



An  
Bord  
Pleanála

## Inspector's Report

### ABP-321600-25

<b>Development</b>	Construction of 7 apartments/dwelling units and all associated site works.
<b>Location</b>	Templeglentan East, Templeglantine, Co. Limerick
<b>Planning Authority</b>	Limerick City and County Council
<b>Planning Authority Reg. Ref.</b>	2360956
<b>Applicant(s)</b>	Sam Foley
<b>Type of Application</b>	Permission
<b>Planning Authority Decision</b>	Grant Permission
<b>Type of Appeal</b>	Third Party
<b>Appellant(s)</b>	William Sheehan David Morrissey
<b>Observer(s)</b>	Brendan O'Connor & Elaine O'Shea
<b>Date of Site Inspection</b>	7 <sup>th</sup> March 2025
<b>Inspector</b>	Matthew McRedmond

## 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 .....	5
3.3. Prescribed Bodies .....	7
3.4. Third Party Observations .....	7
4.0 Planning History .....	9
5.0 Policy Context .....	9
5.1. <b>National and Regional Planning Policy</b> .....	9
5.2. Limerick City and County Development Plan 2022-2028 .....	11
5.3. Natural Heritage Designations .....	14
5.4. EIA Screening .....	14
6.0 The Appeal .....	14
6.1. Grounds of Appeal .....	14
6.2. Applicant Response .....	16
6.3. Planning Authority Response .....	17
6.4. Observations .....	17
6.5. Further Responses .....	18
7.0 Assessment .....	19
8.0 AA Screening .....	29
9.0 Recommendation .....	29
10.0 Reasons and Considerations .....	30

11.0 Conditions .....	30
Appendix 1 – Form 1: EIA Pre-Screening & Form 2: Preliminary Examination	

## **1.0 Site Location and Description**

- 1.1. The appeal site is located in Templeglantine Village, Co. Limerick, which is approximately halfway between Newcastle West and Abbeyfeale along the N21 National Route. The appeal site is located on the southeast side of the N21 on the northeastern approach to the village from the Newcastle West direction. The site is 0.182 hectares in area and is generally rectangular in shape. There is an existing detached residential dwelling to the southwest and the Ascal Inse Ban residential development to the rear/east, which is accessed via Maple Grove to the southwest.

## **2.0 Proposed Development**

- 2.1. The proposed development originally consisted of 9no. apartment units in 3 no. blocks of 1 and 2-storey height. The unit mix included 8no. 2-bed units and 1no. 1-bed unit. Car Parking and a 'Local Play Area (Paved)' are shown on the site layout plan. All units are own-door apartments. A pedestrian connection through the site is also shown on the submitted plans.
- 2.2. The subject proposal was amended at Further Information (FI) stage to a revised layout with a reduced number of 7no. units consisting of 5no. 2-bed detached, terraced and semi-detached dwellings and 2no. 1-bed, own door apartment units located within the terraced element. The site layout was altered considerably at FI stage with the proposed blocks to be reorientated to face each other, with the gable facing the roadside, additional planting retained at the front boundary of the site and the play area removed.

## **3.0 Planning Authority Decision**

### **3.1. Decision**

On the 18<sup>th</sup> of December 2024 Limerick City and County Council granted permission for the proposed development as submitted at FI stage. The grant of permission was subject to 21no. standard conditions.

### 3.2. Planning Authority Reports

#### 3.2.1. Planning Reports

The Local Authority Planner had regard to the material submitted with the application, the locational context of the site, national and local planning policy, the referral responses received, and submissions made on the application. Their assessment included the following:

- Objective CGR 018 is noted and sets out that for Level 5 settlements, no one proposal for residential development shall be greater than 5-7 units. Limited increase may be permitted where justification is demonstrated. This has not been done in the subject proposal.
- It is unclear how the use of the proposed dwellings will be restricted to starter homes/retirement homes.
- The proposed design is not consistent with the existing housing stock in the village.
- Balconies should be to the rear and existing vegetation should be retained along the roadside to soften the appearance of the proposal.
- Further details are required in relation to access on to National Road, N21.
- Noise issues associated with the national road should be addressed as set out in the Planning Authority Noise Section Report.
- A pre-connection inquiry from Irish Water should be provided by the applicant. Capacity for water and wastewater to serve this development should be provided.

#### Further Information Response

3.2.2. The applicant submitted a further information response in November 2024 with a letter from Uisce Eireann also provided in December 2024 as unsolicited FI. The following details were included in the substantive FI Response:

- Contention by the applicant that the original proposal included an appropriate mix of 1 and 2-bed units at ground and first floor levels that would suit a range of potential occupants. Nevertheless, a change in design was

proposed that reduced the number of units from 9no. to 7no. with 2no. 'own door' units retained.

- The orientation of the buildings on site have been revised with potential to link to adjacent public open space to the southeast, by agreement with Limerick CCC. Proposed play area is removed.
- Retention of existing roadside trees.
- All proposed units comply with minimum floor area standards.
- Revised finishes proposed to be consistent with nearby developments.
- Confirmation from Uisce Eireann (UE) that connection to watermain is possible without upgrades, while wastewater connection requires an 85m extension. Storm and foul sewer lines will traverse along the public road in the ownership of LCCC.
- Revised layout with gables facing N21 and ensuring no habitable room windows such as bedrooms or living rooms face the road, to address noise concerns.
- A Road Safety Audit with all recommendations incorporated into the site layout.
- A proposed lighting layout/arrangement.

#### Planning Authority Response

3.2.3. The Local Authority Planner was satisfied with the information submitted by the applicant at further information stage in relation to revised design, wastewater/water, noise and roads/lighting arrangements. A Grant of Permission was recommended.

#### 3.2.4. Other Technical Reports

- Executive Scientist – Exposure to N21 noise levels of 60dB to 65dB during day and 50dB to 55dB at night. Noise levels should be below 55dB day and 45dB at night. Proposals required to reduce internal noise. The Council planner noted the redesign at FI stage and recommended a condition to provide an acoustic design statement and incorporation of any acoustic mitigation measures prior to the commencement of development.

- Fire Officer – No objections to the proposed development subject to standard conditions.
- Roads Department – Requested further information including a Road Safety Audit (RSA), further details in relation to sightlines, revised entrance design, swept path analysis, removal of local play area and replacement with green area, additional ducts and clarification of parking arrangements. The roads department also sought clarification of lighting arrangements, surface water & SuDS management. The Roads Department reviewed the information submitted at FI stage and recommended a grant of permission subject to conditions.

