



An
Coimisiún
Pleanála

Inspector's Report ABP-321345-24

Development	Construction of 25 apartments and all associated site works.
Location	Rhebogue Road, Drominbeg Road, Rhebogue, Limerick City
Planning Authority	Limerick City and County Council
Planning Authority Reg. Ref.	2460713
Applicant(s)	Silvergrove Developments Limited.
Type of Application	Permission.
Planning Authority Decision	Grant
Type of Appeal	Third Party
Appellant(s)	Alan Curly Marian France Plassey Trust Company
Observer(s)	None.
Date of Site Inspection	23 rd September 2025
Inspector	Jennifer McQuaid

Contents

1.0 Site Location and Description	4
2.0 Proposed Development	4
3.0 Planning Authority Decision	4
3.1. Decision	4
3.2. Planning Authority Reports	4
3.3. Prescribed Bodies	7
3.4. Third Party Observations	7
4.0 Planning History	7
5.0 Policy Context	8
5.1. Development Plan	8
5.2. National and Regional Policy	14
5.3. Natural Heritage Designations	14
5.4. EIA Screening	15
6.0 The Appeal	15
6.1. Grounds of Appeal	15
6.2. Applicant Response	17
6.3. Planning Authority Response	19
6.4. Observations	19
6.5. Further Responses	19
7.0 Assessment	19
8.0 AA Screening	29
9.0 Water Framework Directive	30
10.0 Recommendation	31

11.0	Reasons and Considerations.....	31
12.0	Conditions	31
	Appendix A: Form 1 - EIA Pre-Screening	40
	Appendix A: Form 2 - EIA Preliminary Examination.....	42
	Appendix B: Water Framework Directive Screening	44
	Appendix C: Screening Determination.....	50

1.0 Site Location and Description

- 1.1. The subject site (0.243ha) is a corner brownfield/infill site adjacent to the entrance of Drominbeg Estate on the Drominbeg road. The subject site is located within the residential area of Rhebogue. The site is bound by 3 no. two storey dwelling to the north, a single storey dwelling is located to the east. Rhebogue Road is located to the south and Drominbeg estate road is located to the west with two storey terrace dwellings on the other side of the estate road.

2.0 Proposed Development

- 2.1. The proposed development consists of:
- 25 no. apartments (10no. 1 bed, 15no. 2 bed) suitable for older persons and/or persons with disabilities.
 - All ancillary site works.

3.0 Planning Authority Decision

3.1. Decision

Grant subject to 17 conditions.

3.2. Planning Authority Reports

3.2.1. Planning Reports

- The site is zoned as “New Residential”. The proposal for an apartment complex for older peoples or persons with disabilities is considered in line with the zoning objectives and therefore the principle is considered acceptable.
- The drawings submitted are incorrect, the elevation drawings to not match the floor plans, elevations indicate three storeys along the east boundary while the floor plans illustrate two storeys. Further information required.
- The development is described as suitable for older person or persons with disabilities. The Operational Management Plan notes that the development

will be carried out by an Approved Housing Body who will be in charge of the management of the development once constructed.

- The site is located within Density Zone 2: Intermediate Urban Locations/Transport Corridors. The site is more than 800m from the University of Limerick, it is within the 500m buffer of a proposed 10m high frequency bus service as set out in the National Transport Authority's new bus network for Limerick. Furthermore, both the 304 Ballycummin-UL and 304A Raheen UHL-UL bus routes stop (700m from the subject site) at the Parkway Retail Park and Shopping Centre which connects Rhebogue with the City Centre, UL and Raheen. The 304A also stops on the Dublin Road close to the existing petrol station and which is approximately 500m on foot from the subject site. In regard to the Compact Settlement Guidelines, the site could fall within City-Urban Neighbourhood as the site has good access to employment, education and institutional uses and public transport, the density range of 50-200dph could be considered. The site could fall in City-Suburban/Urban Extension category as it is accessible suburban/urban extension location as defined as lands within 500 metres (i.e. Up to 5–6-minute walk) of existing or planned high frequency (i.e. 10-minute peak hour frequency) urban bus services. The subject site is within 500m of a planned high frequency urban bus service. Therefore, the proposed density of 103 dwellings per hectare is considered acceptable.
- In regard to sunlight/daylight, it is noted that there will be some impact on nearby properties, but these are considered minor.
- Concerns are noted in relation to removal of trees along the west boundary of the site. Trees are to be planted within the courtyard and throughout the site which are considered to compensate for the trees removed.
- 10 car parking spaces are proposed and considered acceptable as the intended use is for elderly people/people with disabilities. A total of 34 are required as per CDP, but it is noted that for building refurbishment schemes on sites of any size or urban infill schemes on sites of up to 0.25ha, car parking provision may be relaxed in part or whole, on a case-by-case basis, subject to the overall design quality and location.

- Further information requested in relation to Japanese Knotweed on site.

Further information Report

- Further information submitted and adequately addressed.
- The proposal aligns with national policy frameworks, Limerick's zoning and growth strategies, and addresses the urgent need for increased housing availability, making it an essential component of the city's sustainable urban expansion and response to the housing crisis.

3.2.2. Other Technical Reports

- Strategy & Non LA Housing Construction: Preliminary Part V agreement on 11th June 2024. 5 no. unit will be transferred.
- Fire & Emergency Services: No objection subject to appropriate certificates and compliance with building regulations.
- Roads: Further Information requested in relation to access, road markings, pedestrian crossings, tactile paving, road design to traditional road materials, parking spaces shall be permeable paving, footpaths, swept path analysis for refuse vehicles and fire tender, EV charging spaces, house numbers, longitudinal road sections, utility services, lighting, services and surface water management. Further information submitted, no objection subject to conditions.

3.2.3. Conditions

- Condition 4: The management and maintenance of the scheme following its completion shall be the responsibility of an Approved Housing Body. Prior to commencement of development the applicant shall submit confirmation of the intended Approved Housing Body and a management scheme providing adequate measures for the future maintenance of the apartment scheme, roads, bin storage, car parking spaces, bicycle spaces and communal areas shall be submitted to, and agreed in writing with, the Planning Authority.

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

3.3. Prescribed Bodies

- Uisce Eireann: No objection in principle.

3.4. Third Party Observations

A number of observations were received from local residents. The following concerns were raised:

- Out of character with the area, design, bulk, building line, height, no lift
- Density
- Traffic & lack of parking & disability parking
- Excess social housing
- Noise pollution & Impact of construction traffic.
- Presence of Japanese Knotweed, removal of mature trees.
- Antisocial behaviours associated with student population
- Lack of open space in the proposal and surrounding area
- Existing infrastructure is unable to cater for the development
- Devaluation of property
- History of unauthorised development
- Overlooking of adjacent property
- Lack of clarity of development being suitable for older persons

4.0 Planning History

PA Reg: 08770154: Permission granted to demolish dwelling and construct 2no. apartment blocks containing 15 no. apartments.

Adjacent site:

ABP – 319535-24: Referral – change of use from residential to student accommodation is development and is not exempted development.

PA Reg: 2360719: Permission refused for retention of a revised site boundary line and all associated site works. Previous permission P17/800.

On the basis of the planning history of the site and the submissions made in connection with the application, the Planning Authority is not satisfied that a material change of use has not occurred on the site. It appears to the Planning Authority that the proposed development relates to a site, the use of which is considered unauthorised for use as student accommodation. The retention of works associated would facilitate this unauthorised use and therefore the Planning Authority are not disposed to granting permission.

ABP -300188-17 (PA Reg: 17800): Permission granted for 17 no. dwellings and all associated site works.

5.0 Policy Context

5.1. Development Plan

Limerick City and County Development Plan 2022-2028 (CDP)

The site is zoned as New Residential. The objective is to provide for new residential development in tandem with the provision of social and physical infrastructure.

Purpose: This zone is intended primarily for new high quality housing development, including the provision of high-quality, professional managed and purpose built third level student accommodation. The quality and mix of residential areas and the servicing of lands will be a priority to support balanced communities. New housing and infill developments should include a mix of housing types, sizes and tenures, to cater for all members of society. Design should be complimentary to the surroundings and should not adversely impact on the amenity of adjoining residents. These areas require high levels of accessibility, including pedestrian, cyclists and public transport (where feasible).

This zone may include a range of other uses particularly those that have the potential to facilitate the development of new residential communities such as open space, schools, childcare facilities, doctor's surgeries and playing fields etc.

