



An
Bord
Pleanála

Inspector's Report

ABP-317797-23

Development	The demolition of an existing two storey residential dwelling development of an eight-storey building, over basement level, comprising of 21 no. residential units and all associated site works.
Location	Numbers 1–4 James' Street and 6 and 7 Upper Mallow Street, Limerick City.
Planning Authority	Limerick City and County Council
Planning Authority Reg. Ref.	2360345
Applicant(s)	Pairc na Daoine Limited
Type of Application	Permission
Planning Authority Decision	Grant subject to conditions
Type of Appeal	Third Party
Appellant(s)	An Taisce
Observer(s)	Limerick Chamber of Commerce
Date of Site Inspection	7 th March 2024
Inspector	Ciara McGuinness

1.0 Site Location and Description

- 1.1. The appeal site comprises a vacant plot of land and a two-storey end of terrace dwelling, located on the corner of Upper Mallow Street and James Street in Limerick City Centre. The immediate area is characterised by a mix of residential and commercial uses. Peoples Park is located directly opposite the appeal site to the south. Colbert Train Station and the Bus Station are located c.150m east of the site and the main retail core of Limerick City is located c.300m to the north of the site.
- 1.2. The site has a stated area of 0.030ha and has been vacant for many years. Hoarding runs along the length of the southern and western boundary. A terrace of Georgian houses and associated car parking area are located to the east of the site. A terrace of two-storey houses adjoins the site to the north. Further residential type buildings, many with commercial uses at ground floor, are located to the west of the site.

2.0 Proposed Development

- 2.1. The proposal development will involve the demolition on an existing end of terrace two-storey dwelling situated on James Street which has a total area of 58sqm and the construction of a residential block consisting of 21 no. apartments, in an 8-storey over basement building.
- 2.2. The proposed dwelling mix comprises the following;
 - 15 no. 1-beds (71.42%),
 - 3 no. studio units (14.29%)
 - 3 no. two-bed units (14.29%).
- 2.3. The development also includes the provision of communal areas at basement level (73.5sqm) and at ground level (689.5sqm). Commercial space is proposed on the ground floor measuring 87.25sqm. Cycle parking is proposed and comprises of 60 no. internal spaces provided at basement level and 18 no. visitor spaces provided at ground floor level. No car parking is proposed.

- 2.4. The development description also provides for bin storage, plant room, lighting and heating systems, foul and surface water drainage, attenuation and blue roof and all other associated and ancillary works.
- 2.5. Application is accompanied by an Architectural Design Statement, Daylight and Sunlight Reports, Ecology Report, AA Screening Report and EIA Screening Report.

3.0 **Planning Authority Decision**

3.1. **Decision**

- 3.1.1. The Planning Authority issued a Notification of Decision to Grant Permission on 17th July 2023, subject to 21 no. of conditions.
- 3.1.2. Conditions generally were of a standard nature. Notable conditions include;
 - Condition 5** – Requires the submission of a Construction Environmental Management Plan.
 - Condition 14** – Submit details of materials and finishes for agreement.
 - Condition 15a** – Submit design details of cycle parking for agreement.
 - Condition 19a** – Incorporation of swift nest boxes into the development.
 - Condition 19b** - Carrying out of a bat survey.
 - Condition 20** – Implementation of measures in Invasive Species Management Plan.
 - Condition 21** – Preservation by record of the building to be demolished.

3.2. **Planning Authority Reports**

3.2.1. Planning Reports

The Planners Report (dated 13/07/2023) considered the proposed development in the context of the details submitted with the application, the planning history, the relevant Development Plan policies, objectives and zonings and relevant Section 28 guidelines. The report also includes a paragraph on Environmental Impact Assessment, Appropriate Assessment and Flood Risk. The development is consistent with the City Centre Zoning objective and with Policy HO O5 which seeks to encourage an increase in the scale and extent of apartment development,

particularly in proximity to core urban centres and public transport nodes/high frequency public transport. Although the required density of this area, as per the Development Plan, is 100 units per hectare (uph), the presented height (8 storey over basement) and density (63 uph) are deemed acceptable given the sensitive location of the site. It is considered that the overall design and layout provides for a welcome redevelopment of this underutilised site, and it is considered that it will make a positive contribution in urban design terms to the surrounding area. A grant of permission is recommended.

3.2.2. Other Technical Reports

Conservation Officer – Condition recommended.

Heritage Officer – Request for bat survey during bat activity period. Conditions recommended.

Fire Authority – No objections to principle of development. Sets out requirements in relation to fire safety, access, building control etc.

Active Travel – The applicant has proposed in excess of the minimum cycle storage numbers which is welcomed. Further details regarding the double rack system for the storage in the basement is recommend by way of condition.

Environment Section – Requested Refurbishment Demolition Asbestos Survey. Condition recommended which requires the submission of a wate management plan.

Executive Archaeologist – No archaeological issues raised.

Roads Section – Conditions recommended in relation to traffic and pedestrian issues, public lighting arrangements, Surface Water and SuDS Management Plan and Construction Management and Delivery Plan.

3.3. Prescribed Bodies

Uisce Éireann - No objections raised. A connection is feasible in respect of water and wastewater. Condition recommended that the applicant sign a connection agreement prior to any works commencing and connection to the Irish Water Network

An Taisce - The issues raised in the submission generally reflect the grounds of appeal. Concerns primarily relate to the scale of the development and its integrations with existing environment, unsympathetic elevational treatments and the presence of Japanese knotweed on site.

3.4. Third Party Observations

None.

4.0 Planning History

Application Site

No known history.

Adjoining Sites

Warning letter (DC-180-21) issued in respect of development at 5 James Street.

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 'Residential' use is generally permitted on lands zoned 'City Centre'.