### 3.3. Prescribed Bodies

- 3.3.1. **Mid-West National Road Design Office** – The proposed development shall be subject to a Road Safety Audit (RSA) as it enters on to a national road.
- 3.3.2. **Uisce Eireann (UE)** – Requested engagement with UE and submission of a pre-connection enquiry. The applicant provided this information at FI stage and was considered satisfactory by the Planning Authority.
- 3.3.3. **Transport Infrastructure Ireland (TII)** – The proposed development would be at variance with national policy including the Spatial Planning and National Roads Guidelines by providing a new entrance on to a national road within a transitional zone. An RSA is recommended with any recommendations arising to be incorporated into the scheme. Design of the proposed entrance should be done in conjunction with the Mid-West National Road Design Office.

### 3.4. Third Party Observations

- 3.4.1. A number of submissions were made in relation to this application. The main issues raised can be summarised as follows:
- Proposal is out of scale with the area and is contrary to Objective CGR O18 as it exceeds the recommended number of units of 5-7no. for one proposal.
  - The proposal does not comply with Objective TRO 39 – National Roads as the entrance is required to cross a traffic island on a national route which

would endanger traffic safety. Lack of detail in entrance layout and no RSA. Increased turning movements would exacerbate traffic safety issues on the N21.

- The applicant should have engaged with TII as required under Spatial Planning and National Roads Guidelines. TII have also indicated the proposal is not appropriate.
- No details provided in relation to capacity of water and wastewater in the area, particularly capacity of the Waste Water Treatment Plant (WWTP) which is highlighted in the Development Plan as lacking capacity.
- As the proposal requires upgrade to WWTP an EIAR should have been submitted.
- Localised flooding is caused by water infrastructure constraints in the area.
- Pre-connection inquiry from UE not provided in the application. Water supply capacity constraints mean the proposal should fail on this point alone.
- Soakaways proposed are inadequate and inappropriate for the subject site. No testing of ground conditions to confirm suitability for surface water run-off.
- Lack of details in the application including floor areas, qualitative and quantitative public open space details not provided, no landscaping details or boundary treatment details, no Appropriate Assessment Screening details provided. Overall, a lack of information to allow a decision to be made by the Planning Authority.
- Proposed density and height are excessive for this village site.
- Inadequate private and public open space proposed.
- The design of the proposal impacts on existing residential amenity.
- Car parking provision is less than standard requirements.
- Flora and Fauna that have developed at the subject site should be preserved.



## 4.0 Planning History

There is no planning history for the subject site. Any planning history in the immediately surrounding area is for small extensions/ancillary works or are historical planning applications and are not relevant to the subject proposal.

## 5.0 Policy Context

### 5.1. National and Regional Planning Policy

- 5.1.1. The NPF is the Government's high-level strategic plan for shaping the future growth and development of the country to the year 2040. A key element of the NPF is a commitment towards 'compact growth', which focuses on a more efficient use of land and resources through reusing previously developed or under-utilised land and buildings. National Strategic Outcome No. 1 is 'Compact Growth'. Activating strategic areas and achieving effective density and consolidation, rather than more sprawl of urban development, is a top priority.
- 5.1.2. The NPF contains several policy objectives that articulate the delivery of compact urban growth as follows:
- NPO 3 (c) aims to deliver at least 30% of all new homes targeted for settlements other than the five cities, to be within the existing built-up footprints.
  - NPO 11 outlines a presumption in favour of development in existing settlements, subject to appropriate planning standards.
  - NPO 27 seeks to integrate alternatives to the car into the design of our communities, by prioritising walking and cycling accessibility.
  - NPO 33 prioritises new homes that support sustainable development at an appropriate scale relative to location.
- 5.1.3. Relevant national policy also includes Sustainable Residential Development and Compact Settlements: Guidelines for Planning Authorities, 2024 ('the Compact Settlement Guidelines') which require appropriate residential densities to respond to the existing context in villages of less than 1,500 population. Small infill sites may

need to respond to their setting, rather than strict adherence to the densities set out in the guidelines. The Compact Settlement Guidelines supersede the Guidelines on Sustainable Residential Development in Urban Areas and accompanying Urban Design Manual. Sustainable Urban Housing Design Standards for New Apartments Guidelines for Planning Authorities (2022) are also relevant to the subject proposal.

- 5.1.4. It is worth noting the National Planning Framework is currently undergoing a comprehensive review to reflect changing population and demographic projections for Ireland, which will necessitate revised housing targets countrywide. 50,500 new dwellings per annum are required to meet demand, scaling up to 60,000 homes in 2030.
- 5.1.5. The Regional Spatial and Economic Strategy for the Southern Region, 2020-2032 is relevant in terms of the strengthening of towns and villages and to enable enhanced roles for sub-regional settlements.

## **5.2. Rebuilding Ireland – Action Plan on Housing and Homelessness 2016**

- 5.2.1. This is a government initiative which identifies the critical need for accelerating housing supply.

## **5.3. National Biodiversity Action Plan (NBAP) 2023-2030**

- 5.3.1. The NBAP includes five strategic objectives aimed at addressing existing challenges and new and emerging issues associated with biodiversity loss. Section 59B(1) of the Wildlife (Amendment) Act 2000 (as amended) requires the Board, as a public body, to have regard to the objectives and targets of the NBAP in the performance of its functions, to the extent that they may affect or relate to the functions of the Board. The impact of development on biodiversity, including species and habitats, can be assessed at a European, National and Local level and is taken into account in our decision-making having regard to the Habitats and Birds Directives, Environmental Impact Assessment Directive, Water Framework Directive and Marine Strategy Framework Directive, and other relevant legislation, strategy and policy where applicable.

## **5.1. Spatial Planning and National Roads (Guidelines for Planning Authorities)**

- 5.1.1. One of the key principles of the Spatial Planning and National Roads Guidelines is to ensure proper planning is central to ensuring road safety. In this regard the

Guidelines specify: *‘The creation of new accesses to and intensification of existing accesses to national roads gives rise to the generation of additional turning movements that introduce additional safety risks to road users. Therefore, from a road safety perspective, planning authorities, the NRA, road authorities and the Road Safety Authority must guard against a proliferation of roadside developments accessing national roads to which speed limits greater than 50-60 kmh apply as part of the overall effort to reduce road fatalities and injuries.’*

5.1.2. Chapter 2 of the Guidelines also state:

*‘Development plans must include policies which seek to maintain and protect the safety, capacity and efficiency of national roads and associated junctions, avoiding the creation of new accesses and the intensification of existing accesses to national roads where a speed limit greater than 50 kmh applies.’*

5.1.3. Section 2.5 of the Guidelines includes the following policy approach:

*“**Transitional Zones:** Where the plan area incorporates sections of national roads on the approaches to or exit from urban centres that are subject to a speed limit of 60 kmh before a lower 50 kmh limit is encountered – otherwise known as transitional zones - the plan may provide for a limited level of direct access to facilitate orderly urban development. Any such proposal must, however, be subject to a road safety audit carried out in accordance with the NRA’s requirements and a proliferation of such entrances, which would lead to a diminution in the role of such zones, must be avoided.”*

## 5.2. Limerick City and County Development Plan 2022-2028

5.2.1. The appeal site is located within the Level 5 Settlement of Templeglentine, as specified in the Limerick City and County Development Plan 2022-2028.

