective for the site. I note that 'Community/Cultural/Tourism Facility' use is generally permitted on lands zoned 'City Centre'.
- 7.2.2. The appellants also consider that the proposed development is not in an appropriate location and will lead to an overconcentration of facilities, which would contravene Objective HO O15 Homeless Accommodation and Objective SCSi O15 Health Care Facilities respectively. The Planner's Report did not list these objectives, however as the proposal relates to Community Support Services and may offer some elements of support for the homeless and/or basic health/well-being services, I consider it reasonable to consider the aforementioned objectives. Objective HO O15 states that proposals for homeless accommodation and/or support services for such facilities should not result in an overconcentration in one area and should not unduly impact upon existing amenities. Objective SCSi O15 seeks to support and facilitate development and expansion of health service infrastructure by the Health Service Executive, other statutory and voluntary agencies and private healthcare providers in the provision of healthcare facilities at appropriate locations.
- 7.2.3. I consider that the proposed development is appropriately located in a city centre location that is easily accessible for service users. The location is accessible for pedestrians in the city centre area, and the immediate area is well serviced by public transport with Colbert Station less than 350m to the east of the site. With regard to

the contention that the proposed development will lead to an overconcentration of facilities, I note Limerick is the largest urban centre in Ireland's mid-west and therefore there is a need for other similar charities/voluntary agencies to also operate out of Limerick city to support the substantial population. However, from my assessment of the file and based on my site visit, I do not consider there to be an overconcentration of such facilities in the area. I note that the immediate area consists primarily of commercial and residential uses. I also consider that the proposed development is an extension of existing facilities. The applicant has outlined that the existing premises is inadequate and forces people to queue for services in the adjoining laneway. The proposed use of a larger building will allow for a more effective operation of the existing service.

7.2.4. The appellants have also requested that other appropriate uses for the site are considered and assessed. In this regard, I note that the purpose of the Board in this appeal is to assess the subject proposal. While the appellants may like to see alternative uses at this location, the proposal for the change of use to community support services and the associated works are proposed by way of this application.

7.2.5. The appellants have made the case that the proposed development has not been informed by a strategic plan for community facilities. I note the Objective SCS1 06 Strategy on Community Facilities states that it is an objective of the Council to develop a strategy based on the community facilities audit and identify where new and/or improved community infrastructure should be provided throughout Limerick. While it is the policy of the Council to develop such a strategy, there is nothing to prevent the development of such facilities in the meantime. As outlined above I consider that the proposal is in accordance with the zoning of the site, and I have no concerns with regards to the principle of development at this location.

7.3. Procedural Issues

7.3.1. In terms of procedural matters and the alleged deficiencies with the development description, I note that the public notices were considered acceptable by the Planning Authority. I consider that a partial change of use to community services is an accurate description of the proposed development as the Mechanics Institute will retain a presence in the building. This is clearly indicated on Drawing No. 2060

‘Proposed Ground & First Floor Plan Planning Stage’. Similarly, I consider that the proposed first floor works fall under the description of ‘internal reconfiguration’ works. I am satisfied that this did not prevent the concerned party from making representations. The appellants have also raised concerns with the lack of public engagement/consultation. In this regard I note that there is no statutory requirement for the applicant to undertake public consultation. I consider that sufficient information has been submitted with the application to allow the Board to come to a decision and that there has been no prejudice to other parties.

- 7.3.2. The appellants contend that the Planning Authority failed to take their submission into consideration and ignored a number of Development Plan objectives. As outlined above, I have considered the application details and all other documentation on file, including the submissions received in relation to the appeal. The appellants have listed a number of policies and objectives which they believe were ignored in the Planning Authority’s assessment. I consider the interpretations of some of these policies to be erroneous. I have outlined the relevant local/regional/national policies and guidance in Section 5.0 of this report. Policies and objective relevant to the issues raised in the grounds of appeal have been dealt with in this assessment under the appropriate headings. I do not consider that the proposed development contravenes any objective or policy in the Development Plan.

