



An
Bord
Pleanála

Inspector's Report

ABP-321645-25

Development	A residential development comprising 55 no. residential units and all associated site works. The development will be accessed via Hillcroft Close, St. Patricks Road, Singland, Limerick.
Location	Hillcroft Close, Saint Patrick's Road, Singland, Limerick
Planning Authority	Limerick City and County Council
Planning Authority Reg. Ref.	21580
Applicant(s)	Michael Murphy Homes Limited
Type of Application	Permission
Planning Authority Decision	Refuse Permission
Type of Appeal	First V Refusal
Appellant(s)	Michael Murphy Homes Limited
Observer(s)	Aspen Gardens Residents Committee Hillcroft/Hillcroft Close Residents Committee

Willie O'Dea TD

Bryan Byrne

Date of Site Inspection

14th March 2025

Inspector

Ronan O'Connor

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1.0 Site Location and Description

- 1.1. The subject site is located approximately 1.8km to the East of Limerick City Centre, in the Garryowen area of the city suburbs. The site lies immediately to the west of the Ennis to Limerick railway line and within a predominantly residential area.
- 1.2. The site has a stated area of 1.23 ha. The site is currently greenfield in nature and the site boundaries comprise a block wall to Hillcroft Close, and hedging.
- 1.3. The site comprises the easterly section of a larger field which extends from St. Patricks Road to the west, to the railway lines to the east. There is currently no direct access to the subject site from the surrounding area.

2.0 Proposed Development

- 2.1. Permission is sought, as per the public notices, for the construction of a residential development comprising 55 no. residential units (4 no. 2 storey 2-bedroom semi-detached houses, 42 no. duplex units in four 3 storey blocks with 1 & 2 bed apartments on the ground floor and 3-bedroom houses over, 9 no. 2 storey 3-bedroom terrace houses in two blocks), demolition of an existing block wall on Northern Boundary of site along with the construction of all associated roads, boundary treatments, pavements, car parking, street lighting, foul and surface water drainage and all ancillary site development works. The development will be accessed via Hillcroft Close, St. Patricks Road, Singland, Limerick, all at Hillcroft Close, St. Patricks Road, Singland, Limerick.
- 2.2. The Board will note that the proposed number of units was reduced from 55 no. units to 54 no. units as per the Further Information submission (submitted to the Planning Authority on 22/12/21). As such, the proposed development that is the subject of this appeal comprises of the following breakdown:
 - 4 no. 2 storey 2 bed semi-detached houses
 - 8 no. 2 storey 3 bed terraced houses
 - 9 no. ground floor 1 bed apartments
 - 12 no. ground floor 2 bed apartments
 - 21 no. 3 bed duplex apartments

3.0 Planning Authority Decision

3.1. Decision

- 3.1.1. The Planning Authority decided to refuse planning permission [decision date 13/04/2022] for the proposed development for the following stated reason:

1. It is considered that the proposed access for construction traffic through the existing Hill Croft development, having regard to the alignment and layout of this mature estate would adversely affect the residential amenity of existing residents and result in traffic congestion. The proposed development therefore represents a disorderly and haphazard approach to the development of these lands which form part of a larger parcel of lands in which a coordinated and phased approach to development is required. The proposed development, if permitted, would represent an undesirable precedent for similar development in this residential area, and would therefore be contrary to the proper planning and sustainable development of the area.

3.2. Planning Authority Reports

- 3.2.1. Planning Reports

- 3.2.2. The Planner's Report (dated 17/06/21) is summarised below:

- Notes that the proposed access is from Hillcroft Close to the north, which is an estate that has been taken in charge by LCCC.
- Notes contents of the Roads Report (as detailed below).
- Access through the existing estate would adversely affect residents in terms of construction traffic/narrow width of road/vertical alignment of same
- Direct road/footpath connection out to St. Patrick's Road is the preferred option
- Density is 47.5 units/ha – outer suburban greenfield site
- Total of 15% open space is proposed
- Provision of active and passive amenity space is required
- Layout considered appropriate

3.2.3. Further Information was requested on 23/06/21 in relation to the following issues:

1. Masterplan showing how the proposed scheme will integrate with lands zoned for residential development.
2. Traffic and Transport Assessment
3. Road Safety Audit
4. Revised site layout plan showing revised parking locations/turning areas/road widths/parking dimensions/accessible car parking
5. Details of shared public amenity space/secure and covered cycle storage/areas to be taken in charge/bin storage.
6. Public Lighting Design.
7. Revised Surface Water Disposal Layout Plan
8. Additional details of SUDS measures.
9. Legal Interest in the land.
10. Acoustic Design Statement

3.2.4. Significant Further Information was received on 22/12/21. Of note is that the number of units was reduced from 55 to 54 no. units. The submission included the following documentation:

- Revised drawings
- Land ownership details
- Traffic & Transport Assessment
- Stage 1 Roads Safety Audit
- Assessment Transport Noise Impact (Trains)
- Public lighting design
- Lighting and Power Specification

3.2.5. The Planners Report (dated 25/01/22) is summarised below:

- Notes number of units reduced from 55 to 54.

- Pedestrian permeability should be maintained between Hillcroft with the removal of the high wall
- Vehicular access will be detrimental to the existing residents particularly in relation to construction traffic
- There is an alternative access to lands via a direct route from St Patrick's Road
- Layout and design changes are considered acceptable.
- Only an access from St. Patrick's road to facilitate construction will be permitted.
- Clarification of FI was recommendation.

3.2.6. Clarification of FI was sought on 26/01/22 in relation to the following issues:

1. Revised proposal showing access from St. Patricks Road
2. Revised site layout plan incorporating requirements of Roads Report.
3. Revised Lighting details.
4. Revised Surface Water Disposal Layout Plan.
5. Additional Detail of SuDS measures.

3.2.7. Clarification of FI was submitted on 21/03/22, and included the following:

- Revised drawings
- Response to issues raised relating to access via Hill Croft from HRA Planning Consultants
- Public Lighting Design prepared by Molloy Consulting Engineers
- Stage 1 Road Safety Audit, prepared by Traffic Transport and Road Safety Associates Ltd
- BDB Consulting report.

3.2.8. The Planner's Report [dated 08/04/22] is summarised below:

- Not reasonable to expect residents to ensure construction traffic.
- Overall parcel of land should be planned by way of a masterplan with a vehicular access onto St. Patrick's Road, with pedestrian and cycle way permeability provided by way of the removal of the high wall

- Refusal of permission was recommended.