5.2.2. **Objective CGR O17** relates to ‘Development within Level 5 Settlements’ and states: *“It is an objective of the Council within these settlements to facilitate development, subject to compliance with the following:*

*a) The scale of new residential schemes shall be in proportion to the pattern and grain of existing development and shall be located within the development boundary, thus avoiding 'leap frogging' of development and delivering compact growth and providing for the organic and sequential growth of the settlement. Infill and brownfield sites will be the preferred location for new development. In this regard, any development shall enhance the existing village character and create or strengthen a sense of identity and distinctiveness for the settlement.*

*b) New commercial developments shall generally only be located within the core area and shall contribute positively to the village streetscape.*

*c) New community and social facilities shall be provided in conjunction with residential development as required.*

*d) The development of these centres shall provide for serviced sites and a variety of other house types and densities as appropriate.*

*e) Where there is no treatment plant or limited capacity in the existing treatment plant, sewerage treatment shall generally be by means of individual treatment systems, subject to satisfactory site assessment and compliance with EPA guidelines. All systems shall be constructed so as to allow connection to public sewers in due course when capacity becomes available."*

5.2.3. **Objective CGR O18** relates to the scale of growth of level 5 settlements, where residential developments no greater than 5-7 units are specified, except in limited circumstances.

5.2.4. **Policy CGR P1** relates to Compact Growth and Revitalisation and states:

*"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."*

5.2.5. **Policy TR P12** relates to safeguarding the capacity of National Roads. The Policy states the following:

*"It is a policy of the Council to:*

- a) Protect the capacity of the national road network, having regard to all relevant Government guidance and associated junctions, including DoECLG Spatial Planning and National Roads Guidelines (DoECLG, 2012) in the carrying out of Local Authority functions and;*
- b) Ensure development does not prejudice the future development, or impair the capacity of, the planned national roads, which includes the N/ M20 Cork to Limerick Scheme and Foynes to Limerick Road (including Adare Bypass) projects and other schemes referenced in Section 7.4;*
- c) Continue to engage, at an early stage, with relevant transport bodies, authorities and agencies in respect of any plans or projects that are located in proximity to national road infrastructure.”*

5.2.6. **Objective TR 039** relates to ‘National Roads’ and specifies:

*‘It is an objective of Council to:*

- a) Prevent, except in exceptional circumstances and subject to a plan-led evidence-based approach, in consultation with Transport Infrastructure Ireland, in accordance with the Section 28 Ministerial Guidelines Spatial Planning and National Roads Guidelines for Planning Authorities (DoECLG, 2012), development on lands adjacent to the existing national road network, which would adversely affect the safety, current and future capacity and function of national roads and having regard to reservation corridors, to cater for possible future upgrades of the national roads and junctions;*
- b) Avoid the creation of any new direct access points from development, or the generation of increased traffic from existing direct access/egress points to the national road network, to which speed limits greater than 60km/h apply;*
- c) Facilitate a limited level of new accesses, or the intensified use of existing accesses, to the national road network on the approaches to, or exit from, urban centres that are subject to a speed limit of between 50km/h and 60km/h. Such accesses will be considered where they facilitate orderly urban development and would not result in a proliferation of such entrances;’*

5.2.7. **Objective TR 053 Noise and Transportation**, states:

*It is an objective of the Council to identify appropriate mitigation measures to reduce noise levels from traffic where they are potentially harmful, in accordance with Limerick's Noise Action Plan.*

**5.2.8. Objective TR O54 Noise Sensitive Development, states:**

*It is an objective of the Council to require noise sensitive developments in close proximity to heavily trafficked roads to be designed and constructed to minimise noise disturbance, follow a good acoustic design process and clearly demonstrate that significant adverse noise impacts will be avoided in accordance with Professional Practice Guidance on Planning and Noise (2017) and based on the guidance and recommendations of the World Health Organisation.*

**5.3. Natural Heritage Designations**

- 5.3.1. The site is not located within any designated site. The closest Natura 2000 site is the Stack's to Mullaghareirk Mountains, West Limerick Hills and Mount Eagle SPA (Site Code: 004161) which is located approximately 0.4km to the north of the site. The Lower River Shannon SAC (Site Code 002165) is located approximately 3.7km to the southwest.

**5.4. EIA Screening**

- 5.4.1. There is no real likelihood of significant effects on the environment based on the nature, size and location of the proposed development and therefore no EIA is required in this instance. See completed EIA Pre-Screening and Preliminary Screening attached in Appendix 1 and 2 below.

**6.0 The Appeal**

**6.1. Grounds of Appeal**

There were 2no. third-party appeals against the Planning Authority decision to Grant Permission. The main issues raised in the appeals can be summarised as follows:

- The local road is subject to flooding which has resulted in a large number of vehicle accidents on the N21.

- The subject proposal would add another conflicting junction at this busy location and lead to increased traffic delays. Previous applications nearby (Ref, 08/687) were refused permission for road safety issues related to entering on to the N21.
- Access to the site could have been provided from the LCC estate to the east, where the applicant proposes to share public open space.
- Capacity constraints at the wastewater treatment plant have led to flooding on N21 and discharge of silt to surrounding area. The subject proposal is likely to increase this problem.
- The planning application should have been readvertised at FI stage as the proposal is materially different from that originally proposed.
- Separation distance to WWTP should be 50m, not 31m as provided, to avoid odour and noise impacts on residential properties.
- The two-storey layout would result in residential amenity impacts of adjoining properties including overlooking.
- An archaeological study of the site should have been undertaken.
- An Taisce should have been consulted in relation to the potential for protected bird species at the subject site.
- Inadequate open space provided within the proposed development.
- The proposed design is not in keeping with the heritage village of Templeglantine. Dwellings should be single storey and setback at least 30m from the nearest edge of the public road. A high level of amenity and quality design should be provided in this high-density development proposal and should complement the surrounding area.
- Limited demand for the proposed 1 and 2-bed house types.
- The subject proposal would result in a 15% increase in the number of houses in Templeglantine. The availability of key water and waste water infrastructure is questioned in this context.

- The layout of the proposal is substandard including separation to boundaries, private amenity space, car parking, public open space, gables facing the road which is contrary to existing house design in the village, RSA stage 2 should be provided prior to decision, inadequate turning areas for fire and bin trucks, and no details of site testing for excess surface water/SuDS.