7.4. Residential Amenity

- 7.4.1. The appellants have raised a number of concerns under the grounds of residential amenity, which include issues related to the operation of the proposed facility, hours of operation and capacity, safety and security, and odours and waste. The appellants also contend that the proposed development will result in a direct loss of an existing amenity facility used by various community groups. Each of these issues are dealt with in turn below. I note the applicant has submitted good neighbour protocol which outlines the steps taken to foster positive relationships with stakeholders in the community, as well as procedures for responding to issues or complaints that arise in relation to services regarding public nuisance or antisocial behaviour. In general, it is also noted that the additional space will allow for more effective operational space.

- 7.4.2. The proposed development will operate from 10am to 4pm Monday to Friday and 11am to 1pm on Saturdays. The applicant has noted that operational hours will be extended in limited circumstances such as extreme weather events. The maximum capacity of the proposed development will be 50 at any one time in the dining area and based on experience more than 30 users at any one time is unlikely. Other users of the day service will avail of tea/coffees/sandwiches, food hampers and shower and laundry facilities. I consider the standard hours of operation to be reasonable. Similarly, I have no issues with the facility opening in limited circumstances such as extreme weather events. No noticeable increase in capacity is anticipated by the applicant, rather the additional space will improve the current operations of SVPs facilities and services.
- 7.4.3. With regard to the perceived safety and security issues and the risk of anti-social behaviour as a result of the development, the applicant has outlined how the lack of space in the existing facility has led to services users queuing outside on the laneway. I agree with the applicant that the additional space proposed will alleviate queuing and offering a better service to users and reducing the impact on residential amenity. As regards any issues of general disturbances in the area, such matters are matters for the An Garda Síochána. I also note the letter of support on file from An Garda Síochána.
- 7.4.4. The appellants have raised concerns with regard to the potential for waste and odour emissions and compare the proposed development to a restaurant/takeaway facility and the assessment criteria required for those uses. I do not consider the proposed facility to be comparable to a restaurant/takeaway. The proposed facility will not contain a commercial kitchen and it is noted that meals will be bought in to be served. Odours associated with cooking will therefore not arise. With regards to waste, it is stated that all bins will be contained in the yard between Ozanam House where the existing service is located and the Coach House to the rear. Should the board be minded to grant I consider it reasonable to attach a condition requiring the submission of a Waste Management Plan.
- 7.4.5. The appellants also contend that the proposed development would result in the removal of an existing community facility. While the building has previously been used as a community facility for various groups and activities, it has been underutilised in recent years. I note the Site Condition Report submitted with the

applications which outlines in detail the poor state of repair of the building at present. In this regard, I do not consider that the proposal would constitute the removal of an existing community facility but rather would allow for the restoration and preservation of a Protected Structure which would be used for community services.

- 7.4.6. In conclusion, I am satisfied that the proposed development is acceptable from a residential amenity perspective. I note the appellants concerns regarding the inadequacy of conditions to ensure the proper function of the operations. I consider it reasonable to attach further conditions in the interest of residential amenity. Should the Board decide to grant permission, I would recommend that conditions are attached to the order which would require the submission of a construction and environmental management plan, a resource and waste management plan and an operational waste management plan. Hours of construction and hours of operation of the premises shall also be determined by way of condition.

7.5. Architectural Heritage

- 7.5.1. The Mechanics Institute Building is a Protected Structure under the Development Plan, RPS Ref. 3147, and is described in the listing as a '*Attached seven-bay single-storey building, built c. 1920, occupying the entire rear site of No. 6 Pery Square fronting onto Hartstonge Street*'. It is also listed on the National Inventory of Architectural Heritage, NIAH Ref. 21517188, and is given a 'Regional' importance rating.
- 7.5.2. An Architectural Heritage Impact Assessment was submitted with the application and notes that there is some ambiguity over the construction date, with the building possibly dating to the 1940's. It is noted that in the early 1970's the building was subdivided into individual classrooms and offices and a singular hall space provided. At the end of the 20th Century the hall was further subdivided with two additional offices provided. Early 21st century works included the insertion of inappropriate windows. In this regard, the proposed removal and loss of fabric is of non-original fabric and is considered to have a neutral impact on the architectural heritage.
- 7.5.3. The appellants are concerned that the proposed skylights in the roof and photovoltaic panels will adversely impact the Protected Structure. There are currently 5 no. velux type rooflights on the front slope of the building, and 1 no. velux rooflight