3.2.9. Other Technical Reports

Executive Scientist:

Acoustic Design Statement required to be prepared to include an assessment of rail noise due to proximity of railway line. [report dated 12/05/21]

Following the submission of the response to the FI request, a further report notes that although the maximum internal noise level inside Units 1 to 16 due to the Limerick to Ennis train before 7.00 hrs will potentially be loud through an open or partially open windows, the best available guidance indicates that there will unlikely be a significant impact to residents. [report dated 20/01/22]

County Archaeologist:

Recommended that conditions requiring archaeological monitoring of all ground disturbance works associated with the development be included in a grant of permission [31/05/21]

Fire & Emergency Services:

Observations made with regard to Fire & Building Control requirements. [02/06/21]

Environmental Services:

The report recommends the inclusion of a condition requiring the submission of a waste management plan to be agreed prior to commencement of any works. [15/06/21]

Operations & Maintenance Services / Central Services (Roads):

The first report deals with roads, public lighting and surface water disposal issues. Further information required with regard to a number of issues [16/06/21]

The second report deals with roads, public lighting and surface water disposal issues. Further information required with regard to a number of issues [dated 25/01/22]

The final report from this section of the PA advises a number of conditions to be included in any grant of planning permission [29/03/22]

Transportation & Mobility Directorate:

Report advises that it is preferable that all the residential zoned lands forming this area should access directly onto St. Patricks Road and a master plan would be appropriate. While the proposed access through the cul-de-sac estate is technically feasible, it is not desirable and should be avoided [email dated 24/01/2022]

Following the submission of the response to the second FI request, a final report from this section of the PA notes that the applicant has not taken up the request to provide a direct access onto St. Patricks Road. As such, refusal is recommended on the following grounds:

- Direct access is feasible and achievable
- Access through the existing cul-de-sac leads to unnecessarily large single-entry junction into the housing area.
- Proposed access is indirect and not necessary.
- A new access can provide a safer access and reduced congestion.
- Pedestrian / cycle access to Hillcroft estate only should be provided.

[email dated 06/04/22]

3.3. Prescribed Bodies

Uisce Eireann (Irish Water):

No objection subject to conditions. [25/05/2021]

Department of Tourism, Culture, Arts, Gaeltacht, Sport and Media (DoTCAGS&M)

The report submits that where possible, the native hedgerow should be retained. Where it is necessary to remove hedgerows and scrub, this should be done outside the bird nesting season. For any hedgerow removed, an equal length should be replanted on the site. [03/06/21]

Iarnród Eireann:

The submission advises that IE has no objection in principle to the proposed development. The report advises a number of conditions be included in any grant of permission in the interests of safety. [14/06/21]

3.4. Third Party Observations

3.4.1. 74 valid third-party submissions were received in response to the initial planning application. The issues raised are summarised in the Planner's Report (dated 17/06/21) and I have reproduced same here:

- Hillcroft is presently a cul-de-sac located on a hill with cars parked on either side, roads are narrow.
- Accessibility issues for large trucks, significant increase in traffic, danger to children.
- Noise and disturbance to residents during construction accessing through the estate.
- Duplex units out of character with the area, overbearing, out of scale.
- Premature, piecemeal and haphazard.
- Development of secondary land.
- Utilising an inappropriate entrance, already serving 525 homes.
- A masterplan is required including an entrance from St. Patrick's Road.
- Non-compliant with DMURS.
- Rear Gardens adversely affected.
- Concerns in relation to foul drainage odour at base of hill and sewerage capacity.
- Blocked drains at the base of the hill.
- Legal ownership of the site is questioned.
- Removal of boundary wall adjacent to green area will create an unsafe environment for children.

3.4.2. Following the submission of the response to the FI request, and 4 no. additional responses were received by the PA, including a submission from the Hillcroft/Hillcroft Close Residents Committee with multiple signatories. The concerns raised are summarised in the Planner's Report [dated 25/01/22] and I have reproduced same here:

- Unsafe play areas as a result of through traffic, safety hazard.

- Noise pollution.
- Construction traffic would adversely affect residents given narrow width of road and vertical alignment of same.
- Proposal represents a leapfrogging of zoned lands.
- Increase volume of traffic will affect all existing estates in the area. Traffic modelling can be inaccurate. No risk assessment carried out.
- Effectively a single land, pedestrians compromised.
- Boundary wall has not been addressed.
- Overlooking of dwellings.
- Lands bought along western boundary.
- No consideration to residents, regarding access.
- There is a recognised issue with congestion in Garrryowen/Singland area in the existing CDP.
- No visitor parking within Hillcroft, Aspen Gardens
- Is there an agreement in place with an AHB?
- Key points of the Limerick Development Plan/Urban Design Guide identified below:
 - Providing a good standard of physical, economic and social environments
 - All policies and objectives shall consider health & wellbeing as key elements of development plans.
 - Appropriate increase in density and respect the form of the buildings and landscape around the site's edges and the amenity enjoyed by neighbouring users.
 - The overall form, scale and massing of the scheme should respond to the existing character of the surrounding buildings and or landscape.

4.0 Planning History

- 4.1.1. ABP-313498-22 [PA Reg Ref 21580] – A residential development comprising 55 no. residential units and all associated site works - By Order of the High Court, perfected on the 22nd October 2024, the Board's decision on same was quashed and the case was remitted back to the Board for further consideration and determination, with the case allocated to a new inspector for a *de novo* Inspector's Report.

5.0 Policy Context

5.1. Development Plan

Limerick Development Plan 2022-2028 (as varied)

The Board will note that the subject application [PA Reg Ref 21580] was considered and assessed by the Planning Authority under the Limerick City Development Plan 2010. In the interim, the Board will note that the Elected Members of Limerick City & County Council adopted the Limerick Development Plan 2022-2028 at a full Council Meeting on the 17th of June 2022 and the Plan came into effect on the 29th of July 2022, six weeks after the date of adoption. Therefore, the Limerick Development Plan 2022-2028 (as varied) is the relevant policy document pertaining to the subject site.

The Board will also note that Variation No. 1 to the Limerick Development Plan 2022 – 2028 was adopted by the Elected Members on the 22nd of May 2023 comprising an amendment to Policy TR P11 Road Safety and Carrying Capacity of the non-national Road Network and Objective TR O37 Land Uses and Access Standards.

The Plan is set out over 6 Volumes with Volume 1 comprising the Written Statement and Volume 2 dealing with Settlements. The remaining volumes deal with Record of Protected Structures and ACAs, Environmental Reports, Designated Sites & RMPs and accompanying strategies such as the Housing Strategy, Retail Strategy etc.

Zoning

The subject site lies to the east of Limerick City Centre, on lands zoned New Residential. It is the stated objective of this zoning 'to provide for new residential

development in tandem with the provision of social and physical infrastructure'. The stated purpose of this zoning is stated in the Plan as follows:

This zone is intended primarily for new high quality housing development, including the provision of high-quality, professionally 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.

Other Relevant Policies and Objectives are set out below¹.

Table 2.2 Table 2.2: Population growth Q3 2016-Q2 2028, with estimate of growth up to Q2 2022 and future growth to be facilitated by end of 2022-2028 Development Plan period

Population Growth during the Plan Period Q2022 – Q2 2028 – 30,621

Table 2.5 Projected population and household growth per settlement hierarchy

For - Level 1 Limerick City and Suburbs (in Limerick), Mungret and Annacotty

Additional households forecasted 2022-2028 – 11,442

Density

Table 2.6 Density Assumptions per Settlement Hierarchy

Table DM 9(a): Car and Bicycle Parking Standards Limerick City and Suburbs- site located within Zone 2

Density Zone 3: Suburban Edge:

Policy CS P2 Compact Growth

¹ For additional details of same see Appendix 4.