## 6.2. Applicant Response

The applicant provided a response to the appeal, which can be summarised as follows:

- The applicant asks the Board to reconsider the original 9-unit proposal and consider this to be an appropriate design solution for this site. The proposal provided own door units for a range of occupier types including elderly and starter homes.
- The proposed site area, scale of the proposal and dwelling mix is appropriate at this village location. Templeglantine is well serviced and is capable of accommodating additional dwellings.
- Uisce Eireann have confirmed capacity for foul and mains water.
- As the design changes and reduction in unit numbers were requested by way of FI, a re-advertisement was not necessary. It was for the Planning Authority to decide if a re-advertisement was required.
- The site layout including private amenity space, car parking, orientation of dwellings to assist with sound mitigation and access to adjoining open space, access layout and SuDS features are all compliant with Development Plan standards. All Road Safety Audit stage 1 recommendations have been incorporated into the site layout.
- Proposal was compiled to provide enhanced passive surveillance of adjoining open space.
- Applicant would be amenable to removing the first-floor landing window of unit 7 to avoid overlooking. A 1.8m block wall is proposed at property boundaries to ensure appropriate privacy.



### 6.3. Planning Authority Response

None on file.

### 6.4. Observations

There was 1 no. observation on the third-party appeal. The main points of the observation may be summarised as follows:

- The proposed scale and design would set an undesirable precedent for inappropriate infill development at this entry point to Templeglantine Village.
- Objective CGR O17 states that proposals must be in proportion to the pattern and grain of existing development and the subject proposal should be expected to do the same.
- The layout of the proposed blocks with gables fronting to the public road provides a visually obtrusive development that would injure the visual amenities of the area.
- The requirements of Objective TRO39 should be adhered to. The proposal crosses a traffic island to enter on to the N21 and in itself is a traffic hazard that warrants refusal of permission.
- The submission from TII is noted in the context of 'Spatial Planning and National Roads' and the observer notes TII state the proposal would be at variance with this policy. The Planning Authority did not give due regard to this submission in their assessment of Further Information. The observer asks that An Bord Pleanála give due regard to this issue and refuse permission on traffic safety grounds.
- The Planning authority made a determination on this application without a full understanding of inward noise impact from the N21.
- An AA screening report has not been submitted to allow the Planning Authority to undertake a complete assessment of impacts on European Site(s).
- For all of the above reasons, the observers request that permission be refused for the proposed development.

## 6.5. Further Responses

There were 2no. responses to the first party response to the appeal. The main issues raised can be summarised as follows:

- There is insufficient capacity in the wastewater treatment plant. All homes in the village have their own treatment plant. Capacity issues have led to flooding issues on the N21.
- The subject proposal will make existing traffic issues and traffic safety worse in the village. To turn right from the L7115 or L7055 is already difficult, and the applicant has not addressed the capacity issues at this location. This is all contrary to Objective TR-039.
- The end user of the proposed development is unclear and the request for the Board to also consider the original 9-unit development is not appropriate.
- The subject proposal for two storey dwellings is contrary to the existing single storey context. The existing building line is also broken by the subject proposal which will lead to loss of light for properties to the south and east into potential future road widening reservations. Examples from Abbeyfeale illustrate appropriate setback distances. The proposed design is out of character with the surrounding area.
- Procedural issues arose in the application such as FI should have been readvertised, and additional site notices should have been erected. An additional round of public consultation was justified based on the revised design.
- Other estates in the area are adequately setback (50m) from the sewage treatment plant and notably, the applicant did not provide a response to this issue.
- Previous application 08/687 was located 100metres from the subject site and was refused on traffic safety grounds. Planning Ref. 23/60702 was also referenced, which was refused permission due to lack of open space and the provision of a new access point on to the national road network (Objective TR 039)

- The proposed sharing of open space with the adjoining estate is not justified or agreed with other landowners. The high density combined with lack of open space will lead to anti-social behaviour.
- Overall, the proposal would be contrary to the proper planning and sustainable development of the area by reason of injury to privacy, amenity and value of adjoining properties. The excessive footprint relative to site area leads to inadequate provision of open space and should be refused permission.

## 7.0 Assessment

7.1.1. Having examined the application details and all other documentation on file, including the grounds of appeal, the reports 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 to be considered in this appeal can be assessed under the following headings:

- Principle of Development
- Traffic and Transport
- Scale and Design
- Infrastructure Capacity
- Other Issues

## 7.2. Principle of Development

7.2.1. The third-party appeals make reference to the principle of residential development at this location, with the implications for the capacity of the local road network also noted, which I will address in the following sections.

7.2.2. The subject site is located within a Level 5 Settlement which has an objective to *'facilitate development'* subject to compliance with *"a) The scale of new residential schemes shall be in proportion to the pattern and grain of existing development and shall be located within the development boundary, thus avoiding 'leap frogging' of development and delivering compact growth and providing for the organic and sequential growth of the settlement. Infill and brownfield sites will be the preferred*

*location for new development. In this regard, any development shall enhance the existing village character and create or strengthen a sense of identity and distinctiveness for the settlement.”*

- 7.2.3. Objective CGR O18 relates to the scale of growth of level 5 settlements, where residential developments no larger than 5-7 units are specified, except in limited circumstances
- 7.2.4. It is clear from my attendance on site that this site is a vacant site within the village settlement of Templeglantine. This is evidenced from the existing residential estate to the rear/east and existing residential dwellings to the south and to the west side of the N21.
- 7.2.5. The Core Strategy of the County Development Plan has a minimum target of 313 units for Level 5 Settlements up to 2028. Having regard to the location of the site within the Templeglantine settlement, the proposal for 7no. units on a 0.182 hectare site that gives a proposed density of 38 units per hectare, which is not excessive in the context of the scale and character of the village and maximising the use of serviced land, I am satisfied the principle of development is acceptable in this instance. NPO 33 prioritises new homes that support sustainable development at an appropriate scale relative to location and I am satisfied that the subject proposal does so.
- 7.2.6. The subject site is connected to Limerick and Killarney and intervening settlements by way of Expressway services 13 and 14. In the context of National and Local strategic sustainable development policies and the relevant objectives specific to this location, there is no objection in principle to the redevelopment of this site that is consistent with these policies.
- 7.2.7. Having regard to the location of the site within a Level 5 Settlement, the County Development Plan policy to support appropriate residential densities relative to proximity to the urban core and relationship to public transport, I conclude that the proposed development is acceptable in principle.

### **7.3. Traffic and Transport**

- 7.3.1. The submissions by TII, and by the Roads Section of Limerick City and County Council at application stage, state that adequate sightlines have not been

demonstrated and new access points to National Roads could result in traffic safety issues and should be restricted. TII further refer to policy guidance that restricts new or intensified access on to National roads. Both third-party appeals reference these submissions and state the application should be refused permission on these grounds.