and 3 no. coxdome rooflights on the rear facing slope of the building. The applicant has notes that these are in a poor state of repair and are not fit for purpose. It is proposed to install 6 no. velux type rooflights on the front facing slope, an increase of 1 no. additional rooflight over what is currently present. A further 15 no. velux rooflights are proposed on the rear facing slope of the building, an increase of 11 no. additional rooflights over what is currently present. The Architectural Heritage Impact Assessment addresses the provision of new rooflights in Section 6.3.10 and concludes that the intervention has a 'slight impact'. The applicant has also noted that the provisions of new electrical, heating and alarm systems are an essential upgrade to bring the building up to modern standards. As part of the proposed development, photovoltaic panels are proposed on the rear slope of the roof. The Architectural Heritage Impact Assessment addresses the provision of the proposed new electrical and heating services in Section 6.3.9 and concludes that the intervention has a 'slight impact'.

- 7.5.4. I have reviewed the proposed site layout plan (Drawing no. 2051) and the proposed elevations (Drawing no. 2080) with regard to the rooflights and photovoltaic panels. The proposed roof lights and photovoltaic panels on the south elevation will not be directly visible from street level at the front of the property. I do not consider that the proposed additions to the roof will materially affect the appearance of the building so as to render it inconsistent with the character of the structure or of the neighbouring area. I am satisfied the proposals for the front slope do not occupy a significant area of the front roof plan and will not detract from the 'historic roofscape'. I am satisfied that the provision of the rooflights and photovoltaic panels have been adequately assessed in the Architectural Heritage Impact Assessment submitted with the application. The Assessment also emphasises the need to balance conservation and sustainability requirements. In my view the proposals do not affect or diminish the architectural character of the area. The proposal contributes significantly to the conservation of the Protected Structure through the upgrade and the reuse of the building. I do not consider that the proposed development contravenes Objective EH O50 Protected Structures or Objective EH O53 Architectural Conservation Areas.
- 7.5.5. I note that the Planning Authority's Conservation Officer commented on the application and did not object to these proposals, subject to works being supervised by an accredited conservation consultant and adherence to best conservation

practice. I am satisfied that this recommended supervisory approach allows for the necessary expert oversight of the restoration and would recommend that, should the Board decide to grant permission, a similar condition be attached to the Order.

7.6. Appropriate Assessment

- 7.6.1. I have considered the proposed development in light of the requirements S177U of the Planning and Development Act 2000 as amended.
- 7.6.2. The subject site is located 0.5 km to the southeast of the Lower River Shannon SAC and 0.5 km to the southeast of the River Shannon and River Fergus Estuaries SPA.
- 7.6.3. The proposed development relates to the provision of community support services. A detailed description of the proposal is outlined in Section 2 of this report.
- 7.6.4. No nature conservation concerns were raised in the planning appeal.
- 7.6.5. Having considered the nature, scale and location of the project, I am satisfied that it can be eliminated from further assessment because there is no conceivable risk to any European Site. The reason for this conclusion is as follows:
- Nature of works e.g. the proposed change of use and upgrades to the existing building
 - Urban Location and lack of connections to the nearest European site
 - Taking into account screening report/determination by the Planning Authority
- 7.6.6. I conclude that on the basis of objective information, that the proposed development would not have a likely significant effect on any European Site either alone or in combination with other plans or projects.
- 7.6.7. Likely significant effects are excluded and therefore Appropriate Assessment (stage 2) (under Section 177V of the Planning and Development Act 2000) is not required.