Policy CGR P1 Compact Growth and Revitalisation

Objective CGR O2 Place-making, Universal Design and Public Realm

3.3.1.5 Backland Sites

Objective HO O5 Apartments

Table 3.2: Urban Character and Objectives - UCA O2 -Surrounding Suburban Area -

Objective HO O2 Density of Residential Developments

Objective HO O3

Objective HO O13 Provision of Social and Affordable Housing -

Chapter 6

Policy EH P1 Protection of Natural Heritage and Biodiversity

Objective EH O10 Trees and Hedgerows

Chapter 7

Objective TR O2 Design Manual for Urban Roads and Streets

Objective TR O37 Land Uses and Access Standards

Objective TR O48 Traffic Management

Objective TR O49 Car and Cycle Parking

Section 7.10.3 Road Safety

Chapter 10: Sustainable Communities and Social Infrastructure

Objective SCSI O27 Playgrounds

Chapter 11: Development Management Standards

11.2 Residential Development - Design, Principles and Standards incl:

11.2.1 Design Criteria

11.2.3 Density and Phasing

11.3.5 Roads, footpaths, water services and landscaping

11.3.6 Open Space Requirements

Table DM 2: Open Space Hierarchy within Residential Estates including

11.3.7 Private Open Space

11.3.10 Boundary Treatment

11.3.11 SuDS (Sustainable Drainage Systems)

11.3.12 Noise

11.4 Residential Development - Quality Standards incl:

11.4.1 Apartment Development

11.4.2 Residential Quality Standards – Houses

11.8.1 Access to Roads, Traffic and Transport Assessments (TTAs) and Road Safety Audits (RSAs)

11.8.3 Car and Bicycle Parking Standards

Table DM 9(a): Car and Bicycle Parking Standards Limerick City and Suburbs (in Limerick) Mungret and Annacotty

Table DM 10: Car parking dimensions

11.8.6 EV Charging Points

Chapter 12 – Land Use Zoning Strategy

12.4 Land Use Zoning Matrix

Volume 2a

- Level 1 - Limerick City and Suburbs (in Limerick), Mungret and Annacotty Settlement Capacity Audit; Zoning Map; Density and Residential Capacity Audit Map; Flood Map; Transport Map

Table 1: SCA Limerick City and Suburbs (in Limerick), Mungret and Annacotty lands identified for potential Residential, or a combination of Residential and other Mixed-Use development

Site 79 – assumed residential density 45+ - Permission for 55 units (21/580).

Map 1: Limerick City and Suburbs (in Limerick), Mungret and Annacotty - Residential Settlement Capacity Map

Map 3: Limerick City and Suburbs (in Limerick), including Mungret and Annacotty -

Zoning Map – Site is zoned ‘New Residential’

Map 4: Limerick City and Suburbs (in Limerick), including Mungret and Annacotty - Density Map

5.2. National Policy

The National Planning Framework ‘Project Ireland 2040’

The National Planning Framework ‘Project Ireland 2040’ addresses the issue of ‘making stronger urban places’ and sets out a range of objectives to support the creation of high quality urban places and increased residential densities in appropriate locations while improving quality of life and place. Relevant Policy Objectives include: • National Policy Objective 3a: Deliver at least 40% of all new homes nationally, within the built-up footprint of existing settlements

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

National Biodiversity Action Plan 2023-2030

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.

Climate Action Plan, 2025 [CAP25]

It is noted within CAP25 that Key targets to further reduce transport emissions include a 20% reduction in total vehicle kilometres travelled relative to business-as-usual, a 50% reduction in fuel usage, and significant increases to sustainable transport trips and modal share.

In relation to buildings, it is noted that operational emissions in the built environment sector have decreased by 21% since 2018, and achievement of the first sectoral emissions ceilings is within reach. In 2025 it is proposed to transpose the Energy Performance of Buildings Directive, publish a roadmap to phase out fossil fuel boilers, and increase the numbers of building energy rating (BER) assessors, One-Stop-Shops, and Sustainable Energy Communities.

It is stated within the Plan that, CAP25 is to be read in conjunction with CAP24, and as such I have set out a summary of same below.

Climate Action Plan, 2024. [CAP24]

Implements carbon budgets and sectoral emissions ceilings and sets a roadmap for taking decisive action to halve our emissions by 2030 and reach net zero no later than 2050. By 2030, the plan calls for a 40% reduction in emissions from residential buildings and a 50% reduction in transport emissions. The reduction in transport emissions includes a 20% reduction in total vehicle kilometres, a reduction in fuel usage, significant increases in sustainable transport trips, and improved modal share.

5.3. Section 28 Guidelines

Having considered the nature of the appeal, the receiving environment, and the documentation on file, I am of the opinion that the directly relevant Section 28 Ministerial Guidelines are:

- Sustainable Residential Development and Compact Settlements - Guidelines for Planning Authorities (Jan 2024).²

² The Board will note the publication of these guidelines postdate the Planning Authority's decision (decision date 13/04/2022) also postdate the date of the original appeal submission (05/05/2022).

- Sustainable Urban Housing: Design Standards for New Apartments, Guidelines for Planning Authorities (2023) (the ‘Apartment Guidelines’).³
- Urban Development and Building Height, Guidelines for Planning Authorities (2018) (the ‘Building Height Guidelines’).
- Design Manual for Urban Roads and Streets (DMURS) (2019)

5.4. **Regional Policy**

Regional Spatial & Economic Strategy for the Southern Region 2020-2032

The site is located within the ‘Limerick-Shannon Metropolitan Area’. The RSES incorporates Metropolitan Area Strategic Plans (MASP) to ensure coordination between local authority plans. The MASP notes that Limerick City is the largest urban centre in the Mid-West and the country’s third largest city. The MASP highlights the need to increase residential density in Limerick City and Shannon through a range of measures including, reductions in vacancy, re-use of existing buildings, infill and site-based regeneration.

5.5. **Natural Heritage Designations**

- 5.5.1. The site is not located within any designated site. The closest Natura 2000 site is the Lower River Shannon SAC (Site Code: 002165) which is located approximately 0.9km to the north of the site and the River Shannon and River Fergus Estuaries SPA (Site Code: 004077) lies approximately 2.2km to the west of the site. Glenomra Wood SAC (Site Code: 001013) lies approximately 10.2km to the north while Tory Hill SAC (Site Code: 000439) lies approximately 13.9km to the south.

5.6. **EIA Screening**

- 5.6.1. See completed Forms 1 & 2 on file (Appendix 1 & 2). Having regard to the nature, size and location of the proposed development, and to the criteria set out in Schedule 7 of the Regulations, I have concluded at preliminary examination that

³ The Board will note the publication of these guidelines postdate the Planning Authority’s decision (decision date 13/04/2022) also postdate the date of the original appeal submission (05/05/2022).

there is no real likelihood of significant effects on the environment arising from the proposed development. EIA, therefore, is not required.

6.0 The Appeal

6.1. Grounds of Appeal

6.1.1. A first-party appeal against the decision of the Planning Authority to refuse planning permission was received on 05/05/2022. The grounds of appeal are summarised below:

- Notes the reason for refusal will relates solely to the use of the access for construction traffic.
- Acknowledged that construction traffic will be an inconvenience for the construction period.
- Can be effectively managed to ensure minimum disruption over a limited period of time, circa 18 months.
- Impacts will be temporary
- Construction traffic will be limited to an estimated 4 no. return trips per day/will be restricted to off -peak hours between the hours of 9.30hrs to 16:30hrs/Construction Management Plan will be prepared.
- There is no alternative access to the land, notwithstanding efforts by the applicant to negotiate an access through the adjoining land which is in separate ownership
- Requested the Board overturns the reason for refusal
- Sets out a description of the site, the development proposal and relevant policy assessment which are noted.
- Notes the content of the Transportation and Mobility Directive Report/sets out that the initial email was an 'opinion' and states that the access from St. Patrick's Road was 'preferable'/also notes that it should be avoided 'if practical to do so'.
- Submitted that that initial email indicates that the access through Hillcroft Close was not an issue of concern from the roads perspective in the first instance.