Compact Growth/Housing Policies

- **Policy CGR P1 Compact Growth and Revitalisation** It is a policy of the Council to achieve sustainable intensification and consolidation, in accordance with the Core Strategy, through an emphasis on revitalisation and the delivery of more compact and consolidated growth, integrating land use and transport, with the use of higher densities and mixed-use developments at an appropriate scale on brownfield, infill, backland, state-lands and underutilised sites within the existing built footprint of Limerick's City, Towns and Villages
- **Objective CGR O3 Urban Lands and Compact Growth** It is an objective of the Council to:
 - a) Deliver 50% of new homes within the existing built-up footprint of Limerick City and Suburbs (in Limerick), Mungret and Annacotty and 30% of new homes within the existing built-up footprint of settlements, in a compact and sustainable manner in accordance with the Core and Housing Strategies of this Plan.
 - b) Encourage and facilitate sustainable revitalisation and intensification of brownfield, infill, underutilised and backland urban sites, subject to compliance with all quantitative and qualitative Development Management Standards set out under Chapter 11 of this Plan.
 - c) Continue to work proactively with key state agencies, such as the LDA to bring forward, brownfield urban underutilised state land, which can contribute to the delivery of compact growth within an urban context, subject to Development Management Standards set out under Chapter 11 of this Plan.
 - d) Encourage residential development in the City Centre zone by requiring at least 20% of new development to comprise residential use. Exceptions may be made on a case-by-case basis, where residential use is not deemed

compatible with the primary use of the site e.g. museums/tourist attractions etc.

- **Objective HO O5 Apartments** It is an objective of the Council to encourage an increase in the scale and extent of apartment development, particularly in proximity to core urban centres and other factors including existing public transport nodes, or locations where high frequency public transport can be provided, close to locations of employment and a range of urban amenities including parks/ waterfronts, shopping and other services.

Building Height Policies

- **Objective CGR O9 Building Heights** It is an objective of the Council to:
 - a) Ensure that all new tall buildings in Limerick City are designed in accordance with the character area objectives, tall building recommendations and criteria set out in the Development Management Standards. All such buildings shall be of an exceptional architectural quality and standard of design and finish.
 - b) Focus delivery of tall buildings in the City Centre, in particular the areas that have been identified as having potential for increased building height. In particular, tall building clusters will be encouraged at The Quays, Colbert Station Quarter, Cleeves Site and The Docklands in accordance with the building classification criteria set out in the Building Height Strategy. There shall be a general presumption against tall buildings in other areas, except at designated areas and the gateway locations identified in the Tall Buildings at City Level Map below.
 - c) Protect the unique intrinsic character, scale and significant views of Limerick City, the skyline and key landmark buildings in the delivery of increased building heights, through the application of the Tall Building Classifications, Recommendations, High Level Principles and Assessment Tools and Criteria set out in the Building Height Strategy.
 - d) Ensure applications for tall buildings are supported by the following assessments and any additional assessments required at the discretion of the Planning Authority - Environmental Assessment, Wind Analysis, Sunlight and

Daylight Analysis, Verified View Analysis, Landscape and Visual Impact Assessment, Architectural Design Statement, Traffic Impact Assessment including a Mobility Management Plan for non- residential uses, Building Services Strategy

Building Height Strategy

- 5.1.1. The Building Height Strategy is set out in Volume 6 of the Limerick Development Plan. The strategy identifies 8 unique Character Areas. The site is located within the Newtown Perry Character Area. The strategy describes Mallow Street as *‘a classical street, illustrating a characteristically Georgian fixed parapet height along the roof line of the Street. As you arrive at lower Mallow Street at the base of the Shannon Bridge the Riverpoint building stands at 59m tall, its height justified by the major transport node location’*.
- 5.1.2. Future development in this area should follow Area Objective 1 as outlined below;
Area Objective 1 - *In areas where there is a classical and reasonably consistent parapet /shoulder height, any new interventions to the front of buildings, on street elevation, should respect this height and within reason, match the parapet /shoulder height of the existing street. It is possible that after the parapet /shoulder height, investigations as to roof profiles and set-backs are possible subject to good design, high quality materials and overall townscape considerations. There are opportunities for additional height positioned within the city block where this does not negatively impact on the overall streetscape. The above will preserve and conserve the overall fabric of more classical streets.*
- 5.1.3. The strategy provides assessment tools bespoke to each of the 8 Character Areas. Table 6.1 assesses the Newtown Pery Character Area against the development management principles from the Building Heights Guidelines, providing guidance in relation to each criteria. The Localised Assessment Tool for Tall Buildings set outs questions specific to the Character Area to determine their suitability to accommodate tall buildings. The questions are set below;
1. What justification is there for a tall building in this area, given its distinctive heritage character?

2. How would a tall building contribute to and not detract from the essential character of the area as set out in this Strategy?
3. Is the tall building of exceptional architectural character that it would deliver placemaking benefits?
4. Is the tall building part of the development of a larger opportunity site where such height would not impinge on the overall height markers and landmark buildings or result in an intrusion in views?
5. Does the tall building finish off previously established block structures to make them more legible?
6. Does the tall building take design cues from the character and scale of the streets in the area?
7. Does the tall building constitute a minor additional height of 2 storeys or less or a setback storey within the roofscape?
8. Does the additional height respond to the essential character and general scale of existing buildings where there is a mix of elevations and/or it accentuates and improves the existing elevation?
9. Is the tall building located within the inner block in an area with a mix of elevations?

5.2. Regional Spatial and Economic Strategy for the Southern Region

- 5.2.1. The site is located within the 'Limerick-Shannon Metropolitan Area'. The RESE incorporates Metropolitan Area Strategic Plans (MASP) to ensure coordination between local authority plans. The MASP notes that Limerick City is the largest urban centre in the Mid-West and the country's third largest city. The MASP highlights the need to increase residential density in Limerick City and Shannon through a range of measures including, reductions in vacancy, re-use of existing buildings, infill and site-based regeneration. The MASP supports the densification of Limerick City Centre, the assembly of brownfield sites for development and City Centre rejuvenation and consolidation.