Chapter 2 refers to Core Strategy

Section 2.3.5.2 refers to Density

Density Zone 2: Intermediate Urban Locations/Transport Corridors:

A minimum net density of 45+ dwelling units per hectare are required at appropriate locations within:

- 800 metres of (i) the University Hospital; (ii) Raheen Business Park; (iii) National Technology Park; (iv) University of Limerick; (v) Technological University of the Shannon; (vi) Mary Immaculate College.
- 500m of high frequency (min. 10-minute peak hour frequency) existing or proposed urban bus services and.
- 400m of reasonably frequent (min. 15-minute peak hour frequency) urban bus services.

Section 2.7 refers to Core Strategy Policies and Objectives

Chapter 3 relates to Spatial Strategy

Objective CGR 03 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 as 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.

- e) Require owners of urban sites, in instances where phased development is proposed, or where such land adjoins other undeveloped, zoned land in third party ownership, to develop a masterplan for the coherent and sustainable development of such lands, addressing issues of the sustainable use of available lands, preservation of existing residential amenity, access, urban design and connectivity. These Masterplans shall set out the framework for the sustainable, phased and managed development of a particular area. The Masterplan should include the written consent of all landowners, where applicable, a conceptual layout, infrastructure proposals including any consultation with service providers and phasing details. The Masterplan should clearly detail how adjoining undeveloped, zoned land in third party ownership, can be accessed and serviced in an integrated and coherent manner.

Objective CGR 09 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.

Section 3.4.2.5 refers to Urban Character Area Objectives.

Table 3.2 refers to Urban Character and Objectives. The subject site is in area UCA O2 – Surrounding Suburban Area – This area covers the suburbs immediately adjoining the Inner-City Area to the north, south and east. It encompasses the neighbourhoods of Ballysimon, Garryowen, Singland, Rhebogue, Corbally, King's Island, Janesboro, South Circular Road/Ballinacurra and Southill. This area is substantially residential in character with a range of services. Specific Objectives are Infill and brownfield development patterns to be favoured. Building Height Strategy to inform design of higher buildings.

Chapter 4 relates to Housing

Section 4.2.4 refers to Residential Density

Objective HO O2 Density of Residential Developments

It is an objective of the Council to:

- a) Promote, where appropriate, increased residential density in the exercise of its development management function and in accordance with Table 2.6 Density Assumptions per Settlement Hierarchy in Chapter 2: Core Strategy and the Sustainable Residential Development in Urban Areas Guidelines for Planning Authorities and the accompanying Urban Design Manual, DEHLG, May 2009.

- b) Encourage increased densities that contribute to the enhancement of a town or village by reinforcing street patterns or assisting in re-development of backland and centrally located brownfield sites.

Section 4.2.7 refers to Apartments

Objective HO 05 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 can be provided, close to locations of employment and a range of urban amenities including parks/waterfronts, shopping and other services.

Section 4.2.11 refers to Housing for Older People.

Objective HO O9 refers to Support Housing Options for Older People

It is an objective of the Council to:

- a) Support the provision of specific purpose-built accommodation, including assisted living units and lifetime housing and adaption of existing properties, which will include opportunities for “downsizing” or “right sizing” within their community.
- b) Support the concept of independent living for older people within their community and ensure, where possible that such accommodation is integrated with mainstream housing.

Section 4.2.15 refers to Social Housing

Objective HO O3 Provision of Social and Affordable Housing

It is an objective of the Council to require lands zoned for residential use, or for a mixture of residential and other uses and any land which is not zoned for residential use, or for a mixture of residential and other uses, in respect of which permission for the development of 4 or more houses is granted, to comply with the Affordable Housing Act 2021 and Part V of the Planning and Development Act 2000 (as amended) and any subsequent amendments thereof. The Council reserves the right to determine the appropriateness of “Part V” Cost Rental and/or affordable purchase delivery on individual sites on a case-by-case basis.

Chapter 7 refers to Sustainable Mobility and Transport.

Policy TR P7 Sustainable Travel and Transport

It is a policy of the Council to support, facilitate and co-operate with relevant agencies to secure sustainable travel within Limerick and seek to implement the 10-minute city/town concept, promote compact growth and reduce the need for long distance travel, as a means to reduce the impact of climate change.

Chapter 11 refers to Development Management Standards

Section 11.1.3 refers to Building Heights

Table DM 2 refers to Open Space Hierarchy within Residential Estates

Section 11.3.8 refers to Landscaping

Section 11.3.9 refers to Trees

Section 11.3.11 refers to SuDS

Section 11.3.12 refers to Noise

Section 11.4.1 refers to Apartment Developments

Section 11.4.2.3 Aspect and Natural Light

Section 11.8 refers to Transport and Infrastructure

Section 11.8.3 refers to Car and Bicycle Parking Standards

Table DM9(a) refers to Car and Bicycle parking standards.

Car parking standards

Zone 1 = 0.5 spaces per 1-2 bedroom apartments

Zone 2 = 1 spaces per 1-2 bedroom apartments

Visitor 1 space per 3 units.

Bicycle parking

Zone 1 = 1 space per unit. Visitor 1 space per 2 units.

Zone 2 = 1 space per unit. Visitor 1 space per 2 units.

Infill development and building refurbishment

For building refurbishment schemes on sites of any size or urban infill schemes on sites of up to 0.25ha, car parking provision may be relaxed in part or whole, on a case-by-case basis, subject to overall design quality and location.

5.2. National and Regional Policy

- National Planning Framework – Project Ireland 2040.
- Sustainable Urban Housing: Design Standards for New Apartments Guidelines for Planning Authorities (2023)
- Sustainable Residential Development and Compact Settlement Guidelines for Planning Authorities (2024)
- BRE Guidelines (BR 209) - Site Layout Planning for Daylight and Sunlight: A Guide to Good Practice (2022).
- Urban Development and Building Heights – Guidelines for Planning Authorities (2018).
- Design Manual for Urban Roads and Streets (DMURS) (2019).

5.3. Natural Heritage Designations

The site is not located within a protected site. The nearest protected sites are:

- Lower River Shannon SAC (site code: 002165) is located approximately 400 metres to the north of the subject site.
- Fergus Estuary and Inner Shannon, North Shore pNHA (site code: 002048) are located approximately 1.74km northwest of the subject site.
- River Shannon and River Fergus Estuaries SPA (site code: 004077) is located 2.3km west of the subject site.
- Woodcock Hill Bog NHA (site code: 002402) is located approximately 8km northwest of the subject site.
- Glenmora Wood SAC (site code: 001013) is located approximately 10km north of the subject site.

5.4. EIA Screening

- 5.4.1. The proposed development has been subject to preliminary examination for environmental impact assessment (refer to Form 1 and Form 2, in the Appendices of this report). Having regard to the characteristics and location of the proposed development and the types and characteristics of the potential impacts, it is considered that there is no real likelihood of significant effects on the environment. The proposed development, therefore, does not trigger a requirement for environmental impact assessment screening and an EIAR is not required.

6.0 The Appeal

6.1. Grounds of Appeal

The grounds of appeal have been received from local residents. The following concerns were raised:

- Visual Impact: the character of the area is one/two storey, the proposed development of high rise with dense configuration with flat roof horizontal lines is not in keeping with the area's established character. The proposed development is too close to the estate road and offers no room to landscape or soften the development. The proposed development should reflect the existing dwelling constructed in the adjoining Drominbeg Square. The dwellings opposite the site are built on a hill and it is ridiculous to state that the proposed height of the new development is in keeping with those dwelling adjacent. The highest part of the building fronts onto Rhebogue Road and will have a very detrimental impact on the established streetscape in Rhebogue.
- Construction traffic: The construction traffic is proposed via an established development to the north and should be directly of the adjacent road.
- Car parking: 10 spaces proposed for development that consists of 25 apartments. The proposal can accommodate up to 50 persons and no car parking identified for staff or management of the complex. No disability car parking.