- Existing road access through Hillcroft Close is sufficient for all vehicles/is of sufficient width. Under DMURS the road would be classed as a Local Street.
- Masterplan has been prepared showing how lands can be developed with interconnecting roads facilitating future access onto St. Patrick's Road.
- Only 61 no. houses served by the existing roadway though Hillcroft Close/proposed development of 54 no. units will result in an overall residential development of 105 no. units being access by a singular vehicular roadway/submitted that this is not excessive.
- The TTA confirms the proposed development will only have a marginal impact on local road network.
- No evidence for potential anti-social issues
- Existing wall will limit permeability
- Existing open space is not overlooked or naturally policed
- Seek to provide additional open space/enhance existing open space

6.2. Planning Authority Response

6.2.1. None.

6.3. Observations

6.3.1. There are 4 observations noted in relation to the subject appeal and I have summarised same below.

Aspen Garden Residents Committee [received 21/05/2022]

- Only 1 entrance to the 2 no, existing housing estates/caters for c525 residents
- Volume of traffic will increase by an estimated 80-100 vehicles
- Existing pathway into the estate is inadequate
- Risk to children from traffic
- Risk from construction traffic/no adequate turning area/damage to vehicles
- Proposed duplex blocks are not in keeping with existing estates

- Impact of duplex blocks on amenity (privacy/overlooking/loss of natural light)
- Eastern boundary wall with Aspen gardens being used as a shortcut/will worsen situation/impact on privacy from same.
- Developer tried to purchase land that would give access to St. Patrick's road/could not do this/access through the estate is the secondary option
- Current plans suggest that future development is already a possibility on the land to the south of Aspen Gardens, with proposed access from St. Patrick's Road.

Hillcroft / Hillcroft Close Residents Committee. [received 31/05/22]

- Leapfrogging land that has been zoned residential
- Lack of adequate parking for existing residents
- Development does not follow key desire lines/shoehorn a development that this accessed by a totally inappropriate route that is not safe or secure
- Congestion issues at junction of St. Patrick's Road and the Dublin Road

Encl: Masterplan; Photos X 5.

Willie O'Dea TD [received 31/05/22]

- Applicant did not respond to the Item 1 of the FI requests (as related to construction traffic/masterplan/orderly and phased development).
- Little visitor parking available.
- High incidence of on-street parking

Bryan Byrne [received 01/06/22]

- Family of 5/Bought house on the basis there was a cul-de-sac with a public green area
- Could potentially bring an 880% increase in through traffic
- Removal of the cull de sac would have a major negative impact
- Item 1 of FI was not addressed
- Children frequently use the open space
- Increase in traffic will present safety issues for children

- Lack of adequate parking
- Congestion issues at the junction of St. Patrick's Road/Dublin Road
- Inadequate traffic report/missed key school runs
- Note that 215 cars need to access the junction from St. Patrick's Road
- Does not comply with the Limerick Development Plan and Best Practice Design Guide
- Reiterates points made in original submission on the planning application (impact on safety, impact on amenity, density, layout and appearance, impact on biodiversity, access from St. Patrick's Road, impact on water and wastewater. Castletroy and Bunliky are operating beyond operational capacity, Will consume an undue extent of the population target for the Local Authority Area, increase in traffic volumes, current congestion, inadequate traffic report, lack of adaptable units, would be a large combined estate – needs a main link to a major access road, creche facilities and other amenities
- No requirement to build a mix of units/3-4 storey blocks, apartment/duplexes can be removed.

6.4. Further Submissions

- 6.4.1. I would note that, following remittal of the case [ABP-313498-22], the Board invited further submissions on the appeal from all parties under section 131 of the Planning and Development Act, 2000 (as amended) by way of letter dated 20/01/2025. A total of 4 no. additional submissions were received (1 from the appellant, and 3 from the observers on the appeal). I have set out summaries of same below.

Aspen Garden Residents Committee [received 01/02/25]

- Only 1 entrance to the 2 no, existing housing estates/caters for c525 residents
- Volume of traffic will increase by an estimated 80-100 vehicles
- Entrance to Hillcroft and Aspen Gardens has been narrowed w/c 27th January 2025/will make access for heavy lorries and work vehicles even more difficult
- Existing pathway into the estate is inadequate

- Risk to children from traffic
- Risk from construction traffic/no adequate turning area/damage to vehicles
- Proposed duplex blocks are not in keeping with existing estates
- Impact of duplex blocks on amenity (privacy/overlooking/loss of natural light)
- Eastern boundary wall with Aspen gardens being used as a shortcut/will worsen situation/impact on privacy from same.
- Developer tried to purchase land that would give access to St. Patrick's road/could not do this/access through the estate is the secondary option
- Current plans suggest that future development is already a possibility on the land to the south of Aspect Gardens, with proposed access from St. Patrick's Road.

Bryan Byrne [received 10/05/25]

- Refers to letter attached with submission/clear landowner with direct access to St. Patrick's Road wishes to sell the land [The Board should note that no letter was attached to this submission].
- Total disregard for residents resulting in an unsafe environment especially children
- Will make the current amenity redundant/will lose the green space
- National guidelines is to ensure children's play needs are met through the development of a child-friendly environment
- Disregards objectives of the CDP to improve open space provision/personal and child safety/hierarchy of open space
- Impact of construction works would have to contend with same for the foreseeable future
- Do not comply with 'Quality Housing for Sustainable Communities'
- Urge the Board only to grant permission on the basis of access via St. Patrick's Road
- Board Inspector, Limerick City and County Council and the Senior Engineer also recommends refusal through the estate

- Board concurred that the development of all lands identified as site No. 79 in Table 1 would be preferable
- Duplex units are out of character/have not considered Sustainable Residential Developments and Compact Settlements
- Need for housing should not override the proper planning processes of zoned land

Hillcroft/Hillcroft Close Residents Committee [received 10/02/25]

- Will be impacts on residential amenities as a result of increase noise from extra traffic generated, traffic congestion and safety concerns
- Will be particularly problematic during the construction phase as a result of heavy good vehicles
- Appellants have not taken into consideration kerbside parking which will hinder traffic movements
- Will be greater number of vehicles than the appellants state/period could go beyond 18 months
- Plausible that that the construction phase could exceed 5 years.
- Area to the west of the proposed development/also Zoned for Phase 1 Residential Use/Designated as site No. 79 in Volume 2(a) of the Limerick City and County Development Plan.
- Owner of these lands is willing to sell it to facilitate an access road from St. Patricks Road/folio with note indicating same.
- Board should take into account report of the Council's senior engineer/is familiar with traffic in the area/consider the recommendation of Limerick City and County Council
- Applicant's traffic survey carried out when covid restrictions were still in place.
- Previous Inspector recommended refusal
- Will result in a doubling of existing traffic volumes
- There is a total of 159 units currently accessing Hillcroft and Aspen Gardens

- Removal of the cul-de-sac will compromise safety
- Objective SCS1 021 to 'Improve Open Space Provision' is of relevance.
- Contrary to National Guidance as set out in READY, STEADY, PLAY A National Play Policy – in respect of road safety/loss of a safe space to play
- Development of this and adjoining site would constitute the proper planning and sustainable development of the area
- If application is granted, development on adjoining site may also use access through the existing estate
- Duplex units are inappropriate given character of houses in the area
- Private open space is just 14 sq. m. which is below the recommended thresholds in the CDP – minimum private open space of 25 sq. m.
- Will result in future occupants being car dependant/parking dominates the space around the buildings
- Housing should be located in appropriate locations in accordance with the carbon reduction strategy in the Climate Action Plan 2024/located in close proximity to public transport routes/cycle and pedestrian routes
- There are no dedicated cycle routes in this part of Limerick/nearest bus stop is a 16 min walk away/would be shorter if there was a direct access into St. Patrick's Road
- Mobility Management Plan should have been submitted with the application
- Has not been designed in accordance with the principles as set out in the Sustainable Residential Development and Compact Settlements

Encl: (1) Correspondence from ABP (ii) Signatures of Residents of Hillcroft/Hillcroft
Close supporting observation (iii) Copy of folio of lands with note.