5.3. National Planning Framework

5.3.1. The National Planning Framework 'Project Ireland 2040' addresses the issue of 'making stronger urban places' and sets out a range of objectives to support the creation of high quality urban places and increased residential densities in appropriate locations while improving quality of life and place. Relevant Policy Objectives include:

- National Policy Objective 3a: Deliver at least 40% of all new homes nationally, within the built-up footprint of existing settlements.
- National Policy Objective 33: Prioritise the provision of new homes at locations that can support sustainable development and at an appropriate scale of provision relative to location.
- National Policy Objective 35: Increase residential density in settlements, through a range of measures including reductions in vacancy, re-use of existing buildings, infill development schemes, area or site-based regeneration and increased building heights.

5.4. Section 28 Guidelines

Sustainable Urban Housing Design Standards for New Apartments Guidelines for Planning Authorities (2022)

The guidelines set out planning guidance to achieve both high-quality apartment development and a significant increase in the overall level of apartment output. They provide guidance on matters such as locational considerations, mix of units, internal space standards, dual aspect, floor-to-ceiling heights, apartments to stair/lift core ratios, storage space, room dimensions, amenity spaces and car parking.

Identification of suitable locations is guided by 2.4. which highlights three types of location, namely Central/Accessible Urban Locations, Intermediate Urban Locations and Peripheral/Less Accessible Locations. The central locations (suitable for the highest density) are generally within easy walking distance of city centres/significant employment zones or high quality/frequency public transport. The requirements set out in the SPPRs and in Appendix 1 of the Guidelines are referenced within the assessment section of this report, where relevant.

Sustainable Residential Development and Compact Settlements Guidelines for Planning Authorities (2024)

- 5.4.1. Density ranges for Limerick, Galway and Waterford are set out in Table 3.2 of these guidelines. It is stated that for the city centres of Limerick, Galway and Waterford, comprising the city centre and immediately surrounding neighbourhoods, are the most central and accessible urban locations in their regions with the greatest intensity of land uses, including higher order employment, recreation, cultural, education, commercial and retail uses. It is a policy and objective of these Guidelines that residential densities in the range 100 dph to 250 dph (net) shall generally be applied in the centres of Limerick, Galway and Waterford.
- 5.4.2. Section 4 of the Guidelines deals with Quality Urban Design and Placemaking. Section 5 of the Guidelines deals with Development Standards for Housing and includes a number of specific planning policy requirements (SPPRs).

Other Ministerial Guidelines

- 5.4.3. The following Section 28 - Ministerial Guidelines are also considered of relevance to the proposed development.
- Urban Development and Building Heights - Guidelines for Planning Authorities (2018).
 - Delivering Homes, Sustaining Communities (2007) and the accompanying Best Practice Guidelines - Quality Housing for Sustainable Communities.
 - The Planning System and Flood Risk Management, including the associated Technical Appendices (2009).
 - Design Manual for Urban Roads and Streets (DMURS) (2019).
 - Cycle Design Manual (2023).

5.5. 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.

5.6. EIA Screening

- 5.6.1. Part 2 of Schedule 5 of the Planning and Development Regulations 2001, as amended and section 172(1)(a) of the Planning and Development Act 2000, as amended provides that an Environmental Impact Assessment (EIA) is required for infrastructure projects that involve:
- Construction of more than 500 dwelling units
 - Urban Development which would involve an area 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.
 - Item 15: Any project listed in this Part which does not exceed a quantity, area or other limit specified in this Part in respect of the relevant class of development but which would be likely to have significant effects on the environment, having regard to the criteria set out in Schedule 7.
- 5.6.2. The proposed development is for a residential scheme of 21 units and on a stated development site area of 0.03ha. It is sub-threshold in terms of EIA, in that it is less than 500 units and is below the 2 hectares (that would be the applicable threshold for this site, being within a business district).
- 5.6.3. The application includes an EIA Screening Report prepared by Minogue Environmental Consulting Ltd. The purpose of the report is to demonstrate that there is no requirement for the preparation of an Environmental Impact Assessment Report for the proposed development. The methodology section of the report confirms that the report has had regard to the criteria set out in in Schedule 7 and 7A of the Planning and Development Regulations 2001, as amended.
- 5.6.4. I have completed an EIA screening determination as set out in Appendix 2 of this report. I consider that the location of the proposed development and the environmental sensitivity of the geographical area would not justify a conclusion that it would be likely to have significant effects on the environment. The proposed development does not have the potential to have effects the impact of which would be rendered significant by its extent, magnitude, complexity, probability, duration, frequency, or reversibility. In these circumstances, the application of the criteria in Schedule 7 and 7A, to the proposed sub-threshold development, demonstrates that

it would not be likely to have significant effects on the environment and that an environmental impact assessment is not required before a grant of permission is considered. This conclusion is consistent with the information provided in the applicant's report.

6.0 The Appeal

6.1. Grounds of Appeal

6.1.1. The appeal is a third-party appeal by An Taisce against Limerick City and County Council's decision to grant permission. The grounds of appeal are summarised as follows;

- The proposal is welcomed in principle.
- The proposed development is out of scale with the existing pattern of development, which primarily consists of 2,3 and 4 storey buildings.
- The proposed development will sunder the relationship of this street with the People's Park.
- The proposed development will have will impact its immediate neighbours on James St, in particular in terms of sunlight to the rear elevations.
- The design is not of a sympathetic treatment and alternatives should be sought. The front façade onto Mallow Street is largely of glass which can cause difficulty for occupants at a time of increasing weather extremes and without mitigating effect of dual aspect of cross ventilation design.
- The proposed development should be considered in relation the Railway Hotel project which is a similar high density relatively high-rise project as the proposals will bookend the Upper Mallow St/Davis St area.
- Issues are raised in relation to construction management in terms of the site compound, traffic management and pedestrian routeways.