8.0 Recommendation

- 8.1. I recommend that permission be GRANTED for the reasons and considerations set out below;

9.0 Reasons and Considerations

Having regard to the nature of the proposed development which involves the restoration and partial change of use of the Mechanics Institute (Protected Structure RPS Ref 3147), the city centre zoning of the site, the pattern and character of development in the area, it is considered that, subject to compliance with the conditions set out below, the proposed development would respect the protected structure status of the property and conservation status of the wider area in accordance with Objective EH O50 and Objective EH O53 of the Development Plan, and would not seriously injure the residential amenities of the area. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

10.0 Conditions

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application, on the 25th day of May 2023 as may otherwise be required in order to comply with the following conditions. Where such conditions require details to be agreed with the planning authority, the developer shall agree such details in writing with the planning authority prior to commencement of development and the development shall be carried out and completed in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. (a) A conservation expert shall be employed to manage, monitor and implement the works on the site and to ensure adequate protection of the retained and historic fabric during the works. In this regard, all permitted works shall be designed to cause minimum interference to the retained building and facades structure and/or fabric.
- (b) All repair works to the protected structure shall be carried out in accordance with best conservation practice as detailed in the application and the Architectural Heritage Protection Guidelines for Planning Authorities issued by the Department of Arts, Heritage and the Gaeltacht in 2011. The repair works shall retain the maximum amount of surviving historic fabric in situ, including structural elements, plasterwork (plain and decorative) and

joinery and shall be designed to cause minimum interference to the building structure and/or fabric. Items that have to be removed for repair shall be recorded prior to removal, catalogued and numbered to allow for authentic re-instatement.

(c) All existing original features, including interior and exterior fittings/features, joinery, plasterwork, features (including cornices and ceiling mouldings) staircases including balusters, handrail and skirting boards, shall be protected during the course of refurbishment.

Reason: To ensure that the integrity of the retained structures is maintained and that the structures are protected from unnecessary damage or loss of fabric.

3. Prior to commencement of development, detailed structural drawings and a construction methodology statement (including the results of detailed structural surveys of the protected structure and all building facades to be retained) indicating the means proposed to ensure the protection of the structural stability and fabric of all these retained structures shall be submitted to and agreed in writing with the planning authority.

Reason: In the interest of preserving the architectural integrity and heritage value of the retained structures.

4. Site development and building works shall be carried out only between the hours of 0800 to 2000 Mondays to Fridays and between 0800 and 1600 on Saturdays, and not at all on Sundays and public holidays. Deviation from these times will only be allowed in exceptional circumstances where prior written approval has been received from the planning authority.

Reason: In order to safeguard the residential amenities of property in the vicinity.

5. The construction of the development shall be managed in accordance with a Construction Management Plan, which shall be submitted to, and agreed in writing with, the planning authority prior to the commencement of development. This plan shall provide details of intended construction practice for the development, including hours of working, noise management measures and off-site disposal of construction/demolition waste.

Reason: In the interests of public safety and residential amenity.

6. Prior to the commencement of development, the developer or any agent acting on its behalf, shall prepare a Resource Waste Management Plan (RWMP) as set out in the EPA's Best Practice Guidelines for the Preparation of Resource and Waste Management Plans for Construction and Demolition Projects (2021) including demonstration of proposals to adhere to best practice and protocols. The RWMP shall include specific proposals as to how the RWMP will be measured and monitored for effectiveness; these details shall be placed on the file and retained as part of the public record. The RWMP must be submitted to the planning authority for written agreement prior to the commencement of development. All records (including for waste and all resources) pursuant to the agreed RWMP shall be made available for inspection at the site office at all times.

Reason: In the interest of sustainable waste management.

7. A plan containing details for the management of waste (and, in particular, recyclable materials) within the development, including the provision of facilities for the storage, separation and collection of the waste and, in particular, recyclable materials and for the ongoing operation of these facilities shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. Thereafter, the waste shall be managed in accordance with the agreed plan.

Reason: In the interest of residential amenity, and to ensure the provision of adequate refuse storage.

8. The hours of operation shall be between 10:00 hours and 16:00 hours Monday to Friday and between 11:00 hours and 13:00 hours on Saturday. Deviation from these times shall only be allowed in exceptional circumstances.

Reason: In the interest of the residential amenities of property in the vicinity.

I confirm that this report represents my professional planning assessment, judgement and opinion on the matter assigned to me and that no person has

influenced or sought to influence, directly or indirectly, the exercise of my professional judgement in an improper or inappropriate way.