Michael Murphy Homes (Appellant) [Received 10/02/2025]

- Would like to respond to/clarify Inspector's point in relation to proposed open space provision
- Attached drawing Sheet '112 Open Space Calculations' – highlight both the open space areas and incidental green areas for clarity

- Dwg indicates – Open Space = 15% (1,730 sq. m.) & Incidental Green areas (230 sq. m).

Enc: Sheet No. 112 – Open Space calculations.

7.0 **Assessment**

- 7.1.1. I would reiterate that the subject application was considered by the Planning Authority, at Planning Application Stage, under the Limerick City Development Plan 2010. In the interim, the Board will note that the Elected Members of Limerick City & County Council have adopted the Limerick Development Plan 2022-2028 and therefore the relevant Plan is now the Limerick Development Plan 2022-2028, and I will be assessing this appeal with regard to the current Development Plan. I will also be assessing the appeal having regard to relevant Section 28 Guidelines, noting that the ‘Sustainable Residential Development and Compact Settlements - Guidelines for Planning Authorities (Jan 2024)’ and the ‘Sustainable Urban Housing: Design Standards for New Apartments, Guidelines for Planning Authorities (2023) (the ‘Apartment Guidelines’)’ both postdate the decision date of the Planning Authority. I will also be considering all other relevant information and submissions on file, including the information on file in relation to the decision of the Planning Authority, the first-party appeal submission and the observations on the appeal.
- 7.1.2. The appeal is a first-party appeal against the decision of the Planning Authority to refuse permission. Having regard to the issues raised in the appeal submission, and having regard to the submissions of the observers on the appeal, I am of the view that the main issues that arise for assessment in relation to the appeal can be addressed under the following headings:
- Principle of Development
 - Traffic and Transport Issues
 - Density, Design and Residential Standards
 - Impacts on Surrounding Residential Amenity
 - Biodiversity
 - Other Issues

7.2. Principle of Development

- 7.2.1. With reference to 'Map 3: Limerick City and Suburbs (in Limerick), including Mungret and Annacotty' of Volume 2 of the Limerick Development Plan 2022-2028, the subject site lands are zoned 'New Residential'. The stated objective of this zoning 'to provide for new residential development in tandem with the provision of social and physical infrastructure', and with reference to Section 12.4 'Land Use Zoning Matrix' 'Residential' is normally permitted within such areas. As such, with reference to the zoning of the site, a residential development is acceptable in principle. I would note that the site was also zoned residential use under the previous Development Plan (Limerick City Development Plan 2010).

Transitional Zoning Areas

- 7.2.2. The site could be considered to be within a 'Transitional Zoning Area' given its location adjacent to areas zoned 'Existing Residential'. In relation to such sites, the Development Plan notes that abrupt transitions in scale, density and use should be avoided, and the amenities of residential properties should be protected. In relation to same, I have considered the scale and density of the proposed development in Section 7.4 below. I would note that the proposed use is 'residential' and as such, in land use terms, I am of the view that this use is compatible with the existing residential uses, and does not represent a transition in use. I have considered the issue of residential amenity in Section 7.5 below.

Infill Sites

- 7.2.3. I would note that, with reference to Map 1 Residential Capacity Map, this site, and the adjoining site to the west, also zoned 'New Residential' is designated as an 'Infill Site'. Section 3.3.1.4 'Infill Sites' of the Development Plan. Within the Development Plan it is stated that, the development of same will facilitate the most sustainable use of urban land and existing infrastructure, while facilitating compact growth. It is further stated that the development of such sites should be appropriate to the character of the area and should ensure that the amenities of existing properties are preserved.

Backland Sites

- 7.2.4. I would be of the view that this site, when considered on its own, and not in conjunction with the site to the west, could be also considered a 'backland' site. Section 3.3.1.5 of the Development Plan states that such sites are often located to the rear of existing buildings, often with no street frontage, and usually within predominantly residential areas. While the site is not a section of a garden as described in the Development Plan, other aspects of the site fit the description of same, noting that there is no existing street frontage, and the site is located to the rear of existing residential dwellings. The Development Plan notes that landowners will be encouraged to prepare masterplans for the development of all backland sites, and development within same shall avoid significant loss of amenity to existing residential properties. I would note that a masterplan has been prepared, which considers the site to the west (and I have discussed this below). I have considered the issue of residential amenity in Section 7.5 below.

Masterplan

- 7.2.5. Objective CGR O3 'Urban Lands and Compact Growth' notes that it is an objective of the Plan to deliver 50% of new homes within the existing built-up footprint of Limerick City and Suburbs (in Limerick), Mungret and Annacotty. In addition, it is a requirement of the plan, 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. This site is one such site, noting that the site to the west is also zoned 'New Residential'. Of particular relevance, in the context of this appeal, is the requirement of the masterplan to detail how adjoining land can be accessed and serviced in an integrated and coherent manner.
- 7.2.6. As noted above, a masterplan was submitted at Further Information stage to the Planning Authority and is entitled 'Proposed Masterplan Neighbouring Site – Sheet No. 111' as submitted to the PA on 22nd December 2022. This illustrates an indicative development on the neighbouring site to the west, and details an indicative access from St. Patrick's Road, as well as an access from Hillcroft Close. I have considered same in the assessment below.

7.3. Traffic and Transport Issues

- 7.3.1. I would note that the Planning Authority refused permission for 1 no. reason as detailed in Section 3.1 above. The reason for refusal refers to two distinct issues. Firstly, reference is made to the impact of construction traffic accessing the site through the existing residential estate, with impacts on residential amenity and traffic congestion. Secondly, reference is made to the piecemeal development of the wider site.

Access at Construction and Operational Phases

- 7.3.2. The first-party appeal submission notes that the reason for refusal relates solely to the use of the access for construction traffic. It is set out within the appeal submission that there is no alternative access to the land, notwithstanding efforts by the applicant to negotiate an access through the adjoining land which is in separate ownership. Notwithstanding, it is stated that the existing road access through Hillcroft Close is sufficient for all vehicles and is of sufficient width.
- 7.3.3. All of the observers on the appeal have raised concerns in relation to the proposed access through the existing residential estate, both at construction stage and operational stage. Issues raised are detailed in Section 6.3 and 6.4 of this report but, in summary, such concerns relate to road safety concerns, in particular concerns in relation to the safety of children playing, potential traffic congestion and inadequate road infrastructure.