- 7.3.2. The speed limit on the N21, adjacent to the subject site, is 60km/h. I refer to the TII publication '*Geometric Design of Junctions (priority junctions, direct accesses, roundabouts, grade separated, and compact grade separated junctions)*' May 2023 [DN-GEO-03060], which requires a minimum sightline of 90 metres for safe stopping distances at a design speed of 60km/h.
- 7.3.3. The distance back along the minor road or direct access from which the full visibility is measured is known as the 'x' distance. The 'x' distance on the minor road for visibility measurements shall be 3.0m as a desirable minimum.
- 7.3.4. The applicant has provided a drawing 'Revised Site Layout' dated November 2024 which was submitted at FI stage, that illustrates sight distance of 70m left (southwest) and right (northeast) from 2.5m back on the proposed access/exit junction. I note 70m as being the required sightline for 50km/h speeds with 90m being required for 60km/h speeds.
- 7.3.5. Having visited the site and reviewed the submitted drawings I consider that adequate sightlines of 90m can be achieved due to the relatively straight geometry of the road to the northeast (right) and to the southwest (left), as a vehicle driver exiting the appeal site would encounter. The Council Roads Report on the FI submission, raised no issues with the information provided and request details of sightlines to be submitted prior to the commencement of development, including that any planting would not interfere with visibility. Given the concerns raised by the Planning Authority Roads Section I consider it reasonable that final sightline details can be agreed with the Planning Authority prior to the commencement of development.
- 7.3.6. Given the relatively small number of units proposed at 7no. with a maximum of 10no. car parking spaces, I do not consider there to be a significant level of vehicle movements arising from the subject proposal that would give rise to a significant impact on the National Road network. The site is within a village setting and in the context of National Policy Objectives for compact growth within existing urban

settlements, I consider the low level of additional traffic to be acceptable while balancing sustainable urban growth with the operation of the National Road.

- 7.3.7. The policy provided in Spatial Planning and National Roads in relation to Transitional Zones allows for a limited level of direct access to national roads to facilitate orderly urban development. Any such proposal is subject to a road safety audit, which I note the applicant provided at FI stage and included a number of recommendations that have been incorporated into the revised site layout.
- 7.3.8. I note the submitted RSA recommends revisions to the road lining of the N21 National Route at the site entrance to allow safe access and exit from the site. I consider this to be achievable in consultation with the Mid West National Roads Design Office (MWNDRDO) and a suitable condition may be attached to any grant of permission to allow for the agreement of such design details.
- 7.3.9. Based on the foregoing, I do not consider there to be any conflicts with National Planning Policy or the Spatial Planning and National Roads Guidelines as there is allowance for the provision of new access points on to the National Road within a plan area. I have had regard to CDP Policy TR O39 and Policy TR P12 and consider the subject proposal to be consistent with these policies as the road is 60km/h where limited access points are acceptable in a 'Transitional Zone', an RSA has been undertaken by the applicant and the proposal provides for the orderly urban development of the village.
- 7.3.10. Based on the submitted information, I am satisfied that an additional entrance for 7no. apartment units is acceptable at this location. The proposal provides for orderly urban development by linking existing pedestrian pathways adjacent to the site, providing adequate vehicular sightlines and provides for an appropriate scale of residential expansion within Templeglantine village.
- 7.3.11. In conclusion, as the proposal provides a limited access point to the national road, within the settlement boundary of the village, where adequate road safety measures are incorporated into the site layout, I therefore do not consider that a refusal of permission on the grounds of traffic safety is merited in this instance.

### Parking Provision

- 7.3.12. A third-party appeal refers to concerns regarding parking. It is stated that the proposed parking is insufficient for the purposes of the proposed development.
- 7.3.13. The applicant has submitted that sufficient car parking is provided in line with the City and County Development Plan. Table DM 9(b) of the Development Plan sets out maximum parking standards for dwellings with less than 3 bedrooms. Standard requirements are 1 space per residential unit with 1 visitor space per 3 units. This is a total requirement of 9 spaces.
- 7.3.14. A total of 10no. car parking spaces are proposed- 7no. standard spaces and 2no. for e-parking and 1no. accessible parking space. Limerick City and County Council Roads Department have indicated no objection to the quantum of car parking proposed.
- 7.3.15. Having considered the submitted details, I am of the opinion that sufficient car parking is proposed in the subject development. The proposed car parking is appropriately located to allow ease of access and to be appropriately assimilated into the development site.

### **7.4. Scale and Design**

- 7.4.1. In various ways, the third-party appeals, and observation to the appeal, raise concern in relation to the scale and design of the subject proposal in the context of the existing built form of Templeglantine Village. The grounds of appeal also relate the design of the proposal to residential amenity impacts, visual impacts and appropriateness of the proposal at this location.
- 7.4.2. The applicant submits that the original 9no. unit proposal at application stage remains their preferred option for the development of the appeal site and asks the Board to re-consider the merits of the original proposal in their assessment of this appeal. Having reviewed the original proposal for 9no. units, I consider there to be a number of design issues that have not been addressed by the applicant and could not be appropriately amended by way of condition. Primary issues relate to the number of north facing units within the 9no. unit proposal, the generally car orientated nature of the proposal with no screen planting along the frontage of the site, no resolution to the appropriateness and safety of the proposed paved play area

to the front of the site and lack of passive surveillance to the pedestrian link that connects to adjoining open space. Also of note is Objective CGR O18, that limits the scale of proposals within Level 5 settlements to 5-7 units, except in exceptional circumstances, which have not been justified by the applicant. I therefore am of the view that the 7no. unit proposal put forward at FI stage is a more appropriately resolved design solution for the subject site and limit my assessment to this revised proposal for the purposes of this report.

7.4.3. The Sustainable Residential Development and Compact Settlements Guidelines, referencing The National Planning Framework, refers to the priority for compact growth, including emphasising renewal of existing settlements, rather than continued sprawl, and that this priority recognises the impacts that our dispersed settlement pattern is having on people, the economy and the environment. In particular, it recognises that dispersed settlement patterns create a demand for travel and embed a reliance on carbon intensive private car travel and long commutes that affect quality of life for many citizens; and dispersed growth also accelerates environmental degradation and creates a higher demand for new infrastructure and services in new communities that places a heavy financial burden on the State and results in a constant cycle of infrastructure catch-up. It is therefore considered that maximising the potential of this site is beneficial in the context of revitalising derelict sites and providing appropriate densities at infill locations. I consider the subject site, and proposed development, provides access to functional public transport for a village setting to connect to Newcastle West, Abbeyfeale, Killarney and Limerick City to allow a reduction in car trips, and to represent an appropriate use of an infill, Village Centre site that provides an appropriate level of residential development for this location.

7.4.4. As evidenced on my visit to the site, the proposed development is two storeys in height, which is not out of context in this village setting where there is a mix of single storey, dormer/storey and a half and two storey buildings. I do not consider this proposal to be a significant departure from the two storey buildings in the village centre including the hotel and former public house. In my opinion both the height and built form as proposed is suitable for the site and accords with the County Development Plan provisions CGR O17 including providing a sense of identity at an entry point to the village that is also consistent with the surrounding character of the



area including the residential estates to the east that include both single and two storey dwellings. The proposed materials of render walls, slate roofs and additional timber/timber effect additions to front and side elevations add animation and visual interest to the appearance of the proposed units.