- **Planning Policy:** The proposal is not in line with zoning objectives due to lack of proximity to transport services. The site is not located within Density Zone 2 it is Density Zone 3 as the site is more than 2.6km from the University of Limerick and is not within the 500m buffer zone of a proposed 10minute high frequency bus service as set out in the National Transport Authority's new bus network for Limerick. The Planner deemed the site as "accessible" suburban/urban extension which is defined as lands within 500 metres (i.e. Up to 5-6 minute walk) of existing or planned high frequency (i.e. 10 minute peak hour frequency) urban bus services. The density of 103 units per hectare is unacceptable.
- **Design and Layout:** The proposal is not suitable for older persons or persons with disabilities due to lack of proximity to transport services, 20% of the apartments will be for social housing and not consisting of people with disabilities, lack of appropriate car parking, lack of lifts to serve first and second floors no usable private or public open space. The proposal does not consider the 20% allowance for social housing which could be children and as such no suitable open space or play area has been provided in accordance with the Compact Settlement Guidelines.
- **Sunlight/daylight** will be seriously impacted on the adjacent bungalow. The privacy report relies on the maturity of trees to protect privacy
- **Landscaping:** the existing trees shall be retained. Japanese Knotweed potentially on site and the Planning Authority ignored this issue.
- **Noise:** No noise limits in place in regard to late night/anti-social behaviour at the roof top terrace. The Planner incorrectly assumes that the terrace will only be accessible during the daytime hours and no mention of a fulltime 24-hour management present on site.
- **Social Housing:** Drominbeg already has up to 30% social housing. This level combined with the proposed social housing is not the aim of sustainable development and integration of various class levels.
- **End user of the site:** The site description states being "suitable for older persons and/or persons with disabilities". No details as to whether this will be

the end use. The proposal is supposed to be carried out by an Approved Housing Body?

- Failure of previous developments: Silvergrove Developments Ltd failed to adhere to the requirements of previous planning under P17/800 and subsequent An Bord Pleanála ABP-300188-17. Unauthorised works carried out including the change of use from social housing to student village, foundations changed from strip to raft foundations, site was not monitored for Japanese Knotweed, removal of solar power provision, new wall (adjacent to No. 64 Dromroe) is 3.5m, the previous existing wall was only 2metres in height, other walls increased in height without structural assessments. The applicant applied for retention of the various changes by was refused under planning P23/60719. The Planning Authority has the right to refuse permission where it is proven beyond doubt that the developer has breached previous grant of planning permission and have also carried out unauthorised development without planning permission in place.
- Previous Permission: Previous planning P08/770154 was much more suitable for the subject site.

6.2. Applicant Response

The applicant has responded and made the following comments:

- Two of the applicants do not live within close proximity to the proposed development. No objection raised from the property to the east.
- The proposal is consistent with National Planning Guidelines and local policy objectives in the Limerick County Development Plan 2022-2028.
- The site is an infill site and is an “urban neighbourhood” of Metropolitan cities such as Limerick City and a density range of 50-200dph (net) is considered acceptable and in accordance with the Compact Settlement Guidelines.
- There are several bus stops within a 12 minute/1000m accessible area. The closest bus stop is along the Dublin Road which is around 550 from the subject site.
- The proposed units have been designed in accordance with Sustainable Urban Housing: Design Standards for New Apartments Guidelines. The

applicant has demonstrated the availability and proximity of local services and amenities in the Social Infrastructure Audit.

- The building height and car parking are in accordance with the relevant guidelines.
- The intended end user is specified in the description of the proposed development.
- There is no Japanese knotweed on site as reported in the “Site inspection Report” prepared by Connacht Weed Control Invasive Vegetation & Weed Control Specialists.
- The applicant refutes the claims of non-compliance or unauthorised development on other sites. In regard to the boundary wall, this is in relation to PA ref: 17800, this is a separate site to the proposed development. The applicant made numerous attempts to remedy the matter in 2023 in the form of a planning application (PA ref: 2360719). The refusal was unrelated to the technical detail of the boundary design. The Section 5 referral is unrelated to the planning application.
- The design is in keeping with the urban environment, land use zoning and policy context, the site is infill and can achieve consolidated compact growth in inner urban areas promoted in national and local policy. The design, orientation and layout of the development, and the dual frontage design presents the capacity for the introduction of increased building height. The proposal represents a balanced approach to delivery of own-door housing and the practical provision of tenure diversification within an existing urban neighbourhood.
- Permission was previously granted for two blocks in 3 storey in height for 15 no. apartments under planning reference 08770154. A four-storey block for 16 apartments was permitted on the Old Dublin Road under planning reference 207017, c. 700m southeast of the subject site.
- Traffic during construction will be dealt with through the Construction Environmental Management Plan, no abnormal construction traffic envisaged.
- Car parking is in compliance with national and local policy.

- The internal courtyard will be used as functional amenity space for the proposed development. The western part of the site onto Drominbeg is part of the site and within the legal interest of the applicant.

6.3. Planning Authority Response

- No further comments to make outside that of the assessment of planning application 24/60713.

6.4. Observations

- None

6.5. Further Responses

- None

7.0 Assessment

7.1. Having examined the application details and all other documentation on file, including all of the submissions received in relation to the appeal, the report/s of the local authority, and having inspected the site, and having regard to the relevant local/regional/national policies and guidance, I consider that the substantive issues in this appeal to be considered are as follows:

- Principle of Development/Density
- Visual Impact
- Design & Layout
- Residential Amenity including noise & overlooking
- Traffic including car parking and construction
- Other issues – history, social housing, landscaping, Japanese knotweed
- Appropriate Assessment
- Water Framework Directive

7.2. Principle of Development/density

- 7.3. The subject site is zoned as “New Residential” and located within 2km of Limerick City Centre. The site is recognised as Level 1 Settlement Hierarchy for Limerick City and Suburbs and within Density Zone 2: Intermediate Urban Locations/Transport Corridors.
- 7.4. The grounds of appeal state that the proposal is not in line with zoning objectives due to lack of proximity to transport services. The site is not located within Density Zone 2 it is Density Zone 3 as the site is more than 2.6km from the University of Limerick and is not within the 500m buffer zone of a proposed 10minute high frequency bus service as set out in the National Transport Authority’s new bus network for Limerick. The Planner deemed the site as “accessible” suburban/urban extension which is defined as lands within 500 metres (Ie. Up to 5–6-minute walk) of existing or planned high frequency (i.e. 10 minute peak hour frequency) urban bus services. The density of 103 units per hectare is unacceptable.
- 7.5. I note the site is zoned as “new residential”, and the location of the subject site as per Map 1 (Volume 2a of the CDP) indicates the subject site is within 2km of Limerick City Centre. Map 4 (Volume 2a of the CDP) refers to density and indicates the subject site as within 45+ density. As per Volume 2 Settlement Capacity Audit of the CDP, the subject site is recognised as Tier 1 serviced site (site 49 indicated on map 1). I recognise the site is located within Density Zone 2: Intermediate Urban Locations/Transport Corridors and it further states density of 45+ is required at appropriate locations within 800 metres of (i) the University Hospital; (ii) Raheen Business Park; (iii) National Technology Park; (iv) University of Limerick; (v) Technological University of the Shannon; (vi) Mary Immaculate College; 500m of high frequency (min. 10-minute peak hour frequency) existing or proposed urban bus services and 400m of reasonably frequent (min. 15-minute peak hour frequency) urban bus services. I note the subject site is more than 800 metres from the listed locations above, but the subject site is within the 500m buffer of a proposed 10-minute high frequency bus service as set out in the National Transport Authority’s new bus network for Limerick. The subject site is within 700m from 2 bus stops (304 Ballycummin-UL and the 304A Raheen UHL-UL bus routes) at Parkway Retail Park and Shopping Centre which connects the subject site with City Centre, UL and Raheen. The 304A also stops on the Dublin Road which is approximately 500m on

foot from the subject site. Therefore, I consider a density of 45+ is appropriate at this location.