6.2. Applicant Response

6.2.1. A number of supporting documents have been submitted by the applicant in response to the appeal. A summary of these documents is provided below;

- **Architectural Response booklet by Healy Partners** - responds to the appeal on a point-by-point basis. The booklet contains a variety of drawings, illustrations and images which demonstrate the developments suitability in its surrounding context. The summary of the design process is presented and demonstrates that the impact on neighbouring properties was a key consideration throughout the process. It is noted that a Construction Management and Delivery Plan will be submitted and agreed with the council through condition compliance.
- **Letter from Control Surveyors** - confirms they carried out a survey to accurately measure and represent the site and its surrounding context.
- **Daylight and Sunlight Report by Right of Light Consulting** – considers the impact of the development on the light receivable by the neighbouring properties at 7 to 14 Davis Street, 34-36 Parnell Street, 5 to 7 James Street, 5-10 Pery Court, 5 Upper Mallow Street and the Railway Hotel. The report concludes by stating that the proposed development will have a relatively low impact on the light receivable by its neighbours.
- **Letter from Limerick Chamber of Commerce** – outlines their support for the development.
- **Letter by MKO Planning and Environmental Consultants** - outlines the developments acceptability and compliance with planning policy in terms of height, the heritage context of the area, the impact on surrounding residential amenity and traffic impacts.

6.3. Observations

An observation has been received from the Limerick Chamber of Commerce which sets out their support for the provision of the proposed 21 units at an appropriate city centre location.

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;

- Scale, Massing & Design
- Daylight & Sunlight
- Construction Management
- Appropriate Assessment

7.2. Scale, Massing & Design

7.2.1. The applicant has raised issues with regards to the scale of development and its impact on the existing pattern of development, the residential amenity of adjoining properties and the relationship of Upper Mallow Street with the People's Park. The site can be considered an urban infill site, which has development constraints including its proximity to adjoining residential houses. I note Section 3.3.1.4 of the Development Plan relates to infill sites and promotes the sustainable use of urban land and existing infrastructure while facilitating compact growth. This is consistent with National Planning Framework (NPF) and Regional Spatial and Economic Strategy for the Southern Region. The need to secure more compact forms of development in urban and serviced areas is therefore, referred to at National, Regional and Local policy level, and increased building height and density is a recognised method of achieving this. A key consideration relevant in the assessment of this appeal case, is whether the proposed scale, size and quantum of development sought is appropriate for the site, and its receiving physical context.

7.2.2. The Applicant has submitted an Architectural Design Statement which includes a site analysis, description of the development proposed, housing quality assessment, justification for building height, and a series of photomontages and CGIs. In terms of locational context, the site is a relatively small site, situated within an urban environment of established residential and commercial buildings. The site is on serviced city centre zoned lands, close to public transport nodes, and with a

significant offering of services, facilities and recreational amenities in the immediate vicinity. The site bookends the end of a terrace block at the junction of Upper Mallow Street and James Street. The site is not within an Architectural Conservation Area but is within the Newtown Perry Character Area, as set out in the Building Height Strategy, which is described as having a distinct Georgian Fabric.

- 7.2.3. The surrounding area comprises development predominantly in the 3-5 storey range. The proposed development is 8-storeys in height with the upper two floors setback, and measures 24m in height. The Urban Development and Building Height Guidelines describe the need to move away from blanket height restrictions and that within appropriate locations, increased height will be acceptable even when established heights in the area are lower. The Development Plan does not set blanket height restrictions and instead the Building Height Strategy sets out a localised assessment toolkit for each of the Character Area.
- 7.2.4. Table 6.1 of the Building Height Strategy assesses the Newtown Perry Character Area against the development management principles from the Building Heights Guidelines, providing guidance in relation to each criteria, while the Localised Assessment Tool for Tall Buildings set outs questions specific to the Character Area to determine its suitability to accommodate tall buildings. These questions are set out in Section 5.1.3 of this report, and I note that the Planners Report deals with each of these questions in turn. I concur with the assessment of the Planning Authority and agree that the increased height is acceptable having regard to the building's contribution to the area and the placemaking benefits it would provide.
- 7.2.5. The redevelopment of these lands would be an appropriate intervention at this location. The CGIS of the proposed development illustrate the transition in heights between the proposed development and its surroundings. I consider that the proposal would not be significantly out of scale with its surrounding area or present a discordant or an incongruous form of development for the area. I consider that the site has the capacity to absorb a development of the nature and scale proposed without detriment to the amenities of the area. Materials proposed have had regard to the Georgian character of the area. The SPPRs, including the mix of units and residential standards, outlined in the Apartment Guidelines have been complied with.