Construction Stage Impacts

- 7.3.4. In relation to construction stage impacts, while I note the concerns of observers in relation to the nature of the road, particularly the stated inadequate width of the road, there does not appear to be any fundamental issues with the characteristics of the existing road, in relation to the width of same, or other elements of same. The Traffic and Transport Assessment notes that the width of the road is 6m with footpaths of 1.6m on either side. As noted in the first-party appeal submission, and with reference to the Design Manual for Urban Roads and Streets (DMURS), the road can be defined a 'Local Street', and DMURS refers to a standard carriageway width for same of between 5-5.5m (Section 4.4.1 of DMURS refers). As such the width of existing access road running through Hillcroft Close would appear to be sufficient. While the PA's reason for refusal refers to the alignment and layout of the road, there does not appear to be any particular element of the road that would make it

unsuitable for construction access, and the Planning Authority's internal technical reports on file do not highlight any technical deficiencies in relation to the existing access road running through Hillcroft Close (I refer to the reports of the Transportation & Mobility Directorate, emails dated 24/01/2022 and 06/04/2022, and the reports of the Roads Division (16/06/2021, 25/01/2022 and 29/03/2022). I would note an observer submission has stated that recent works (January 2025) at the entrance to Hillcroft and Aspen Gardens (from St. Patrick's Road) has been narrowed, and this will make it more difficult for construction traffic to enter. In relation to same, I am of the view that such works would be unlikely to prevent access for larger vehicles, noting that the existing estates would still be serviced by larger vehicles, such as refuse vehicles, for example. I am not of the view, therefore, that the development of land zoned for residential development should be refused on the basis of this issue.

- 7.3.5. Issues relating to road safety at construction stage, the volume of traffic entering and exiting the site, haul routes and operational hours can be controlled by way of a detailed Construction Management Plan, which can be requested by way of condition, should the Board be minded to grant permission. I would note also that construction stage impacts are temporary in nature. In terms of the duration of the works, I note that the appellant has stated that the duration of the works will be c18 months. However, I accept that there is potential for works to extend beyond this period. However, should the Board be minded to grant permission, I would note that a planning permission generally has a life of five years, unless conditions are imposed providing for a longer or shorter. As such, unless stated otherwise, or an extension of time is applied for, and granted, the duration of the permission is limited period of 5 no. years. This would require the substantial completion of the development within such a period. I would be of the view that the most disruptive phases would occur early on in this period, with excavation etc occurring during the initial phases of development which would require larger vehicle types. Later phases of the development would be less disruptive in my view.

Operational Stage Impacts

- 7.3.6. In relation to operational stage impacts, I would accept that there will be changes to the existing nature of the road as a result of the removal of the cul-de-sac that currently existing, with through traffic now passing through the estate. However, the

traffic that is generated will be subject to the same restrictions as existing traffic entering the wider estate, noting the speed limit of 30 km/h that is in force. I would note that the Planning Authority did not cite operational stage impacts in the 1 no. reason for refusal, nor did any internal reports cite concerns in relation to same. I would be of the view that the extension of the existing road, to serve an area of zoned residential land, is an appropriate form of the development, and would not raise any significant impacts on residential amenity, nor would it raise significant road safety risks, so as to warrant a refusal of permission.

7.3.7. In relation to the impacts of the proposed development on the operation of the surrounding road network, in terms of potential congestion, I note the conclusions of the Traffic and Transport Assessment (December 2021), submitted at FI stage, which has assessed the impacts of the proposed at 4 no. junctions in the vicinity as follows:

- St. Patrick's Road/Hillcroft Estate
- St. Patrick's Road/Ballysimon Road
- St. Patrick's Road/Dublin Road
- Dublin Road/Parkway roundabout.

7.3.8. In relation to the St. Patrick's Road/Hillcroft Estate, it is stated that, with and without the proposed development in place, this junction will operate with considerable spare capacity in all assessed years (2024, 2029 and 2039). The St. Patrick's Road/Ballysimon Road will also operate within capacity in all assessed years, with and without the proposed development in place.

7.3.9. In relation to the St. Patrick's Road/Dublin Road, it is highlighted the existing junction is operating close to capacity, and this capacity will be exceeded with or without the proposed development by 2029, and the impact of the proposed development is concluded to be marginal. I have considered the results as set out in Table 3.4 of the TTA, and I concur that the impact of the proposed development on the operation of this junction is not material, and as such the congestion that is currently being experienced at this junction (as cited by observers on this appeal), and will be experienced in future years, will not materially worsen as a result of this proposed development. It is noted that the main physical capacity restraint on the operation of

the junction is the tight left turn radii when existing both Rhebogue Road and St. Patrick's Road.

- 7.3.10. Specifically in relation to the issues raised by observers, one such concern was that the baseline traffic count, to determine current traffic levels at assessed junctions, as cited in the TTA was carried out during Covid restrictions (21st October 2021), and as such traffic levels would have been lower than normal. In relation to same, I would note that Covid restrictions had eased substantially by this time, and in particular schools were reopened at this point. There is no particular restriction that is raised by observers that would point to a material impact on the traffic volumes surveyed. I am satisfied, therefore, that the survey data is sound, and forms an acceptable basis on which to determine the traffic impacts of the proposed development, in terms of assessing the surrounding junction capacity.
- 7.3.11. I note also that the applicant has stated that there are only 61 no. houses served by the existing roadway though Hillcroft Close, and that the proposed development of 54 no. units will result in an overall residential development of 105 no. units being access by a singular vehicular roadway. Observers have stated that this is not the case, and one observer has stated that there is a total of 159 no. units accessing Hillcroft and Aspen Gardens (from the junction off St. Patrick's Road). In relation to same, I would accept that it is the higher figure of 159 no. units that access the existing estates via the junction off St. Patrick's Road. However, in relation to same, the traffic survey data, as cited above, would have captured the volume of traffic generated by the existing estate in any case, and as the TTA has determined that sufficient capacity remains in place at the St. Patrick's Road/Hillcroft Estate junction, and I accept that the conclusions as set out in same are sound.

Phasing

- 7.3.12. In relation the phasing of development on these two adjoining sites, I would note that Planning Authority have stated that the development of this site would be a disorderly and haphazard approach, and that a coordinated and phased approach to development is required (of the larger parcel of lands). This concern would appear to arise as a result of the need for construction traffic to pass through the estate to access the development (noting that operational stage access is not cited as a

concern within the reason for refusal). Observers on the appeal have also stated that access should be provided from St. Patrick's Road.

7.3.13. The appellant has stated that a Masterplan has been prepared showing how lands can be developed with interconnecting roads facilitating future access onto St. Patrick's Road.