- 7.6. I have reviewed the Compact Settlement Guidelines and Table 3.2 refers to Area and Density Ranges Limerick, Galway and Waterford City and Suburbs. I consider the subject site could be considered within the City-Suburban/Urban Extension category. The subject site is a low-density car orientated residential area constructed on the edge of the city in the latter 20th and early 21st century, while urban extension refers to greenfield lands at the edge of the existing built-up footprint that are zoned for residential or mixed-use (including residential) development. It is a policy and objective of the Compact Settlement Guidelines that residential densities in the range 35dph to 50dph(net) shall generally be applied at suburban and urban extension locations in Limerick, Galway and Waterford, and that densities of up to 100dph (net) shall be open for consideration at “accessible” suburban/urban extension locations (as defined in Table 3.8).
- 7.7. I have assessed the subject site in terms of “accessibility”, and I considered that the site is at an “accessible” suburban/urban extension location. An “accessible” suburban/urban extension location is defined as lands within 500 metres (i.e. up to 5–6-minute walk) of existing or planned high frequency (i.e. 10-minute peak hour frequency) urban bus services. The site is within 500m of a planned high frequency urban bus service as set out in the National Transport Authority’s new bus network for Limerick. The applicant has proposed a density of 103dph (net), this is slightly above the 100dph (net) recommended for this category, however, I consider given the infill nature of the site the location within 2km of Limerick City Centre along with the proposed high frequency bus service and the existing bus services, it is in my opinion that a density of 103dph (net) is appropriate for this location and in accordance with the Compact Settlement Guidelines.
- 7.8. I have reviewed the Planner’s report, and I note the Planner cited the subject site could also be considered as within category City-Urban Neighbourhoods of the Compact Settlement Guidelines. This category includes: (i) the compact medium density residential neighbourhoods around the city centre that have evolved over time to include a greater range of land uses, (ii) strategic and sustainable development locations; and (iii) lands around existing or planned high-capacity public transport nodes or interchanges (defined in Table 3.8) – all in the city and suburbs

area. These are highly accessible urban locations with good access to employment, education and institutional uses and public transport. It is the policy and objective of these Guidelines that residential densities in the range 50dph to 200dph (net) shall generally be applied in urban neighbourhoods of Limerick, Galway and Waterford. I consider City-Suburban/Urban Extension is a more appropriate category for the subject site, as the subject site is not within a compact medium density residential neighbourhoods around the city centre which has evolved over time to include a greater range of land uses or within a strategic and sustainable development location. In this regard, it is my opinion that City-Suburban/Urban Extension category is more appropriate for the subject site location.

7.9. The applicant has proposed a density of 102 units per hectare (net) on a site area of 0.243ha. I consider the proposed density is minimal higher than that recommended in the Compact Settlement Guidelines which allow a density in the range of up to 100dph (net) at “accessible” locations. I consider that the site will be within an accessible location due to the planned Core Bus Corridor within 500 metres walking distance of the subject site. (Bus Connect Corridor are currently underway).

7.10. Having regard to the subject site zoned as New Residential, the location of the subject site within 2km of Limerick City Centre, the proposed 10-minute-high frequency bus connect corridor proposed within 500 metres walking distance of the subject site, I consider the proposed density of 102dph (net) is in accordance with the CDP and the Compact Settlement Guidelines.

7.11. **Visual impact**

7.12. The subject site is surrounded by existing two storey dwellings, a single storey dwelling is located immediately to the east of the subject site. The surrounding area to the south rises and two storey dwellings are located on this elevated site.

7.13. The grounds of appeal state the character of the area is one/two storey, the proposed development of high rise with dense configuration with flat roof horizontal lines is not in keeping with the area’s established character. The proposed development should reflect the existing dwellings constructed in the adjoining Drominbeg Square. The dwellings opposite the site are built on a hill and it is ridiculous to state that the proposed height of the new development is in keeping with those dwelling adjacent. The highest part of the building fronts onto Rhebogoue

Road and will have a very detrimental impact on the established streetscape in Rhebogue.

- 7.14. I note the location of the subject site within a residential area and surrounded by two storey dwellings and a bungalow to the east. I note that opposite the subject site, the topography rises, and the existing two storey dwellings are located at a higher level on the south of Rhebogue Road compared to the dwellings on the north side of Rhebogue Road. The dwellings on the south side of Rhebogue Road have a ridge height of approximately 22m, the proposed development has a lower ridge height of 14.525m to the north and rises to 17.3m at the highest point for the three storey elements. The existing two storey dwellings to the north have a ridge height of 15.3m. I have reviewed the contiguous elevation drawings submitted and I considered due to the overall design, whereby the proposed building is stepped with two and three storey sections, will ensure that the proposed development sits well within the existing character of the area and has similar ridge height to the dwelling opposite the subject site.
- 7.15. In addition, the applicant has carried out Verified Views and CGIs from three different locations around the subject site, V1 is taken from the north looking south towards the subject site, V2 is taken from the east along Rhebogue Road looking northwest towards the subject site. V3 is taken from the west along Rhebogue Road looking northeast towards the subject site. I consider the Verified Views and CGIs illustrate that the proposed development will integrate with the surrounding area and provide a strong road frontage along Rhebogue Road.
- 7.16. Having regard to the location of the proposed development within an infill site on a corner site within a residential area, I consider the overall design, and layout is in keeping with the surrounding area and will not negatively impact the visual amenity or character setting of the area.
- 7.17. **Design & Layout**
- 7.18. The proposed development is designed to provide a strong street frontage; the proposal is developed to the south of the site and providing a U-shaped development at the corner of the subject site. A communal courtyard garden is proposed in the centre of the proposed development.

- 7.19. The grounds of appeal states there are a lack of lifts to serve first and second floors, no usable private or public open space. The proposal does not consider the 20% allowance for social housing which could be children and as such no suitable open space or play area has been provided in accordance with the Compact Settlement Guidelines.
- 7.20. I have assessed the proposed development, and I note the applicant is providing public open space in the centre of the development as a courtyard of 280sqm which is accessible to all residents. This courtyard is slightly above the 10% public open space required for brownfield sites or infill sites as per section 11.3.6 Open Space Requirements of the CDP. In addition, Policy and objective 5.1-Public Open Space of the Compact Settlement Guidelines state the requirement for public open space shall be not less than a minimum of 10% of net site area and not more than a minimum of 15% of net site area. Therefore, the public open space provided is in accordance with the CDP and the Compact Settlement Guidelines.
- 7.21. The Apartment Guidelines (2022) require communal open space, this can be provided by way of roof garden which must be accessible to residents, subject to requirements such as safe access by children. There is a communal roof terrace proposed at 2nd floor along the Rhebogue Road elevation. The apartment guidelines require 146sqm of communal open space and the applicant has provided below this at 128.28sqm, however, the Apartment Guidelines, section 4.12 also states that for urban infill site of up to 0.25ha, communal amenity space may be relaxed in part or whole, on a case-by-case basis, subject to overall design quality. I consider given the public open space courtyard provided at ground floor level and the communal roof terrace, adequate public and communal open space has been provided for this infill site. I note the appellants raised concerns in relation to the potential end user which maybe families, however, given the overall nature of the proposed development for older persons and/or persons with disabilities, I consider the open space provided is adequate and complies with the LCDP and the Compact Settlement Guidelines and Apartment Guidelines.
- 7.22. In regard to the lifts, the Apartment Guidelines 2022, Specific Planning Policy Requirement 6 states a maximum of 12 apartments per floor per core may be provided in apartment schemes. This maximum provision maybe increased for building refurbishment schemes on sites of any size or urban infill schemes on sites

of up to 0.25ha, subject to overall design quality and compliance with building regulations. The proposed development has provided 1 staircase/lift core and an additional 2 stair cores to serve 25 apartments. 9 no. apartments are provided on the ground floor, 11 units on first floor, 5 units on second floor, therefore the proposed development and number of lifts required is in accordance with the Apartment Guidelines.

7.23. Having regard to the CDP, the Compact Settlement Guidelines and the Apartment Guidelines, it is in my opinion that the proposed development complies with the private open space requirements, the communal open space requirements and with the number of lifts required for each floor.

7.24. Residential Amenity including Noise, overlooking

7.25. The subject site is an infill, corner site, the Rhebogue Road is located to the southern boundary and Drominbeg Estate Road is located along the western boundary. There are three residential properties located to the north, a single storey dwelling is located to the east, terrace two storey dwellings are located to the west, and two storey dwellings are located to the south on an elevated site.

7.26. The grounds of appeal state that sunlight/daylight will seriously impact the adjacent bungalow. The privacy report relies on the maturity of trees to protect privacy. In addition, there are no noise limits in place in regard to late night/anti-social behaviour at the roof top terrace. The Planner incorrectly assumes that the terrace will only be accessible during the daytime hours and no mention of a fulltime 24-hour management present on site.

7.27. A Daylight and Sunlight Assessment Report was submitted by the applicant with the planning application. The assessment was carried out for the dwellings to the west, north and for the front garden space of the single storey dwelling to the east. The assessment is in compliance with BRE-Site Layout Planning for Daylight and Sunlight: A Guide to Good Practice (2022) and section 11.4.2.3 of the CDP Aspect and Natural Light which states appropriate levels of natural/daylight will be guided by the principles of Site Layout Planning for Daylight and Sunlight, A Guide to Good Practice (Building Research Establishment Report, 2011) and or any updated guidance. The assessment concluded that there will be some localized levels of impact on the neighbouring properties, however, the levels experienced are within

the compliance levels as set out in BRE-Site Layout Planning for Daylight and Sunlight Guidelines.