Ciara McGuinness
Planning Inspector

3rd May 2024

Appendix 1 - Form 1
EIA Pre-Screening
[EIAR not submitted]

An Bord Pleanála Case Reference				
Proposed Development Summary	Partial change of use from office to community support services. This planning application is for partial change of use of the building for those parts of the building that the Society of Saint Vincent de Paul propose to occupy and from which it will offer community support services and all associated site works. The building is a protected structure (RPS no. 3147).			
Development Address	Mechanics Institute, Hartstonge Street, Limerick			
1. Does the proposed development come within the definition of a 'project' for the purposes of EIA? (that is involving construction works, demolition, or interventions in the natural surroundings)		Yes	✓	
		No	No further action required	
2. Is the proposed development of a class specified in Part 1 or Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended) and does it equal or exceed any relevant quantity, area or limit where specified for that class?				
Yes		Class.....	EIA Mandatory EIAR required	
No	✓		Proceed to Q.3	
3. Is the proposed development of a class specified in Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended) but does not equal or exceed a relevant quantity, area or other limit specified [sub-threshold development]?				
		Threshold	Comment (if relevant)	Conclusion
No		N/A		No EIAR or Preliminary Examination required
Yes	✓	Class 10(b)(iv) Urban development which would involve an area		Proceed to Q.4

		greater than 2 hectares in the case of a business district, 10 hectares in the case of other parts of a built-up area and 20 hectares elsewhere. Sub-Threshold		
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4. Has Schedule 7A information been submitted?		
No	✓	Preliminary Examination required
Yes		Screening Determination required

Inspector: _____

Date: _____

Appendix 2 - Form 2

EIA Preliminary Examination

An Bord Pleanála Case Reference	317795-23	
Proposed Development Summary	Partial change of use from office to community support services. This planning application is for partial change of use of the building for those parts of the building that the Society of Saint Vincent de Paul propose to occupy and from which it will offer community support services and all associated site works. The building is a protected structure (RPS no. 3147).	
Development Address	Mechanics Institute, Hartstonge Street, Limerick	
The Board carries out a preliminary examination [Ref. Art. 109(2)(a), Planning and Development Regulations 2001 (as amended)] of, at least, the nature, size or location of the proposed development having regard to the criteria set out in Schedule 7 of the Regulations.		
	Examination	Yes/No/ Uncertain
<p>Nature of the Development</p> <p>Is the nature of the proposed development exceptional in the context of the existing environment?</p> <p>Will the development result in the production of any significant waste, emissions or pollutants?</p>	<p>The nature of the development is not exceptional in the context of the urban environment.</p> <p>The proposed development will not result in the productions of any significant waste, emissions or pollutants. Localised constructions impacts will be temporary.</p>	No
<p>Size of the Development</p> <p>Is the size of the proposed development exceptional in the context of the existing environment?</p> <p>Are there significant cumulative considerations having regard to other</p>	<p>The size of the development is not exceptional in the context of the existing urban environment.</p>	No

existing and/or permitted projects?	There is no real likelihood of significant cumulative effects having regard to existing or permitted projects		
<p>Location of the Development</p> <p>Is the proposed development located on, in, adjoining or does it have the potential to significantly impact on an ecologically sensitive site or location?</p> <p>Does the proposed development have the potential to significantly affect other significant environmental sensitivities in the area?</p>	<p>The nearest European site is 0.5m to the northwest of the site. It is not considered that the proposed development would be likely to have a significant impact on the European site.</p> <p>Given the nature of the development and the site/surroundings, it would not have the potential to significantly affect other significant environmental sensitivities in the area. The Mechanics Institute is a Protected Structure (RPS Ref 3147 / NIAH Ref 21517188). It is noted that the conservation officer for LCCC has no objections to the proposal subject to the attachment of conditions.</p>		No
Conclusion			
<p>There is no real likelihood of significant effects on the environment.</p> <p>EIA not required.</p> <p>✓</p>	<p>There is significant and realistic doubt regarding the likelihood of significant effects on the environment.</p> <p>Schedule 7A Information required to enable a Screening Determination to be carried out.</p>	<p>There is a real likelihood of significant effects on the environment.</p> <p>EIAR required.</p>	

Inspector:

Date:

DP/ADP: _____

Date: _____

(only where Schedule 7A information or EIAR required)