- 7.2.6. In terms of Density, the proposed development of 21 units on a site of 0.030 hectares, results in a density of 63 units per ha. Table 6.2 of the Development Plan sets out Density Assumptions per Settlement Hierarchy and states that '*A minimum net density of 100+ dwelling units per hectare are required at appropriate locations within the City Centre.*' I note the Planner's Report states that the proposed density is considered appropriate considering the existing constraints and considerations associated with the site.
- 7.2.7. The recently published Compact Settlement Guidelines set out the recommended density range for Limerick, Galway and Waterford City and Suburbs in Table 3.2. In line with the requirements of the Development Plan the guidelines require densities in the range of 100-250 units per ha. However, Section 3.3.6 of the Guidelines sets out a number of exceptions to the required density ranges. In this regard, it is stated that '*In the case of very small infill sites that are not of sufficient scale to define their own character and density, the need to respond to the scale and form of surrounding development, to protect the amenities of surrounding properties and to protect biodiversity may take precedence over the densities set out in this chapter.*' I consider that the density of the site is appropriate having regard to site size and its surrounding context.
- 7.2.8. The appellant also considers that the proposed development should be considered in the context of the Railway Hotel project located on the corner of Parnell St and Davis St, c.60m east of the proposed development site. The Railway Hotel project comprises a proposed change of use to Student residences and all associated site works at the former Railway Hotel (RPS Ref 6035, NIAH Ref 21518017). Limerick City and County Council issued notification of a decision to grant permission on 22nd June 2023. The application is currently the subject of an appeal to An Bord Pleanála (ABP-317609-23). As outlined above I do not consider the proposed development to be out of scale with the existing pattern of development in the area. I note that the proposed Railway Hotel project is a similar scale of development ranging from 3 - 7 storeys. Both sites are located on city centre zoning where increased scale and height would be expected. I do not consider that the proposals would result in any significant cumulative visual impacts or that they would significantly increase vehicular/pedestrian flow. I consider that proposed developments would create a

series of local landmarks and urban markers which would improve the legibility and identity of the area.

- 7.2.9. I conclude that the design, height and scale of the proposed development would not give rise to unacceptable overbearing or domineering impacts on the surrounding vicinity, such that it would seriously injure the visual amenities of the area and the residential amenity of neighbouring properties, or alter the relationship of Mallow Street with the People's Park. The proposal is in accordance with Policy CGR P1 Compact Growth and Revitalisation, Objective CGR O3 Urban Lands and Compact Growth and Objective HO O5 Apartments which seek to promote consolidation and sustainable intensification at appropriate locations. The site is capable of increased residential densities and height, and I consider that the proposal is in accordance with the relevant national and regional policy documents.

7.3. Daylight & Sunlight

- 7.3.1. The issue of daylight/sunlight was brought up in relation to impact on residential amenity on neighbouring properties in James St, and potential for overheating within the proposed development. Each of these issues are dealt with in turn below;

Impact on Neighbours

- 7.3.2. Section 5.3.7 of the Sustainable Residential Development and Compact Settlements Guidelines for Planning Authorities require that when assessing daylight performance regard should be had to the quantitative performance approaches outlined in BRE Guide The guidelines also note that there is a need to balance the assessment against the desirability of achieving wider planning objectives. While the guidelines are discretionary, I consider that in designing new developments, it is important to safeguard the daylight to nearby buildings. The loss of daylight and overshadowing has been addressed in the Daylight and Sunlight Report (Neighbouring Properties) submitted by the applicant. The report assesses Daylight Impact (Vertical Sky Component, No Sky Line) and Sunlight Availability to Windows.
- 7.3.3. The applicant's report assesses the daylight impact for existing dwellings by calculating Vertical Sky Component (VSC), which is the ratio of the direct sky illuminance falling on the outside of a window, to the simultaneous horizontal illuminance under an unobstructed sky. A 'No Sky Line' test has also been carried

out where room layouts are known. The BRE guides outline that a VSC of 27% should achieve enough sky light, but that occupants of existing buildings will notice reduced daylight if VSC is both less than 27% and less than 0.8 times its former value. The assessment considers 22 properties in the vicinity of the proposed development. Of the 157 windows assessed, it is noted that all windows pass with VSC test with the exception of window 18 at James Street and windows 31,37,42, & 49 at 5 to 10 Pery Court to the east of the proposed development. Windows 31,37,42, & 49 at 5 to 10 Pery Court maintain VSC score of 21.5% or more, while window 18 at 5 James Street forms part of an unauthorised development which is subject to enforcement action. I would accept that this is a minor proportion of windows and that the transgressions are similarly minor where they occur. Given the flexibility applicable to BRE standards I would have no objections to these minor daylight impacts.

7.3.4. The BRE guides recommends that loss of sunlight should be checked for main living rooms of dwellings, and conservatories, if they have a window facing within 90° of due south. If the centre of the window can receive more than one quarter of annual probable sunlight hours, including at least 5% of annual probable sunlight hours in the winter months between 21 September and 21 March, then the room should still receive enough sunlight. If the window already receives less than this, a reduction to less than 0.8 times its current value and a reduction of more than 4% of annual probable sunlight hours over the year may lead to the room it serves appearing colder and less cheerful and pleasant. It is noted that all windows comply with the BRE standards with the exception of Window 18 and Window 19 which relate to 5 James Street which as noted above is the subject of enforcement action. I consider that this constitutes only a minor transgression and having regard to the flexibility in the application of the BRE guidelines, I do not consider that the proposed development would result in unacceptable sunlight impacts for existing properties.

7.3.5. For existing outdoor amenity areas, the BRE guides recommend that at least half of the space should receive at least two hours of sunlight on 21st March. If, as a result of new development, the area which can receive 2 hours of sunshine on the 21st March is reduced to less than 0.8 times its former value, then the loss of sunlight is likely to be noticeable. The applicant's report includes a drawing of projected overshadowing on the 21st March for the amenity areas of 5 Upper Mallow Street, 5,

6 & 7 James Street. The applicant's assessment demonstrates that the proposed development would have only minimal impacts on these areas over the 21st of March and I am satisfied that the impacts would be acceptable in accordance with BRE standards.

- 7.3.6. I have reviewed the assessment and consider that it clearly shows that there would be no significant negative impact on existing adjoining residential development in terms of loss of daylight or overshadowing. The assessment has been completed in accordance with the 'Site Layout Planning for Daylight and Sunlight' (3rd edition): A Guide to Good Practice (BRE 2022). I am not of the view that any significant negative/adverse impacts will result on daylight/sunlight levels to surrounding properties, nor will significant negative impacts result from overshadowing, with the proposed development in place.