- 7.28. In relation to the adjacent bungalow to the east of the subject site, this property has a large front garden with driveway and private amenity space to the rear. It is in close proximity to the proposed development and inside the 3X building height criteria, however, it does not warrant assessment since none of its windows fall within the 25-degree window selection criteria. I note that the development does have an element of overshadowing on March 21st to the front of the property, but the development as proposed has no impact on the residential amenity of the garden to the rear. Therefore, I do not consider that any overshadowing will negatively impact the residential amenity of this property.
- 7.29. The appellant also raised concerns in relation to noise from the open terraces and queried if a management company will be in place. It is noted that the proposal will be used for older persons and or persons with disabilities. In addition, the apartments will be operated and managed by an Approved Housing Body. It is not anticipated that noise will be any greater than that experienced from a residential unit. In addition, given the separation distances to nearby properties, I do not consider that noise will negatively impact to residential amenity of the area.
- 7.30. Having regard to the location and separation distance of the adjacent properties, I do not consider that residential amenity in terms of overlooking, overshadowing or noise will be negatively impacted.
- 7.31. **Traffic including car parking and construction**
- 7.32. The subject site is located along a corner site with Rhebogue Road to the south and Drominbeg Road to the west. The applicant is proposing to access the site from the north of the site through an existing access road fronting three existing dwellings.
- 7.33. The grounds of appeal state the proposal has strong road frontage along its southern and western boundaries, and the construction traffic is proposed via an established development to the north. This was not addressed by the Council. In regard to car parking: only 10 spaces proposed for development that consists of 25 apartments. The proposal can accommodate up to 50 persons and no car parking identified for staff or management of the complex. No disability car parking. The proposal is not suitable for older persons or persons with disabilities due to lack of proximity to

transport services, 20% of the apartments will be for social housing and not consisting of people with disabilities.

- 7.34. I note the location of the proposed access point via an existing access road to the north of the subject site. I consider due to the design of the proposed development which provides a strong active road frontage along Rhebogue Road and Drominbeg Road, it is also more appropriate to utilise an existing approved access point to access the site rather than providing an additional entrance adjacent to the junction. I further note, this access has been partially constructed as part of the previous development of Drominbeg Square under planning reference 17800 (ABP: 300188-17). I have reviewed the site layout plan, and I note the applicant has provided pedestrian access via an entry lobby from the existing footpath along the Rhebogue Road. It is my opinion that the proposed access through an approved, partially constructed access is a safer option rather than providing another access point along Rhebogue Road.
- 7.35. In regard to car parking, I note the applicant has provided 10 car parking spaces, (2 are designated disabled spaces), a bike store for 15 and visitor bicycle parking. Planners report states 42 bike parking spaces provided (30 within the bike storage area, 6 visitors at entrance lobby and 6 visitors at car park) whereby in accordance with Table DM 9(a), Zone 2 of the CDP, the development shall provide 17 no. car parking spaces and 7 no. bicycle parking spaces. However, the CDP allows for a relaxation of the requirements (in part or whole, on a case-by-case basis) for small urban infill sites up to 0.25ha, the subject site is 0.243ha. Therefore, I consider the proposed car parking in consideration of the end user, is in accordance with the CDP.
- 7.36. Having regard to the location of the subject site along a junction with Rhebogue Road and Drominbeg Road and the permitted access route in the adjoining site to the north of the subject site I consider the proposed access is located at the most appropriate location and will not impact traffic safety in the area. In regard to the car parking, I consider given the proposed use of the site for older persons and/or persons with disabilities and given the size of the subject site below 0.25ha, the proposed car parking and bicycle parking provision are in accordance with Section 11.8.3 refers to Car and Bicycle Parking Standards and Table DM9(a) refers to Car and Bicycle parking standards of the CDP.

7.37. Other issues – history, social housing, landscaping, Japanese knotweed

7.38. Landscaping

7.39. The appellant has concerns regarding the existing trees which shall be retained and that the proposed development is too close to the estate road and offers too little room to landscape or soften the development. It is also noted that Japanese Knotweed is potentially on site and the Planning Authority ignored this issue.

7.40. I have reviewed the landscaping plan, and I note the applicant proposes to retain the hedgerow along the eastern boundary where possible and enhance with native hedging, shrub and tree planting across the site. I note there are existing mature trees along the western boundary, it proposes to remove these trees and trees will be planted throughout the site which I consider could be a compensatory measure. I consider due to the location of the existing trees along the western boundary and the height of these trees, a development in close proximity would not be feasible, therefore, the removal of these trees would be required in order to develop this small infill brownfield site.

7.41. The applicant has stated that the subject site was previously monitored by Connacht Weed Control, Invasive Vegetation + Weed Control Specialist for the adjacent site to the north but also included the subject site as it was used for construction compound. In addition, Connacht Weed Control were required to carry out further site investigations and the report concluded that the site is freed from Japanese knotweed materials. I have viewed the site, and I consider given my site inspection and the assessment submitted, that Japanese Knotweed is not a concern for the subject site.

7.42. Social Housing

7.43. The appellant has raised concerns in relation to the level of social Housing in the Drominbeg area. In accordance with Part V of the Planning and Development Act, 2000 as amended, 20% of a housing development must be allocated towards social/affordable housing. The proposed development will consist of five units. I consider the applicant has provided the required number of units in accordance with Part V of the Planning and Development Act, 2000, as amended.

7.44. Planning history

- 7.45. Failure of pervious developments: the appellant states Silvergrove Developments Ltd failed to adhere to the requirements of previous planning under P17/800 and subsequent An Bord Pleanála ABP-300188-17. Unauthorised works carried out including the change of use from social housing to student village, foundations changed from strip to raft foundations, site was not monitored for Japanese Knotweed, removal of solar power provision, new wall (adjacent to No. 64 Dromroe) is not 3.5m, the existing wall was only 2metres in height, other walls increased in height without structural assessments. The applicant did apply for retention of the various changes but was refused under planning P23/60719. Therefore, the appellant states the Planning Authority has the right to refuse permission where it is proven beyond doubt that the developer has breached previous grant of planning permission and have also carried out unauthorised development without planning permission in place.
- 7.46. I note the appellant has raised concerns in relation to past failures of the applicant on an adjacent development to the subject site. I have reviewed section 35 of the Planning and Development Act, 2000 as amended. It is the responsibility of the Planning Authority to determine if the person or company is not in compliance with the previous permission or with a condition to which the previous permission is subject, therefore it is not within the remit of the Commission to determine if the applicant has failed to comply with previous permission. The above assessment represents my de novo consideration of all planning issues material to the proposed development.

8.0 AA Screening

- 8.1. I have considered the proposed development in light of the requirements S177U of the Planning and Development Act 2000 as amended.

The proposed site is not located within a designated site, Lower River Shannon SAC (site code: 002165) is located approximately 400 metres to the north of the subject site.

The proposed development comprises the construction of 25 apartments and all associated site works. No nature conservation concerns were raised in the planning appeal.

Having considered the nature, scale and location of the project, I am satisfied that it can be eliminated from further assessment because it could not have any effect on a European Site.

The reason for this conclusion is as follows:

- Scale and size of the proposed development within an existing urban residential setting.
- Distance to the nearest European site at 400 metres to Lower River Shannon SAC (site code: 002165)
- The lack of pathways to the SAC.
- Connection to public water, public sewer and public drain.

I conclude, 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. Likely significant effects are excluded and therefore Appropriate Assessment (under Section 177V of the Planning and Development Act 2000) is not required.

9.0 Water Framework Directive

- 9.1. The subject site is located in the urban area of Rhebogue, Limerick City, Co. Limerick, Park Canel is located approximately 400 metres north of the subject site. River Shannon Lower is located approximately 500 metres to the northeast. The proposed development comprises 25 no. apartments with connections to public wastewater and water and surface water. No water deterioration concerns were raised in the planning appeal.

I have assessed the proposed development and have considered the objectives as set out in Article 4 of the Water Framework Directive which seeks to protect and, where necessary, restore surface & ground water waterbodies in order to reach good status (meaning both good chemical and good ecological status), and to prevent deterioration. 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 surface and/or groundwater water bodies either qualitatively or quantitatively. The reason for this conclusion is as follows.