7.3.14. In relation to both construction and operational stage access from the appeal site onto St. Patrick's Road, there is scope to provide same, given the nature of the adjoining site, which fronts onto St. Patrick's Road. However, the provision of such an access would be subject to the agreement of the adjoining landowner. Such an agreement between the adjoining landowner and the appellant in relation to facilitating access at both construction phase, and at operational phase, would not appear to have been reached to date, notwithstanding that some evidence has been submitted that the adjoining site is on the market for sale. However, the appellant is not the landowner and as such, cannot provide this access without an agreement in place. Notwithstanding, and as per the masterplan submitted, the development of this site does not preclude the development of the adjoining site, nor does it prevent an access onto St. Patrick's Road being developed at a future date. I am of the view that the development of this residentially zoned land should not be precluded on this basis. There is no obvious provision in the Development Plan that an access from the existing Hillcroft Estate should not be provided, although it is likely that the site is seen as one development site, having regard to Table 1 of Volume 2a, of the Development Plan (the two sites combined are referred to as 'Site 79'). However, it is not stated unequivocally within the Development Plan that the development of this site in question is dependent on providing an access from St. Patrick's Road. I would also note that Table 1 confirms that the site is well serviced in other respects, with reference to lighting, footpaths, road access, water, foul, surface water, proximity to schools and public transport provision (i.e. within 1.5km of same). As such, and notwithstanding the view of the Planning Authority on site, as set out in the reason for refusal, I am satisfied that the development of this site does not represent piecemeal development, and is an appropriate development of a residentially zoned site, which does not prevent future development of the adjoining site, and is capable of being satisfactorily accessed via the existing residential access road.

Car Parking

- 7.3.15. Observers on the appeal have stated that there is inadequate parking provided within the proposed development, and cite issue with current parking provision within the existing estate. I would note that the Planning Authority have not raised a concern in relation to the proposed level of car parking provision.
- 7.3.16. I note that SPPR 3 – Car Parking of the Compact Settlement Guidelines set out appropriate car parking provision to be provided within residential development such as this one. In relation to same, I am of the view that the site can be defined as an 'Intermediate Area' (as defined in Table 3.8 of the Guidelines) noting that the site lies within an approximate 6 minute walk of bus stops on Dublin Road and the frequency of same would appear to be reasonably frequent (with reference to timetable information on Google mapping). As such, the maximum rate of car parking is 2 no. spaces per dwelling, as per SPPR 3 of the Guidelines.
- 7.3.17. In relation to Development Plan Standards, I would note that Table DM 9(a) sets out Car and Bicycle Parking Standards Limerick City and Suburbs- site located within Zone 2.
- 7.3.18. The required car parking provision is as follows:

Dwelling Houses					
No. of Beds	No. of Units	Proposed Provision	Maximum Spaces per unit as per CDP (Zone 2)	Proposed Visitor/Short term provision	Maximum spaces per units (Visitor/Short term) as per CDP (Zone 2)
3 bed	8		12		0
2 bed	4		4		0
Duplexes					
3 bed	21		32		9

2 beds or less	21		21		7
Total	54	66	69	21	16

7.3.19. I would note that the application does not provide a breakdown of car parking spaces per unit type. However, with reference to the information as set out on Drg. 101 Rev B 'Proposed Site Layout Plan' as submitted at CFI stage, the total car parking provision is as set out above, with the total car parking provided is 66 no. spaces for the dwelling houses and duplex apartments. In addition, a total of 21 no. visitor parking spaces are also provided. The total parking provision for the occupiers of the dwelling houses and duplexes is in line with current Development Plan standards as set out in Table DM 9(a). The total number of visitor parking is slightly above the maximum provision of 16 no. spaces as set out in the CDP. However, I am not of the view that this is materially so, and I am not of the view that this represents a material contravention of the Development Plan. I am also of the view that the provision of same would serve to prevent any overspill parking to the existing neighbouring estate, a concern cited by observations on the appeal.

7.3.20. In relation to the above, I note also the requirements of the current Development Plan in relation to EV charging points (11.8.6 and Table DM 11 refers). This states that a minimum of 1 EV charge point per five car parking spaces shall be required. As such, given there is a total of 87 no. car parking spaces, there is a requirement for 17 of these to be EV charging points. I am satisfied that, if the Board were minded to grant permission, a condition can be imposed requiring provision of same.

Cycle Parking

Dwelling Houses					
No. of Beds	No. of Units	Proposed Provision	Cycle Spaces per unit as per CDP (Zone 2)	Proposed Visitor/Short term provision	Cycle Spaces per units (Visitor/Short term) as per CDP (Zone 2)

3 bed	8		16		4
2 bed	4		4		2
Duplexes					
3 bed	21		42		11
2 beds or less	21		21		11
Total	54	40 in total (over 4 no. bike shelters)	83		28

7.3.21. I would note that 4 no. bike shelters are shown on Drg. 101 Rev B 'Proposed Site Layout Plan' as submitted at CFI stage. Details of same are illustrated in Sheet No. 110 'Proposed Bicycle Shelters', and each shelter would accommodate a total of 10 no. cycle spaces. I would note that a total of 106 no. spaces (which includes 28 no. visitor spaces) are required as per Table DM9(a) of the Development Plan. It is unlikely that this level of provision can be accommodated within the public spaces within the estate, without a detrimental impact on the quality and quantum of open space provided. However, I am satisfied that the required cycle spaces for the dwelling houses can be accommodated within the rear gardens of same, and I am satisfied also that the ground floor duplex units have sufficient space to accommodate cycles within the rear gardens of same, noting that these rear garden spaces are well in excess of the minimum space required. As such, given the constraints of the site, I am of the view that the provision of cycle parking with the public spaces of the proposed development should be provided to accommodate the 3 bed duplex units (there are 21 no. of same). As such, a total of 53 spaces would be appropriate in my view, noting the standards as set out in Table DM9(a) of the Development Plan. This would equate to c13 spaces per bike shelter, which could be reasonably be accommodated, in my view, within slightly extended cycle shelters. I would note also that this provision would also be in line with SPPR 4 of the Compact Settlement Guidelines, which state that *inter alia*, a minimum standard of 1 space per

unit shall be applied, for those units that do not have ground level open space or terraces. Should the Board be minded to grant permission, such a provision could be required by way of condition.

Mobility Management Plan

- 7.3.22. I would note that an observer on the appeal has stated that a Mobility Management Plan should have been submitted with the application. In relation to same I note that Objective TR O48 Traffic Management requires the submission of a Mobility Management Plan where a development has the potential to create significant additional demands on the traffic network. I am of the view that the scale and nature of the proposed is not one which will create a significant demand on the road network, and this has been demonstrated by the TTA as submitted with the application. As such I am not of the view that a Mobility Management Plan is required in this instance.

7.4. Density, Design and Residential Standards

Density

- 7.4.1. The proposed density is 47.5 units/ha. The proposed density was not cited as a concern by the Planning Authority. Concerns in relation to density were raised within objections at application stage.
- 7.4.2. Of relevance in relation to density are the density parameters as set out in 'The Sustainable Residential Development and Compact Settlements Guidelines for Planning Authorities (2024)'. I would note that the publication of this document postdates the date of the application, and postdates the date of the first party appeal submission. Table 3.2 of this document sets out density ranges for Limerick, Galway and Waterford City and Suburbs. I am of the view the location of the subject site would fit the criteria of a suburban area (Suburban/Urban Extension) given the location of same, and the low-density nature of the existing development, that was likely constructed in the latter half of the 20th century. Table 3.2 sets out that residential densities in the range 35 dph to 50 dph (net) shall generally be applied within such locations in Limerick. As such the density proposed is in line with this density range.