Impact within the development

- 7.3.7. The applicant raises issues in relation to the amount of glass used and the potential for overheating. Under the 2022 BRE Guidelines and BS EN 17037, the recommended metric to assess daylight provision (Spatial Daylight Autonomy (sDA)) is target illuminance (lux) value. The guideline standards are 100 lux for bedrooms, 150 lux for living rooms, and 200 lux for rooms with a kitchen, which are to be achieved over 50% of the space for 50% of the available daily hours. The BRE Guidelines note that *'interiors with very high daylight levels (for example where a daylight illuminance of 500 lux is exceeded over half the room for more than half of the daylight hours) sometimes have problems with summertime overheating or excessive heat loss in winter.'* On review of the Daylight and Sunlight Report (Within Development), I note that 26 out of the 45 rooms (58%) assessed have a median illuminance of over 500Lux. In this regard, should the Board be minded to grant permission, I consider it appropriate to attach a condition requiring the applicant submit for the agreement of the Planning Authority measures within dwelling units to mitigate the potential for overheating in summer and excessive heat loss in winter for the units indicated in the Daylight and Sunlight Report (Within Development), as achieving very high daylight illuminance levels (over 500 lux).

7.4. Construction Management

7.4.1. The third-party appeal raises issues with regard to construction management in particular with regard to the site compound, traffic management and pedestrian routeways. I note that a Demolition Statement submitted for 4 James Street. The applicant has also stated that a Construction Management and Delivery Plan will be submitted and agreed with Limerick City and County Council in accordance with Condition 5 attached to the grant of permission. While it is acknowledged that the construction phase of development would result in some disturbance for local residents, I am satisfied that any impacts would be local and temporary in nature and that the implementation of a Construction Management Plan would mitigate against any potential impacts.

7.5. **Appropriate Assessment**

7.6. The applicant submitted an Appropriate Assessment Screening Report. The report concludes that given the absence of impact pathways and the potential for interactions between the project and the European sites there will be no potential for the project to result in likely effects to the European sites. Similarly, an Appropriate Assessment Screening determination was carried out by the Planning Authority and concluded that Appropriate Assessment is not required. The site lies 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. The existing environment includes urban drainage systems. The distance between the proposed development and any European Sites, and the very weak and indirect pathway is such that the proposal will not result in any likely effects on the European sites.

7.7. Having regard to the nature and small scale of the development, its location in a fully serviced and built-up area, and the distances to the nearest European sites and the absence of known pathways to European sites, it is considered that the proposed development would not be likely to have a significant effect individually, or in combination with other plans or projects, on a European site. Appropriate Assessment is not, therefore, 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 city centre zoning of the site, the pattern and character of development in the area, and the design, scale and layout of the proposed development on an urban infill site, it is considered that, subject to compliance with the conditions set out below, the proposed development would provide residential units at an acceptable scale and form at a suitable location, would not seriously injure the visual amenity of the area or residential amenities of property in the vicinity, and would provide an acceptable standard of amenity for future residents. 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 23rd 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. Details of the materials, colours and textures of all the external finishes to the proposed development shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interest of visual amenity.

3. The applicant shall submit for the agreement of the Planning Authority measures within dwelling units to mitigate the potential for overheating in

summer and excessive heat loss in winter for the units indicated in the Daylight and Sunlight Report (Within Development), as achieving very high daylight illuminance levels (over 500 lux).

Reason: In the interests of residential amenity.

4. Proposals for a naming and numbering scheme and associated signage shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. Thereafter, all signs, and apartment numbers, shall be provided in accordance with the agreed scheme. The proposed names shall be based on local historical or topographical features, or other alternatives acceptable to the planning authority. No advertisements/marketing signage relating to the name(s) of the shall be erected until the developer has obtained the planning authority's written agreement to the proposed name(s).

Reason: In the interest of urban legibility and to ensure the use of locally appropriate place names for new residential areas.

5. Prior to the commencement of development, the developer shall enter into water and wastewater connection agreements with Irish Water. No dwelling shall be occupied until water and sewerage services serving the development have been installed and functioning in accordance with the connection agreements made with Irish Water.

Reason: To ensure that satisfactory water and wastewater arrangements are in place to serve the development.

6. Water supply and drainage arrangements, including the attenuation and disposal of surface water, shall comply with the requirements of the planning authority for such works and services.

Reason: In the interest of public health.

7. 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.

8. 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.

9. 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.

10. The proposals, mitigation measures and commitments set out in the Ecological Impact Assessment (EclA) and Invasive Species Management Plan submitted with the application shall be implemented in full as part of the proposed development. b) A completion certificate shall be signed off by an ecologist when all permitted development works are completed and in line with the recommendations of the EclA and Invasive Species Management Plan and the certificate shall be submitted to the planning authority for written agreement upon completion of the works.

Reason: In the interest of clarity and the protection of the environment.

11. Details of the layout and marking demarcation of bicycle parking spaces shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: To ensure that adequate bicycle parking provision is available to serve the proposed development, in the interest of sustainable transportation.

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

Reason: In the interests of amenity and public safety.

13. The management and maintenance of the proposed development following its completion shall be the responsibility of a legally constituted management company. A management scheme providing adequate measures for the future maintenance of public open spaces, roads and communal areas shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: To provide for the satisfactory future maintenance of this development in the interest of residential amenity.

14. (a) 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] for each apartment unit 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.

(b) This plan shall provide for screened communal bin stores, the locations and designs of which shall be included in the details to be submitted.

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

15. Prior to commencement of development, the applicant or other person with an interest in the land to which the application relates shall enter into an agreement in writing with the planning authority in relation to the provision of housing in accordance with the requirements of section 94(4) and section 96(2) and (3) (Part V) of the Planning and Development Act 2000, as amended, unless an exemption certificate shall have been applied for and been granted under section 97 of the Act, as amended. Where such an agreement is not reached within eight weeks from the date of this order, the matter in dispute (other than a matter to which section 96(7) applies) may be referred by the planning authority or any other prospective party to the agreement to An Bord Pleanála for determination.