- Scale and size of the proposed development within an urban zoned land
- Distance to the nearest waterbody at 400 metres north
- Connection to public water and public wastewater.

Taking into account WFD screening report I conclude that on the basis of objective information, that the proposed development will not result in a risk of deterioration on any water body (rivers, lakes, groundwaters, transitional and coastal) either qualitatively or quantitatively or on a temporary or permanent basis or otherwise jeopardise any water body in reaching its WFD objectives and consequently can be excluded from further assessment.

10.0 Recommendation

10.1. I recommend that planning permission should be granted, subject to conditions as set out below.

11.0 Reasons and Considerations

11.1. Having regard to the urban nature of the site within an existing residential site on lands zoned as “New Residential”, the policies and objectives as set out in the Limerick County Development Plan 2022-2028, the Sustainable Residential Development and Compact Settlement Guidelines for Planning Authorities (2024) and Sustainable Urban Housing Design Standards for New Apartments Guidelines for Planning Authorities (2022), it is considered, subject to compliance with conditions set out below, that the proposed development would not seriously injure residential amenity of the area, the character or the visual amenity of the area or the traffic safety of the area and would be acceptable in terms of design, layout and traffic safety. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

12.0 Conditions

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application, as amended by the further plans and particulars received by the planning authority on the 18th day of July

2024, except 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. The development hereby permitted shall only be occupied by older persons and/or persons with disabilities / learning difficulties, and for no other purpose, without a prior grant of planning permission for change of use.

Reason: In the interest of residential amenity and to limit the scope of the proposed development to that for which the application was made.

3. Details of the materials, colours and textures of all the external finishes to the proposed apartments shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interest of visual amenity and to ensure an appropriate high standard of development.

4. The management and maintenance of the scheme following its completion shall be the responsibility of an Approved Housing Body. Prior to the commencement of development, the applicant shall submit confirmation of the intended Approved Housing Body and a management scheme providing adequate measures for the future maintenance of the apartment scheme, roads, bin storage, car parking spaces, bicycle spaces and communal areas shall be submitted to, and agreed in writing with, the Planning Authority prior to commencement.

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

5. 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 the provision of housing on lands in accordance with the requirements of section 94(4) and section 96(2) and 96(3) (b), (Part V) of the Planning and Development Act 2000, as amended], unless an exemption certificate has been granted under section 97 of the Act, as amended. Where such an agreement cannot be reached between the parties, the matter in dispute (other than a matter to which section 96(7) applies) shall be referred by the planning authority or any other prospective party to the agreement, to An Coimisiún 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 for the area.

6. Site development and building works shall be carried out only between the hours of 0700 to 1900 Mondays to Friday inclusive, between 0800 to 1400 hours 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.

7. Proposals for an estate/street name, apartment numbering scheme and associated signage shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. Thereafter, all estate and street signs, and apartment numbers, shall be provided in accordance with the agreed scheme. The proposed name(s) shall be based

on local Irish townlands, place names or features. No advertisements/marketing signage relating to the name(s) of the development 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 placenames for new residential areas.

8. The areas of public open space shown on the lodged plans shall be reserved for such use. These areas shall be levelled, soiled, seeded, and landscaped in accordance with the landscaping scheme submitted to the planning authority on the 18th July 2025. This work shall be completed before any of the apartments are made available for occupation unless otherwise agreed in writing with the planning authority.

Reason: In order to ensure the satisfactory development of the public open space areas, and their continued use for this purpose.

9. The landscaping scheme as submitted to the planning authority on the 18th July 2025 shall be carried out within the first planting season following substantial completion of external construction works.

All planting shall be adequately protected from damage until established. Any plants which die, are removed or become seriously damaged or diseased, within a period of [five] years from the completion of the development [or until the development is taken in charge by the local authority, whichever is the sooner], shall be replaced within the next planting season with others of similar size and species, unless otherwise agreed in writing with the planning authority.

Reason: In the interest of residential and visual amenity.

10. A detailed construction traffic management plan shall be submitted to, and agreed in writing with, the planning authority prior to commencement of

development. The plan shall include details of arrangements for routes for construction traffic, parking during the construction phase, the location of the compound for storage of plant and machinery and the location for storage of deliveries to the site.

Reason: In the interest of sustainable transport and safety.

11. Prior to commencement of works, the developer shall submit to, and agree in writing with the planning authority, a Construction Management Plan, which shall be adhered to during construction. This plan shall provide details of intended construction practice for the development, including hours of working, noise and dust management measures and off-site disposal of construction/demolition waste.

Reason: In the interest of public safety and amenity.

12. Prior to commencement of the development the developer shall submit drawings and supporting information to address the following items:
- Show road marking and signage layout.
 - Submit details of proposed ramp where the proposed meets the existing. The existing road markings on this ramp are for a controlled crossing and the tactile paving may not be compliant with “TII Standards”.
 - Show revised pedestrian crossing points on the pedestrian desire line.
 - House number signage is required showing their locations, design (ornate), size and how they will be mounted.

Reason: In the interest of traffic and pedestrian safety.

13. (a) The internal road network serving the proposed development [including turning bays, junctions, parking areas, footpaths, and kerbs] [access road to the service area] [and the underground car park] shall comply with the detailed construction standards of the planning authority for such works and design standards outlined in Design Manual for Urban Roads and Streets (DMURS). Option to include (b):

(b) Footpaths shall be dished at road junctions in accordance with the requirements of the planning authority. Details of all locations and materials to be used shall be submitted to and agreed in writing with the planning authority prior to the commencement of development.

Reason: In the interest of amenity and of traffic and pedestrian safety.

14. Prior to commencement of the development, the developer shall submit a Stage 2 & stage 3 Road Safety Audit for agreement with the Planning Authority. The Road Safety Audit must be in compliance with the TII Publication "Road Safety Audit GE-STY-01024".

Reason: In the interest of traffic safety.

15. All service cables associated with the proposed development (such as electrical, telecommunications and communal television) shall be located underground. Ducting shall be provided by the developer to facilitate the provision of broadband infrastructure within the proposed development.

Reason: In the interests of visual and residential amenity.

16. The public EV charges/charging spaces should be provided in accordance with the Department of Transport Guidelines – Universal Design Guidelines for Electric Vehicle Charging Infrastructure 2023. In particular, please note the site design guidelines and parking bay dimensions. The parking layout drawings should be updated having regard to the minimum EV parking bay dimensions.

Reason: In the interest of orderly development and the visual amenities of the area.

17. Public lighting shall be provided in accordance with a scheme which shall be submitted to and agreed in writing with the planning authority prior to the

commencement of development. The scheme shall include lighting along pedestrian routes through open spaces and shall take account of trees within the drawing landscape plan drawing no. P627-101. Such lighting shall be provided prior to the making available for occupation of any residential unit.

Reason: In the interest of amenity and public safety.

18. The disposal of surface water shall comply with the requirements of the planning authority for such works and services. Prior to the commencement of development, the developer shall submit details for the disposal of surface water from the site for the written agreement of the planning authority.

Reason: In the interest of public health.

19. Prior to the commencement of development, the developer shall enter into a Connection Agreement (s) with Uisce Éireann (Irish Water) to provide for a service connection(s) to the public water supply and/or wastewater collection network. OPTIONAL (b) Include any specific requirements if appropriate.

Reason: In the interest of public health and to ensure adequate water/wastewater facilities.

20. (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 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. And
- (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: To provide for the appropriate management of waste and, in particular recyclable materials, in the interest of protecting the environment.

21. 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 of roads, footpaths, watermains, drains, 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 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 Coimisiún Pleanála for determination.

Reason: To ensure the satisfactory completion of the development.

22. 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, as amended. The contribution shall be paid prior to 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 An Coimisiún Pleanála to determine the proper application of the terms of the Scheme.

Reason: It is a requirement of the Planning and Development Act 2000, as amended, 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.

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.