- 7.4.5. The scale and design should therefore not be a reason to refuse or modify the proposed development.

#### Residential Amenity Impacts

- 7.4.6. Both appeals state that the proposed development will give rise to unacceptable impacts on the residential amenity of the surrounding area. Appellants note the proximity of the proposed development to the boundaries with adjoining sites and submit that the impact on sunlight/daylight, resulting opportunities for overlooking and impact on enjoyment of their property is unacceptable.
- 7.4.7. An appeal notes that the location of the proposed development will give rise to sunlight and daylight impacts and windows will give rise to overlooking.
- 7.4.8. The windows concerned are located on the southern elevation of proposed units 4-7. The only upper-level windows on the southern elevation of the subject proposal are to a stairwell in unit 7 and rooflights to unit 6. Due to the orientation of the building within the existing setting, the proposed 2-storey height and the daily sun path, the property to the south will not be subject to daily sunlight or daylight impacts as a result of the proposal. The side gable of the property to the south faces north towards the subject site, which is a further mitigating factor, as rear private amenity areas would not be directly overlooked.
- 7.4.9. Other properties in the vicinity are adequately setback at least 16-17m to eliminate any instances of overlooking or overshadowing.
- 7.4.10. Section 11.4.2.1 of the Limerick Development Plan requires adequate separation distances between directly opposing first floor rear windows and a separation distance of at least 3 metres between the side walls of detached, semi-detached and terraced units. While the subject proposal is for a rear wall facing a side gable, the subject proposal achieves adequate separation with properties to the south, by providing separation distances of between 15 and 16 metres minimum. To the single storey dwellings to the east, a separation distance of at least 17 metres is proposed.

SPPR1 of the Compact Settlement Guidelines, which are an applicable and current Section 28 Ministerial Guideline, stipulate that there shall be no specified separation distance at ground floor level.

- 7.4.11. Separation distances, to guide the protection of privacy, are set out in the City and County development plan and the Compact Settlements Guidelines. The Limerick City and County Development Plan 2022-2028 (Section 11.4.2.1) refers to adequate separation distances, noting requirements may be deviated from at infill sites. The Sustainable Residential Development and Compact Settlements Guidelines state that a separation distance of at least 16 metres between opposing windows serving habitable rooms at the rear or side of houses, shall be maintained and development plans shall not include minimum separation distances that exceed 16 metres.
- 7.4.12. With regard to properties to the south, I consider there to be adequate setbacks of between 15 metres and 16 metres between the first-floor level of the proposal, and the generally blank gable wall of the single storey property to the south. The single window from a proposed stairwell and the proposed rooflights, will not give rise to undue levels of overlooking. The proposed boundary treatment of a 1.8m block wall would also aid with protection of privacy and prevention of overlooking.
- 7.4.13. In my opinion the separation distances, screening and reduced number of first floor windows, adequately provides for the preservation of the privacy currently enjoyed. Sustainable, compact re-development of brownfield, infill sites, requires some level of densification and, having reviewed the details provided, I am satisfied the applicant has adequately addressed the concerns of residents in relation to impacts on amenity in the surrounding area. As requested by the Planning Authority, it is required to confirm details of boundary treatments and other material specifications within the site. I consider a condition requiring this information to be submitted to the Planning Authority to be appropriate.
- 7.4.14. I conclude, subject to appropriate conditions, that the proposed development will not have an adverse impact on the residential amenity of properties in the vicinity and is in accordance with the proper planning and sustainable development of the area.
- 7.4.15. A third-party appeal also notes the proximity of the proposed development to the waste water treatment plant (WWTP) to the north as being 30m, which would give rise to residential amenity impacts. I have reviewed the location of the WWTP in

relation to the subject proposal and while I note the entrance is located approximately 45m north of the most northerly node of the proposed development, the treatment plant itself is located at least 68m from the proposed development. I consider this separation distance to be adequate to mitigate any negative impacts and do not consider this to be a reason for refusal in this instance.

#### Visual Impact

- 7.4.16. The third-party appeals refer to the design, mass and bulk of the proposal, presenting as an unduly dominant structure within the village due to gables facing the road frontage. The first party response to the appeal submits that the subject proposal is appropriate in the existing village where there are a range of architectural treatments and is supported by current Development Plan and National Planning Policy.
- 7.4.17. The context within which it is proposed to construct this development, is not an Architectural Conservation Area or in proximity to Protected Structures but is a village centre location where there is a mixture of uses and building form including residential dwellings, a hotel and community facilities.
- 7.4.18. The Compact Settlement Guidelines 2024, require that 50% of new development is within the existing built-up footprint on infill or brownfield sites and states: *“In order to achieve compact growth, we will need to support more intensive use of existing buildings and properties, including the re-use of existing buildings that are vacant and more intensive use of previously developed land and infill sites, in addition to the development of sites in locations served by existing facilities and public transport.”*
- 7.4.19. In facilitating compact development, the relevant criteria in the County Development Plan, Compact Settlement Guidelines and Apartment Guidelines also provide for the reasonable protection of residential amenities and protection of the established built character of the surrounding environment. The prevailing character of development in the surrounding area of the application site is that of an established village with a range of uses, architectural forms and low density residential housing of one and two storey houses.
- 7.4.20. Based on the existing policy context for the redevelopment of brownfield and infill sites such as Objectives CGR P1 I consider that the site has capacity for development of a residential scheme of detached, semi-detached and terraced form.

The proposal can be accommodated without undue adverse impact on the character and visual or residential amenities of the area, as it is of an appropriate height and design for this infill site, is adequately set back and screened with existing planting to soften the visual appearance of the proposal within the village streetscape and to protect private amenity and will therefore not result in undue overbearing impact within this urban context.

- 7.4.21. I consider the proposal shown in the response to the appeal submission satisfactory in terms of visual impact and is compatible with the surrounding built environment. The revised building form with the orientation of the building gables to the roadside is considered acceptable to facilitate appropriate noise mitigation. I consider the two facing blocks will provide appropriate animation within the site itself and the proposed pedestrian facilities at the front of the site, coupled with the retention of existing trees, will allow for the provision of an attractive interface with the public road. I am satisfied there is sufficient amenity and open space available in the surrounding area including the Limerick Greenway, Glantine FC , Templeglantine GAA Club and the existing hotel, with additional amenities in the wider area, to allow a relaxation in the provision of open space on this infill site within a village location.
- 7.4.22. The subject proposal suggests an onward connection to an adjoining open space to the east. Based on submitted information, this area of open space is in the ownership of Limerick City and County Council. A convenient and logical connection point from the subject proposal to this area of open space would contribute positively to permeability in the area, passive surveillance and safety of the existing open space area and would support the proper planning and sustainable development of the locality. The applicant can be requested by way of condition to agree the use and connection to this open space with Limerick City and County Council if the Board were minded to grant permission.
- 7.4.23. I conclude therefore that the proposed development, as submitted at further information stage, is appropriate for this infill site, will provide an appropriate design treatment to this village site in accordance with objectives CGR P1, CGR O17 and CGR O18 of the Limerick City and County Development Plan and therefore would not seriously injure the visual amenity of the area.