Reason: To comply with the requirements of Part V of the Planning and Development Act 2000, as amended, and of the housing strategy in the development plan of the area.

16. The developer shall pay to the planning authority a financial contribution in respect of public infrastructure and facilities benefiting development in the area of the planning authority that is provided or intended to be provided by or on behalf of the authority in accordance with the terms of the Development Contribution Scheme made under section 48 of the Planning and Development Act 2000. The contribution shall be paid prior to the commencement of development or in such phased payments as the planning authority may facilitate and shall be subject to any applicable indexation provisions of the Scheme at the time of payment. Details of the application of the terms of the Scheme shall be agreed between the planning authority and the developer or, in default of such agreement, the matter shall be referred to the Board to determine the proper application of the terms of the Scheme.

Reason: It is a requirement of the Planning and Development Act 2000 that a condition requiring a contribution in accordance with the Development Contribution Scheme made under section 48 of the Act be applied to the permission.

17. Prior to commencement of development, the developer shall lodge with the planning authority a cash deposit, a bond of an insurance company, or other security to secure the provision and satisfactory completion and maintenance

until taken in charge by the local authority of roads, footpaths, watermains, drains, public open space and other services required in connection with the development, coupled with an agreement empowering the local authority to apply such security or part thereof to the satisfactory completion or maintenance of any part of the development. The form and amount of the security shall be as agreed between the planning authority and the developer or, in default of agreement, shall be referred to An Bord Pleanála for determination.

Reason: To ensure the satisfactory completion and maintenance of the development until taken in charge.

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

30th April 2024

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

An Bord Pleanála Case Reference			
Proposed Development Summary	The demolition of an existing two storey residential dwelling development of an eight-storey building, over basement level, comprising of 21 no. residential units and all associated site works.		
Development Address	Numbers 1–4 James' Street and 6 and 7 Upper Mallow Street, Limerick City.		
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)
No		N/A	Conclusion No EIAR or Preliminary Examination required

Yes	✓	Class 10(b)(i), 10(b)(iv) and 14 of Part 2 to Schedule 5 / Sub-Threshold		Proceed to Q.4
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4. Has Schedule 7A information been submitted?		
No		Preliminary Examination required
Yes	✓	Screening Determination required

Inspector: _____

Date: _____

**Appendix 2 -
EIA Screening Determination**

A. CASE DETAILS

An Bord Pleanála Case Reference (317797-23)		
Development Summary	The demolition of an existing two storey residential dwelling development of an eight-storey building, over basement level, comprising of 21 no. residential units and all associated site works at Numbers 1–4 James' Street and 6 and 7 Upper Mallow Street, Limerick City.	
	Yes / No / N/A	Comment (if relevant)
1. Was a Screening Determination carried out by the PA?	No	
2. Has Schedule 7A information been submitted?	Yes	
3. Has an AA screening report or NIS been submitted?		An Appropriate Assessment Screening Report was submitted with the application. An Ecological Report was also submitted with the application.
5. Have any other relevant assessments of the effects on the environment which have a significant bearing on the project been carried out pursuant to other relevant Directives – for example SEA		SEA and AA were undertaken in respect of the Limerick Development Plan 2022-2028.

B. EXAMINATION	Where relevant, briefly describe the characteristics of impacts (ie the nature and extent) and any Mitigation Measures proposed to avoid or prevent a significant effect (having regard to the probability, magnitude (including population size affected), complexity, duration, frequency, intensity, and reversibility of impact)	Is this likely to result in significant effects on the environment? Yes/ No/ Uncertain
1. Characteristics of proposed development (including demolition, construction, operation, or decommissioning)		
1.1 Is the project significantly different in character or scale to the existing surrounding or environment?	There is a clear consistency in the nature and scale of development in the surrounding area, primarily comprising residential and commercial development to the south, east and north. The proposed development would provide for a new residential development at a city centre location that is not regarded as being of a scale or character significantly at odds with the surrounding pattern of development.	No
1.2 Will construction, operation, decommissioning or demolition works causing physical changes to the locality (topography, land use, waterbodies)?	The proposed residential development has been designed to logically address the alterations in topography on site, resulting in minimal change in the locality, with standard measures to address potential impacts on surface water and groundwaters in the locality.	No
1.3 Will construction or operation of the project use natural resources such as land, soil, water, materials/minerals or energy, especially resources which are non-renewable or in short supply?	Construction materials will be typical for an urban development of this nature and scale.	No

<p>1.4 Will the project involve the use, storage, transport, handling or production of substance which would be harmful to human health or the environment?</p>	<p>Construction activities will require the use of potentially harmful materials, such as fuels and other such substances. Use of such materials would be typical for construction sites. Any impacts would be local and temporary in nature and the implementation of the standard construction practice measures outlined in a Construction Environmental Management Plan would satisfactorily mitigate potential impacts. No operational impacts in this regard are anticipated.</p>	<p>No</p>
<p>1.5 Will the project produce solid waste, release pollutants or any hazardous / toxic / noxious substances?</p>	<p>Construction activities will require the use of potentially harmful materials, such as fuels and other similar substances and give rise to waste for disposal. The use of these materials would be typical for construction sites. Noise and dust emissions during construction are likely. Such construction impacts would be local and temporary in nature, and with the implementation of a Construction Environmental Management Plan would satisfactorily mitigate the potential impacts. Operational waste would be managed through a waste management plan to obviate potential environmental impacts. Other operational impacts in this regard are not anticipated to be significant.</p>	<p>No</p>
<p>1.6 Will the project lead to risks of contamination of land or water from releases of pollutants onto the ground or into surface waters, groundwater, coastal waters or the sea?</p>	<p>Operation of the standard measures listed in a Construction Environmental Management Plan, will satisfactorily mitigate emissions from spillages during construction and operation. The operational development will connect to mains services and discharge surface waters only after passing through and SUDS. Surface water drainage will be separate to foul services within the site.</p>	<p>No</p>