Jennifer McQuaid
Planning Inspector

14th October 2025

Appendix A: Form 1 - EIA Pre-Screening

Case Reference	ABP-321345-24
Proposed Development Summary	Construction of 25 apartments and all associated site works.
Development Address	Rhebogue Road, Drominbeg Road, Rhebogue, Limerick City
	In all cases check box /or leave blank
1. Does the proposed development come within the definition of a 'project' for the purposes of EIA? (For the purposes of the Directive, "Project" means: - The execution of construction works or of other installations or schemes, - Other interventions in the natural surroundings and landscape including those involving the extraction of mineral resources)	☒ Yes, it is a 'Project'. Proceed to Q2. ☐ No, No further action required.
2. Is the proposed development of a CLASS specified in Part 1, Schedule 5 of the Planning and Development Regulations 2001 (as amended)?	
☐ Yes, it is a Class specified in Part 1. EIA is mandatory. No Screening required. EIAR to be requested. Discuss with ADP.	State the Class here
☒ No, it is not a Class specified in Part 1. Proceed to Q3	
3. Is the proposed development of a CLASS specified in Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended) OR a prescribed type of proposed road development under Article 8 of Roads Regulations 1994, AND does it meet/exceed the thresholds?	
☐ No, the development is not of a Class Specified in Part 2, Schedule 5 or a prescribed type of proposed road	

development under Article 8 of the Roads Regulations, 1994. No Screening required.	
☐ Yes, the proposed development is of a Class and meets/exceeds the threshold. EIA is Mandatory. No Screening Required	
☒ Yes, the proposed development is of a Class but is sub-threshold. Preliminary examination required. (Form 2) OR If Schedule 7A information submitted proceed to Q4. (Form 3 Required)	Schedule 5, Part 2, Class 10b(i) Construction of more than 500 dwelling units.

4. Has Schedule 7A information been submitted AND is the development a Class of Development for the purposes of the EIA Directive (as identified in Q3)?	
Yes ☐	Screening Determination required (Complete Form 3)
No ☒	Pre-screening determination conclusion remains as above (Q1 to Q3)

Inspector: _____ Date: _____

Appendix A: Form 2 - EIA Preliminary Examination

Case Reference	ABP-321345-24
Proposed Development Summary	Construction of 25 apartments and all associated site works.
Development Address	Rhebogue Road, Drominbeg Road, Rhebogue, Limerick City
This preliminary examination should be read with, and in the light of, the rest of the Inspector's Report attached herewith.	
Characteristics of proposed development (In particular, the size, design, cumulation with existing/proposed development, nature of demolition works, use of natural resources, production of waste, pollution and nuisance, risk of accidents/disasters and to human health).	The proposed development consists of 25 no. apartments in 2 blocks. The development consisted of typical construction and related activities and site works. The works proposed do not result in the production of significant waste, emissions or pollutants. Surface water will be discharged to a public water. Wastewater will be discharged to public sewer.
Location of development (The environmental sensitivity of geographical areas likely to be affected by the development in particular existing and approved land use, abundance/capacity of natural resources, absorption capacity of natural environment e.g. wetland, coastal zones, nature reserves, European sites, densely populated areas, landscapes, sites of historic, cultural or archaeological significance).	The proposed site is located within an urban area; there are no significant sensitivities in the immediate area. The subject site is not located within a designated site, the nearest are as follows: • Lower River Shannon SAC (site code: 002165) is located approximately 400 metres to the north of the subject site. • Fergus Estuary and Inner Shannon, North Shore pNHA (site code: 002048) are located approximately 1.74km northwest of the subject site. • River Shannon and River Fergus Estuaries SPA (site code: 004077) is located 2.3km west of the subject site. • Woodcock Hill Bog NHA (site code: 002402) is located approximately 8km northwest of the subject site. • Glenmora Wood SAC (site code: 001013) is located approximately 10km north of the subject site. My appropriate assessment screening concludes that the proposed development would not likely have a significant effect on any European Site. The subject site is not located within a flood risk area.

Types and characteristics of potential impacts (Likely significant effects on environmental parameters, magnitude and spatial extent, nature of impact, transboundary, intensity and complexity, duration, cumulative effects and opportunities for mitigation).	The site size measures 0.243ha. The size of the development is not exceptional in the context of an urban environment. There are existing dwellings adjacent to the proposed site. Observations were raised in relation to overlooking and overshadowing, however, given the separation distance, no issues arise. The proposed development is a relatively small development in the urban context. There is no real likelihood of significant cumulative effects within the existing and permitted projects in the area.
Conclusion	
Likelihood of Significant Effects	Conclusion in respect of EIA
There is no real likelihood of significant effects on the environment.	EIA is not required.

Inspector: _____ Date: _____

DP/ADP: _____ Date: _____

(only where Schedule 7A information or EIAR required)

Appendix B: Water Framework Directive Screening

WFD IMPACT ASSESSMENT STAGE 1: SCREENING			
Step 1: Nature of the Project, the Site and Locality			
An Bord Pleanála ref. no.	ABP-321345-24	Townland, address	Rhebogue Road, Drominbeg Road, Rhebogue, Limerick City, Co. Limerick.
Description of project		Construction of 25no. apartments and all associated site works.	
Brief site description, relevant to WFD Screening,		The site is located within the urban area of Limerick City; the site is set back from the public road and there are no dwellings directly adjacent to the proposed development. The proposed development will be connected to public water, public wastewater and public surface water. There are no water features on site or adjacent the subject site. The site is not in a flood risk area.	
Proposed surface water details		Surface water will be disposed via public surface water.	

Proposed water supply source & available capacity	Public mains are available.					
Proposed wastewater treatment system & available capacity, other issues	Public wastewater connection is available.					
Others?						
Step 2: Identification of relevant water bodies and Step 3: S-P-R connection						
Identified water body	Distance to (m)	Water body name(s) (code)	WFD Status	Risk of not achieving WFD Objective e.g.at risk, review, not at risk	Identified pressures on that water body.	Pathway linkage to water feature (e.g., surface run-off, drainage, groundwater)
Groundwater	The site is on the	Limerick City East code	Groundwater status is described as	Groundwater is described as At Risk.	None identified.	Potential surface water run-off.

River	groundwater.	IE_SH_G_138	Good (period for GW 2016-2021)				
	The site is located 500m southwest from the River Shannon	Shannon (lower)_060 Code IE_SH_25S012600	River status is described as Moderate (period for GW 2016-2021)	River is described as review.	Urban Runoff pressures.	Potential surface water run-off.	
Step 4: Detailed description of any component of the development or activity that may cause a risk of not achieving the WFD Objectives having regard to the S-P-R linkage.							
CONSTRUCTION PHASE							
No.	Component	Water body receptor	Pathway (existing and new)	Potential for impact/ what is	Screening Stage	Residual Risk (yes/no) Detail	Determination** to proceed to Stage 2. Is there a risk to the water

		(EPA Code)		the possible impact	Mitigation Measure*		environment? (if 'screened' in or 'uncertain' proceed to Stage 2.
1.	Surface	Shannon (lower)_060 Code IE_SH_25 S012600	Located appropriately 500metres northeast of subject site. No noted drainage ditches to river.	Spillages	Standard Construction practice	No due to separation distance	Screened Out
2.	Ground	Limerick City East code IE_SH_G_138	Pathways exist through drainage underground	Spillages	Standard Construction practice	No	Screened Out
OPERATIONAL PHASE							

3.	Surface	Shannon (lower)_06 0 Code IE_SH_25 S012600	Located appropriately 500metres northeast of subject site. No noted drainage ditches to river.	Spillages	SuDs features	No	Screened Out
4.	Ground	Limerick City East code IE_SH_G_ 138	Pathways exist through drainage underground & seepage.	Spillages/seep age	SuDs Features and connectio n to public water and wastewat er	No	Screened Out
DECOMMISSIONING PHASE							