## **7.5. Infrastructure Capacity**

- 7.5.1. The issue of water infrastructure capacity was raised a number of times in submissions on file and in both appeals. I note the submissions of Uisce Eireann in relation to capacity of water and waste water connections at further information stage of the application. I also note Limerick City and County Council raised no issue in relation to the water and waste water connections for the subject proposal.
- 7.5.2. I note specifically that Uisce Eireann have provided a Confirmation of Feasibility for the proposed development that states that water connection is feasible without infrastructure upgrade and wastewater connection is feasible subject to an 85m sewer extension. This would suggest that there is sufficient capacity in local infrastructure to accommodate the subject proposal. I therefore do not consider water and waste water connections to be a reason for refusal in this instance.

## **7.6. Other Issues**

- 7.6.1. Issues associated with the re-advertisement of the application at FI stage as raised in the third-party appeal are noted. However, any issues with advertisement of significant further information of applications are a matter for the Planning Authority. These are not matters for the Board and I do not propose to address these issues in this report.

## **8.0 AA Screening**

- 8.1.1. Having regard to the nature and scale of the proposed development and the location of the site and the separation distance to the nearest European site, no Appropriate Assessment issues arise, and it is not considered that the development would be likely to give rise to a significant effect individually or in combination with other plans or projects on any European site.

## **9.0 Recommendation**

Having regard to the above assessment, I recommend that permission is GRANTED, subject to the conditions outlined below.

## 10.0 Reasons and Considerations

10.1.1. Having regard to the provisions of the Limerick City and County Development Plan 2022-2028, to the Level 5 settlement designation of the site that allows for appropriate residential development, to the provisions of the 'Spatial Planning and National Roads Guidelines' that allows limited new access points to National Roads that is consistent with orderly urban development, to the nature of the proposed development and to the pattern of development in the surrounds, it is considered that subject to compliance with the conditions set out below, the proposed development would not seriously injure the residential or visual amenities of the area or the amenities of property in the vicinity and would constitute an acceptable form of development at this location. The proposed development, would, therefore, be in accordance with the proper planning and sustainable development of the area.

## 11.0 Conditions

1.	<p>The development shall be carried out and completed in accordance with the plans and particulars lodged with the application on the 20<sup>th</sup> December 2023 and as amended by the further information submitted on the 21<sup>st</sup> November 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.</p> <p><b>Reason:</b> In the interests of clarity.</p>
2.	<p>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.</p> <p><b>Reason:</b> In the interest of visual amenity.</p>
3.	<p>The site shall be landscaped in accordance with a comprehensive scheme of landscaping, details of which shall be submitted to, and agreed in writing</p>

	<p>with, the planning authority prior to commencement of development. This scheme shall include the following:</p> <p>(a) A plan to scale of not less than 1:500 showing –</p> <p>(i) Existing trees, hedgerows specifying which are proposed for retention as features of the site landscaping</p> <p>(ii) The measures to be put in place for the protection of these landscape features during the construction period</p> <p>(iii) The species, variety, number, size and locations of all proposed trees and shrubs which shall comprise predominantly native species such as mountain ash, birch, willow, sycamore, pine, oak, hawthorn, holly, hazel, beech or alder</p> <p>(iv) Details of boundary treatments between each unit</p> <p>(v) Details of planting at external boundaries of the site</p> <p>(vi) Hard landscaping works, specifying surfacing materials, furniture and finished levels</p> <p>(b) Details of proposed link to adjoining open space</p> <p>(c) A timescale for implementation</p> <p>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.</p> <p><b>Reason:</b> In the interest of residential and visual amenity.</p>
4.	<p>The access from the public road and internal road and vehicular circulation network serving the proposed development, including layout of the N21 National Road at the entrance to the site, turning bays within the development, parking areas, a raised table/crossing or similar traffic calming measure at the entrance to the development, footpaths and kerbs</p>

	<p>shall be in accordance with the detailed construction standards of the Mid-West National Roads Design Office and the Planning Authority for such works and design standards outlined in DMURS. In default of agreement the matter(s) in dispute shall be referred to An Bord Pleanála for determination.</p> <p><b>Reason:</b> In the interest of amenity and of traffic and pedestrian safety.</p>
5.	<p>(a) Prior to the commencement of any house in the development as permitted, the applicant or any person with an interest in the land shall enter into an agreement with the planning authority (such agreement must specify the number and location of each house), pursuant to Section 47 of the Planning and Development Act 2000, that restricts all houses permitted, to first occupation by individual purchasers i.e. those not being a corporate entity, and/or by those eligible for the occupation of social and/or affordable housing, including cost rental housing.</p> <p>(b) An agreement pursuant to Section 47 shall be applicable for the period of duration of the planning permission, except where after not less than two years from the date of completion of each specified housing unit, it is demonstrated, to the satisfaction of the planning authority, that it has not been possible to transact each specified house or duplex unit for use by individual purchasers and/or to those eligible for the occupation of social and/or affordable housing, including cost rental housing.</p> <p>(c) The determination of the planning authority as required in (b) shall be subject to receipt by the planning and housing authority of satisfactory documentary evidence from the applicant or any person with an interest in the land regarding the sales and marketing of the specified residential units, in which case the planning authority shall confirm in writing to the developer or any person with an interest in the land, that the Section 47 agreement has been terminated and that the requirement of this planning condition has been discharged in respect of each specified housing unit.</p> <p><b>Reason:</b> To restrict new housing development to use by persons of a particular class or description in order to ensure an adequate choice and supply of housing, including affordable housing, in the common good in</p>



	accordance with the 'Regulation of Commercial Institutional Investment in Housing Guidelines for Planning Authorities', May 2021.
6.	<p>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 unit shall be submitted to, and agreed in writing with, the planning authority not later than six months from the date of commencement of the development. Thereafter, the waste shall be managed in accordance with the agreed plan.</p> <p><b>Reason:</b> In the interest of residential amenity, and to ensure the provision of adequate refuse storage.</p>
7.	<p>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.</p> <p><b>Reason:</b> In the interest of public health.</p>
8.	<p>The developer shall enter into water supply and wastewater connection agreements with Uisce Eireann, prior to commencement of development. A Confirmation of Feasibility for connection to the Irish Water network shall be submitted to the planning authority prior to the commencement of development.</p> <p><b>Reason:</b> In the interest of public health.</p>
9.	<p>The internal noise levels, when measured at the units of the proposed development closest to the N21 National Road, shall not exceed:</p> <p>(a) 55 dB(A) LAeq during the period 0700 to 2300 hours, and (b) 45 dB(A) LAeq at any other time.</p> <p>A scheme of noise mitigation measures, in order to achieve these levels, shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. The agreed measures shall be</p>