<p>1.7 Will the project cause noise and vibration or release of light, heat, energy or electromagnetic radiation?</p>	<p>There is potential for construction activity to give rise to noise and vibration emissions. Such emissions will be localised and short term in nature, and their impacts would be suitably mitigated by the operation of standard measures listed in the Construction Environmental Management Plan.</p>	<p>No</p>
<p>1.8 Will there be any risks to human health, for example due to water contamination or air pollution?</p>	<p>Construction activity is likely to give rise to dust emissions. Such construction impacts would be temporary and localised in nature and the application of standard measures within the Construction Environmental Management Plan would satisfactorily address potential risks on human health. No significant operational impacts are anticipated for the piped water supplies in the area.</p>	<p>No</p>
<p>1.9 Will there be any risk of major accidents that could affect human health or the environment?</p>	<p>No significant risk is predicted having regard to the nature and scale of the development. Any risk arising from demolition and construction will be localised and temporary in nature. The site is not at risk of flooding.</p>	<p>No</p>
<p>1.10 Will the project affect the social environment (population, employment)</p>	<p>Development of this site would result in an increase in population in this area. The development would provide housing that would serve towards meeting an anticipated demand in the area.</p>	<p>No</p>
<p>1.11 Is the project part of a wider large scale change that could result in cumulative effects on the environment?</p>	<p>No</p>	<p>No</p>
<p>2. Location of proposed development</p>		
<p>2.1 Is the proposed development located on, in, adjoining or have the potential to impact on any of the following: a) European site (SAC/ SPA/ pSAC/ pSPA) b) NHA/ pNHA</p>	<p>The nearest European sites are listed in Section 5.5 of this report. Protected habitats or habitats suitable for substantive habituating of the site by protected species were not found on site during ecological surveys. The</p>	<p>No</p>

<ul style="list-style-type: none"> c) Designated Nature Reserve d) Designated refuge for flora or fauna e) Place, site or feature of ecological interest, the preservation/conservation/ protection of which is an objective of a development plan/ LAP/ draft plan or variation of a plan 	proposed development would not result in significant impacts to any protected sites, including those downstream	
2.2 Could any protected, important or sensitive species of flora or fauna which use areas on or around the site, for example: for breeding, nesting, foraging, resting, over-wintering, or migration, be significantly affected by the project?	The proposed development would not result in significant impacts to protected, important or sensitive species	No
2.3 Are there any other features of landscape, historic, archaeological, or cultural importance that could be affected?	No evidence of archaeological features on the site	No
2.4 Are there any areas on/around the location which contain important, high quality or scarce resources which could be affected by the project, for example: forestry, agriculture, water/coastal, fisheries, minerals?	No such features are in this urban location, with the site separated from agricultural areas by intervening urban lands and road infrastructure	No
2.5 Are there any water resources including surface waters, for example: rivers, lakes/ponds, coastal or groundwaters which could be affected by the project, particularly in terms of their volume and flood risk?	The development will implement SUDS measures to control surface water run-off. The development would not increase risk of flooding to downstream areas with surface water to discharge at greenfield runoff rates. No surface water features in the vicinity of the site.	No
2.6 Is the location susceptible to subsidence, landslides or erosion?	No	No
2.7 Are there any key transport routes(eg National primary Roads) on or around the location which are susceptible to congestion or which cause environmental problems, which could be affected by the project?	The site is served by a local road network. There are sustainable transport options available for future residents. No significant contribution to traffic congestion is anticipated to arise from the proposed development.	No
2.8 Are there existing sensitive land uses or community facilities (such as hospitals, schools etc) which could be significantly affected by the project?	The site is in close proximity to a hospital and schools. However there is no negative impact anticipated as a result of the proposal.	No

3. Any other factors that should be considered which could lead to environmental impacts

3.1 Cumulative Effects: Could this project together with existing and/or approved development result in cumulative effects during the construction/operation phase?	No existing or permitted developments have been identified in the immediate vicinity that would give rise to significant cumulative environmental effects with the subject project.	No
3.2 Transboundary Effects: Is the project likely to lead to transboundary effects?	No	No
3.3 Are there any other relevant considerations?	No	No

C. CONCLUSION

No real likelihood of significant effects on the environment.	Agreed <input checked="" type="checkbox"/>	EIAR Not Required
Real likelihood of significant effects on the environment.	<input type="checkbox"/>	

D. MAIN REASONS AND CONSIDERATIONS

Having regard to

- the nature and scale of the proposed development, which is below the threshold in respect of classes 10(b)(i), 10(b)(iv) and 14 of Part 2 to Schedule 5 of the Planning and Development Regulations 2001-2022;
- the location of the site un an established city centre area
- the nature of the existing site and the pattern of development in the surrounding area;
- the availability of mains water and wastewater services to serve the proposed development;
- the guidance set out in the 'Environmental Impact Assessment (EIA) Guidance for Consent Authorities regarding Sub-threshold Development', issued by the Department of the Environment, Heritage and Local Government (2003);
- the criteria set out in Schedule 7 of the Planning and Development Regulations 2001, as revised, and;
- the features and measures proposed by the applicant that are envisaged to avoid or prevent what might otherwise be significant effects on the environment, including measures identified to be provided as part of the project Demolition Plan and the Ecology Reports.

It is considered that the proposed development would not be likely to have significant effects on the environment and that the preparation and submission of an environmental impact assessment report would not, therefore, be required.

Inspector _____

Date _____

Approved (DP/ADP) _____

Date _____