5.	N/A						
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Appendix C: Screening Determination

Test for likely significant effects				
Step 1: Description of the project and local site characteristics				
Brief description of project	Construction of 25no. apartments and all associated site works.			
Brief description of development site characteristics and potential impact mechanisms	The proposed development area is c.0.243ha on a brownfield/infill site within a residential area on zoned lands. The proposed development will be connected to public sewer, public water and public surface water drainage. The site is accessed from Rhebogue Road and Drominbeg Road. The nearest water feature is the Park Canal located 400m north of the subject site and Lower River Shannon located appropriately 500metres northeast of subject site. The site is not located within or directly adjacent to any European Site.			
Screening report	Yes (Prepared by Burke Environmental Services)			
Natura Impact Statement (stage 1)	Yes (Prepared by Burke Environmental Services)			
Relevant submissions	None			
Step 2. Identification of relevant European sites using the Source-pathway-receptor model				
Two European sites were identified as being located within a potential zone of influence of the proposed development as detailed in Table 1 below. I note that the applicant identified three other sites (Tory Hill SAC (site code: 000439), Glenmora Wood SAC (site code: 001013) and Slievefelim to Silvermines Mountains SPA (site code: 004165), however it is considered that there is no source-pathway-receptor link between these sites and any element (in its construction or operation) of the proposed development site, due to the distance between the sites, absence of hydrological or species links between the proposed sites and these protected area. I have only included those sites with any possible ecological/hydrological connection of pathway in this screening determination.				
European Site (code)	Qualifying interests ¹ Link to conservation objectives (NPWS, date)	Distance from proposed development (km)	Ecological connections ²	Consider further in screening ³ Y/N
Lower River Shannon SAC (site code: 002165)	Sandbanks which are slightly covered by sea water all the time [1110] Estuaries [1130] Mudflats and sandflats not covered by	c. 400m northeast of proposed development	Hydrological connectivity via storm water drainage only.	Yes

	seawater at low tide [1140] Coastal lagoons [1150] Large shallow inlets and bays [1160] Reefs [1170] Perennial vegetation of stony banks [1220] Vegetated sea cliffs of the Atlantic and Baltic coasts [1230] Salicornia and other annuals colonising mud and sand [1310] Atlantic salt meadows (Glauco-Puccinellietalia maritima) [1330] Mediterranean salt meadows (Juncetalia maritimi) [1410] Water courses of plain to montane levels with the Ranunculion fluitantis and Callitriche-Batrachion vegetation [3260] Molinia meadows on calcareous, peaty or clayey-silt-laden soils (Molinion caeruleae) [6410] Alluvial forests with Alnus glutinosa and Fraxinus excelsior (Alno-Padion, Alnion incanae, Salicion albae) [91E0] Margaritifera margaritifera (Freshwater Pearl Mussel) [1029] Petromyzon marinus (Sea Lamprey) [1095]			
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	Lampetra planeri (Brook Lamprey) [1096] Lampetra fluviatilis (River Lamprey) [1099] Salmo salar (Salmon) [1106] Tursiops truncatus (Common Bottlenose Dolphin) [1349] Lutra lutra (Otter) Lower River Shannon SAC National Parks & Wildlife Service Date: 26th September 2025			
River Shannon and River Fergus Estuaries SPA (site code: 004077)	Cormorant (Phalacrocorax carbo) [A017] Whooper Swan (Cygnus cygnus) [A038] Light-bellied Brent Goose (Branta bernicla hrota) [A046] Shelduck (Tadorna tadorna) [A048] Teal (Anas crecca) [A052] Pintail (Anas acuta) [A054] Scaup (Aythya marila) [A062] Ringed Plover (Charadrius hiaticula) [A137] Golden Plover (Pluvialis apricaria) [A140] Grey Plover (Pluvialis squatarola) [A141] Lapwing (Vanellus vanellus) [A142]	c. 3.8km west southwest of proposed development	No connectivity or source path receptor linkage. Potential disturbance to qualifying interests can be ruled out due to: 1. No potential for direct effects as there is no site overlap. 2. The distance between the SPA and the proposed site, over an entirely urban catchment. 3. Absence of vegetative cover on site which might provide nesting or foraging areas	No

	Knot (<i>Calidris canutus</i>) [A143] Dunlin (<i>Calidris alpina</i>) [A149] Black-tailed Godwit (<i>Limosa limosa</i>) [A156] Bar-tailed Godwit (<i>Limosa lapponica</i>) [A157] Curlew (<i>Numenius arquata</i>) [A160] Redshank (<i>Tringa totanus</i>) [A162] Greenshank (<i>Tringa nebularia</i>) [A164] Black-headed Gull (<i>Chroicocephalus ridibundus</i>) [A179] Wigeon (<i>Mareca penelope</i>) [A855] Shoveler (<i>Spatula clypeata</i>) [A857] Wetland and Waterbirds [A999] River Shannon and River Fergus Estuaries SPA National Parks & Wildlife Service Date: 26th September 2025			
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¹ Summary description / **cross reference to NPWS website** is acceptable at this stage in the report.

² Based on source-pathway-receptor: Direct/ indirect/ tentative/ none, via surface water/ ground water/ air/ use of habitats by mobile species.

³if no connections: N

Step 3. Describe the likely effects of the project (if any, alone or in combination) on European Sites

The proposed development will not result in any direct effects on the Lower River Shannon SAC due to the location of the proposed development in excess of 400m from the nearest boundary to the SAC, the proposed development site is confined and level, surrounded by an urban environment, with no surface water drainage on the site. SuDs measures will prevent discharges to storm gullies; limited excavation is required during construction works. No specific mitigation measures are required for the proposed development.

Sources of impact and likely significant effects are detailed in the Table below.

AA Screening matrix		
Site name Qualifying interests	Possibility of significant effects (alone) in view of the conservation objectives of the site*	
Lower River Shannon SAC (site code: 002165)	Impacts	Effects
Estuaries – to maintain the favourable conservation	No direct impacts	Wastewater will discharge to Bunlicky WWTP, which discharges to estuarine habitat. Treated discharge subject to license conditions. No likely significant impact.
Coastal lagoons*– to restore the favourable conservation condition. Molinia Meadows on Chalk & Clay – to maintain the favourable conservation. Mudflats and Sandflats not covered by water at low tide – to maintain the favourable conservation. Atlantic Salt Meadows*– to restore the favourable conservation condition. Salicornia and other annuals colonizing mud and sand – to maintain the favourable conservation. Mediterranean Salt Meadows *– to restore the favourable conservation condition. Sandbanks which are slightly covered by seawater at all times – to maintain the favourable conservation Perennial vegetation of stony banks– to maintain the favourable conservation. Vegetated sea cliffs of the Atlantic and Baltic coasts. Reefs – to maintain the favourable conservation.	No direct impacts	Wastewater will discharge to Bunlicky WWTP, which discharges to estuarine habitat. Treated discharge subject to license conditions. No likely significant impact. Coastal Lagoons, Atlantic Salt Meadows, Mediterranean Salt Meadows, Alluvial forests - The proposal will not compromise the objective of restoration or make restoration more difficult.

Large Shallow inlets and bays Floating Vegetation of Ranunculus of Plane, Submountainous Rivers – to maintain the favourable conservation. Residual Alluvial Forests * – to restore the favourable conservation condition		
Otter - to restore the favourable conservation condition.	No direct impacts	No potential otter habitat around the proposed site. Therefore, no likely significant impact arises from construction or operation. The proposal will not compromise the objective of restoration or make restoration more difficult.
Bottlenose Dolphin – to maintain the favourable conservation. Sea Lamprey – to restore the favourable conservation condition. River Lamprey – to maintain the favourable conservation. Brook Lamprey – to maintain the favourable conservation. Atlantic Salmon - to restore the favourable conservation condition.	No direct impacts	No downstream significant impact associated with the discharge of treated wastewater to the aquatic habitats supporting these species of conservation interest. Treated discharge from Bunlicky WWTP is not likely to give rise to disturbance in water quality such as would alter the natural habitat/behaviour of these species. No significant impact likely arising from the construction works on the site. Sea Lamprey, Atlantic Salmon - The proposal will not compromise the objective of restoration or make restoration more difficult.
Freshwater Pearl Mussel – to restore the favourable conservation condition.	No direct impacts	No downstream habitat for FWPM. The proposal will not compromise the objective of restoration or make restoration more difficult.
	Likelihood of significant effects from proposed development (alone): No	
	If No, is there likelihood of significant effects occurring in combination with other plans or projects? No	
	Possibility of significant effects (alone) in view of the conservation objectives of the site* No	
Step 4 Conclude if the proposed development could result in likely significant effects on a European site.		

I conclude that the proposed development (alone) would not result in likely significant effects on the Lower River Shannon SAC.

The proposed development would have no likely significant effect in combination with other plans and projects on any European Site(s). No further assessment is required for the project.

No mitigation measures are required to come to these conclusions.

Screening Determination

Finding of no likely significant effects

In accordance with Section 177U of the Planning and Development Act 2000 (as amended) and on the basis of the information considered in this AA screening, I conclude that the proposed development individually or in combination with other plans or projects would not be likely to give rise to significant effects on any European Site(s) in view of the conservation objectives of these sites and is therefore excluded from further consideration. Appropriate Assessment is not required.

This determination is based on:

- Scale and size of the proposed development within an existing urban residential setting.
- Distance to the nearest European site at 400 metres to Lower River Shannon SAC (site code: 002165)
- The lack of pathways to the SAC.
- Connection to public water, Bunlicky WWTP sewer and public drain.
- Appropriate Assessment Screening of the Planning Authority.