	<p>implemented before the proposed dwellings are made available for occupation.</p> <p><b>Reason:</b> In the interest of residential amenity.</p>
10.	<p>Public lighting shall be provided in accordance with a final scheme to reflect the indicative details in the submitted External Lighting Report, details of which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development/installation of lighting.</p> <p>Such lighting shall be provided prior to the making available for occupation of any residential unit and shall include lighting of proposed pedestrian link to the southeast of the site.</p> <p><b>Reason:</b> In the interests of amenity and public safety.</p>
11.	<p>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.</p> <p><b>Reason:</b> In the interests of visual and residential amenity.</p>
12.	<p>The management and maintenance of the proposed development following its completion shall be the responsibility of a legally constituted management company, or by the local authority in the event of the development being taken in charge. Detailed proposals in this regard shall be submitted to and agreed in writing with the planning authority prior to commencement of development.</p> <p><b>Reason:</b> To ensure the satisfactory completion and maintenance of this development.</p>
13.	<p>The construction of the development shall be managed in accordance with a Construction Environment Management Plan, which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This plan shall provide details of the intended construction practice for the proposed development, including</p>

	<p>measures for the protection of existing residential development, hours of working, traffic management during the construction phase, noise and dust management measures and off-site disposal of construction/demolition waste.</p> <p><b>Reason:</b> In the interests of public safety and residential amenity.</p>
14.	<p>Construction and demolition waste shall be managed in accordance with a final construction waste and demolition management plan, which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This plan shall be prepared in accordance with the “Best Practice Guidelines on the Preparation of Waste Management Plans for Construction and Demolition Projects”, published by the Department of the Environment, Heritage and Local Government in July 2006. The plan shall include details of waste to be generated during site clearance and construction phases, and details of the methods and locations to be employed for the prevention, minimisation, recovery and disposal of this material in accordance with the provision of the Waste Management Plan for the Region in which the site is situated.</p> <p><b>Reason:</b> In the interest of sustainable waste management.</p>
15.	<p>Site development and building works shall be carried out only between the hours of 0800 to 2000 Mondays to Friday and between the hours of 0800 and 1600 hours on Saturday inclusive, 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.</p> <p><b>Reason:</b> In order to safeguard the residential amenities of property in the vicinity.</p>
16.	<p>Proposals for an estate/street name, house 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 house numbers, shall be provided in accordance with the agreed scheme. The proposed name(s) shall be</p>

	<p>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 development shall be erected until the developer has obtained the planning authority's written agreement to the proposed name(s).</p> <p><b>Reason:</b> In the interest of urban legibility and to ensure the use of locally appropriate placenames for new residential areas.</p>
17.	<p>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.</p> <p><b>Reason:</b> To ensure the satisfactory completion and maintenance of the development until taken in charge.</p>
18.	<p>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</p>

	<p>matter shall be referred to An Bord Pleanála to determine the proper application of the terms of the Scheme.</p> <p><b>Reason:</b> 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.</p>
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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.

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.Matthew McRedmond  
Senior Planning Inspector

25<sup>th</sup> March 2025

# Form 1

## EIA Pre-Screening

<b>An Bord Pleanála</b> <b>Case Reference</b>	ABP-321600-25		
<b>Proposed Development Summary</b>	The construction of 7no. 'own door' dwellings and all associated site works.		
<b>Development Address</b>	Templeglentan East, Templeglentine, Co. Limerick		
<b>1. Does the proposed development come within the definition of a 'project' for the purposes of EIA?</b> (that is involving construction works, demolition, or interventions in the natural surroundings)		<b>Yes</b>	√
		<b>No</b>	
<b>2. Is the proposed development of a CLASS specified in Part 1 or Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended)?</b>			
<b>Yes</b>	√	Class 10 (b) (i)	Proceed to Q3.
<b>No</b>			
<b>3. Does the proposed development equal or exceed any relevant THRESHOLD set out in the relevant Class?</b>			
<b>Yes</b>			EIA Mandatory EIAR required
<b>No</b>	√		Proceed to Q4

4. Is the proposed development below the relevant threshold for the Class of development [sub-threshold development]?			
Yes	√	Proposed 7-unit development does not meet or exceed 500 unit dwelling threshold.	Preliminary examination required (Form 2)

5. Has Schedule 7A information been submitted?		
No	√	Pre-screening determination conclusion remains as above (Q1 to Q4)
Yes		Screening Determination required

Inspector: \_\_\_\_\_ Date: \_\_\_\_\_

## Form 2

### EIA Preliminary Examination

<b>An Bord Pleanála Case Reference</b>	<b>ABP-321600-25</b>
<b>Proposed Development Summary</b>	Construction of 7no. 'own door' dwellings and all associated site works.
<b>Development Address</b>	Templeglentan East, Templeglentine, Co. Limerick
<p><b>The Board carried out a preliminary examination [ref. Art. 109(2)(a), Planning and Development regulations 2001, as amended] of at least the nature, size or location of the proposed development, having regard to the criteria set out in Schedule 7 of the Regulations.</b></p> <p><b>This preliminary examination should be read with, and in the light of, the rest of the Inspector's Report attached herewith.</b></p>	
<p><b>Characteristics of proposed development</b></p> <p>(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).</p>	Proposed 7-unit residential development is not out of context at this urban village location and will not result in any significant waste or pollutants.
<p><b>Location of development</b></p> <p>(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).</p>	Site is adequately removed from the Stack's to Mullaghareirk Mountains, West Limerick Hills and Mount Eagle SPA and The Lower River Shannon SAC and is adequately setback from protected structures in the vicinity to minimise any potential impacts.



<b>Types and characteristics of potential impacts</b> (Likely significant effects on environmental parameters, magnitude and spatial extent, nature of impact, transboundary, intensity and complexity, duration, cumulative effects and opportunities for mitigation).		Proposed 7-unit residential development is not likely to give rise to any significant impacts locally or transboundary. Construction impacts will be short term and temporary and can be adequately mitigated and managed.
<b>Conclusion</b>		
<b>Likelihood of Significant Effects</b>	<b>Conclusion in respect of EIA</b>	<b>Yes or No</b>
<b>There is no real likelihood of significant effects on the environment.</b>	<b>EIA is not required.</b>	<b>No</b>
<del>There is significant and realistic doubt regarding the likelihood of significant effects on the environment.</del>	<del>Schedule 7A Information required to enable a Screening Determination to be carried out.</del>	
<del>There is a real likelihood of significant effects on the environment.</del>	<del>EIAR required.</del>	

Inspector:

Date:

DP/ADP: \_\_\_\_\_

Date: \_\_\_\_\_

(only where Schedule 7A information or EIAR required)