- 7.4.3. I note also the requirements of SPPR 4 of the Urban Development and Building Heights – Guidelines for Planning Authorities’ (2018) which states:

‘It as a specific planning policy requirement that in planning the future development of greenfield or edge of city/town locations for housing purposes, planning authorities must secure: 1. the minimum densities for such locations set out in the Guidelines issued by the Minister under Section 28 of the Planning and Development Act 2000 (as amended), titled “Sustainable Residential Development in Urban Areas (2007 or any amending or replacement Guidelines; 2. a greater mix of building heights and typologies in planning for the future development of suburban locations; and 3. avoid mono-type building typologies (e.g. two storey or own-door houses only), particularly, but not exclusively so in any one development of 100 units or more’

- 7.4.4. As such the Board are required to apply those densities as set out in the Sustainable Residential Development and Compact Settlements Guidelines, as they replace the Sustainable Residential Development in Urban Areas Guidelines. I have considered the issue of building height and typologies below.

- 7.4.5. I would also note that the density is in line with Map 4 Density Map of Volume 2 of the CDP, which indicates a density of 45+ units/ha for this site. It is also in line with Table 1 of Volume 2 which assumes a residential density of 45+ units for the wider site (including the site to the west).

Design and Layout including Height

- 7.4.6. Observers have stated that the proposed development does not comply with the Limerick Development Plan, and Best Practice Design Guide and does not comply with Quality Housing for Sustainable Communities. It is further stated that the proposed development has not considered the Sustainable Residential Developments and Compact Settlements Guidelines.

- 7.4.7. The Best Practice Urban Design Guide would appear to be a reference to Best Practice Urban Design Manual, (2009), a companion document to Sustainable Residential Development in Urban Areas (2009) which has now been replaced by the Sustainable Residential Developments and Compact Settlements – Guidelines for Planning Authorities (2024). I have considered the latter Guidelines in my assessment below, and in particular I note that Appendix D of same includes a Design Checklist. This includes a consideration of issues such as establishing

connections, housing typologies, provision of open space, and the nature of the built form.

- 7.4.8. In relation to Development Plan policies, I would note that Section 11.2.1 of the Development Plan sets out Design Criteria for residential development. Of note is an emphasis on high quality materials, design and appropriate landscaping. Context is also of importance and regard should be had to *inter alia* the surrounding character. Other criteria relate to the creation of a sense of place, consideration of privacy impacts, sunlight/daylight standards, connectivity, quality of open spaces, accessibility and traffic safety, DMURS, housing typology, noise levels, and construction impacts. I have considered same below.

Layout, Sense of place and surrounding character

- 7.4.9. The layout of the proposed development would create a sense of place, in my view, noting that development is based around a centralised public open space, and is distinctive in its own right, in terms of housing typologies, noting that duplex units and terraced housing are proposed, while not resulting a development that the significantly out of scale with the surrounding context.
- 7.4.10. In relation to height, and the surrounding character, I would note that a number of observers have stated that duplexes are out of character with the existing area. In relation to same, I note that the proposed duplexes are 3 storey in height, whereas the prevailing height of surrounding development is 2 storeys. I would not be of the view that this 3-storey height is inappropriate, however, noting that such duplexes are a common feature of more contemporary estates, noting that same allow for sufficient densities to be achieved in line with national policy, and the 3-storey height is not excessive. Notwithstanding, where duplexes are proposed, they are sufficiently removed from adjoining dwellings, in my view. In particular, I would note that to the northwest of the site, the 2 no. 2 storey dwellings (proposed units 1 and 2) allow for a transition in scale to be achieved from the existing 2 storey dwellings at Hillcroft Close.
- 7.4.11. In terms of establishing connections, the proposal provides for vehicular and pedestrian access from the existing estate, and also allows for future connections onto St. Patrick's Road, via the site to the west.

- 7.4.12. The proposed materials as one would expect from a development of this nature, and are a combination of brick and render, with slated/tiled roofs. I would consider same to be appropriate and additional details of same can be required by way of condition.

Open Space - Public Open Space

- 7.4.13. In relation to the provision of public open space, Policy and Objective 5.1 'Public Open Space' of the Compact Settlement Guidelines (2024) notes Development Plans should include a requirement for open space within the Development Plan, and that this requirement 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, save in exceptional circumstances. In relation to same, Section 11.3.6 of the Development Plan sets out Open Space Requirements. It is noted that, at a minimum, 15% of greenfield sites should be provided as open space. In brownfield and infill sites, a minimum of 10% may be provided as public open space. As noted above, the site is identified as an infill site, with reference to Map 1 Residential Capacity Map. As such, I would be of the view that a provision of 10% would be the minimum provision in this instance. Notwithstanding, the application documents state that 15% of the site has been provided as open space (Sheet No. 1010 Rev B, submitted at CFI stage) with the appellant providing clarification of same in their submission of 10/02/2025 which confirms that 1,730 sq. m. of open space has been provided with an additional 230 sq. m of incidental green areas. This open space provision does not include the existing green space to the north of the site. As such, the quantum of public space provided on the site exceeds Development Plan standards for infill sites (and meets same if the site were considered as a greenfield site).

- 7.4.14. In terms of the quality of the public open space provided, the public open space provided is formed of two main areas, a central open space area, and an area to the northern extent of the site, which joins with the existing open space to the north (which is within the appellant's ownership). I note that the central area benefits from passive overlooking, and has also provided for an enclosed children's playground. The area to the north, when combined with the existing open space, also benefits from passive surveillance from the existing houses to the east. In relation to the car parking provided, I am not of the view that the provision of same is an overly dominant feature, and the location of the car parking spaces allows for convenient access from the residential units, but does not detract from the quality of the open

space that is provided, in my view. The central open space, and the open space provided to the north, is easily and safely accessible to future occupiers of the scheme, with informal crossings provided at appropriate points, to allow access to same, noting also the speed limit applicable to the main access road. I would also note the deflections provided on the more linear sections of the access road, and the speed tables, and change of material, at the proposed crossings, which would serve to reduce vehicles speed within the development, and would serve to promote pedestrian priority, in line with guidance as set out in DMURS (Section 4.3.2 refers).

Sunlight/Daylight Standards

- 7.4.15. I would note that the Planning Authority has not raised concerns in relation to internal daylight and sunlight levels to the proposed units, nor have the Planning Authority raised concerns in relation to impacts on daylight and sunlight to surrounding properties. I would note an observer has raised concerns in relation to the impact of the proposed development on *inter alia* natural light. Sunlight & daylight are also criteria to be considered in Section 11.2.1 of the Development Plan.
- 7.4.16. I would note a Daylight & Sunlight Assessment has not been submitted with the application. Notwithstanding, the current development plan does not explicitly require same, rather it requires a consideration of standards. I would also refer to Section 5.3.7 of the Compact Settlement Guidelines which notes that a technical assessment is not always required and it should be clear from the assessment of architectural drawings (including sections) in the case of low-rise housing with good separation from existing and proposed buildings that undue impact would not arise, and planning authorities may apply a level of discretion in this regard.
- 7.4.17. In relation to same, I am of the view that given the nature of the proposed development (i.e. 2 and 3 storey houses and duplexes), and the low-rise nature of surrounding development, it is likely that the units would receive sufficient daylight and sunlight internally, and a technical assessment is therefore not required. Furthermore, it is unlikely that the development as proposed would materially impact on daylight or sunlight levels to surrounding residential properties, given the limited height (max 3 storeys) and the setback of the proposed units from surrounding development.

Other Development Management Standards

Private Open Space- Houses

7.4.18. The dwelling houses are required to meet the standards as set out in SPPR2 of the Compact Settlement Guidelines (issued January 2024). Therein it is set out that the minimum private open space provision for houses is as follows:

1 bed house	20 sq.m
2 bed house	30 sq.m
3 bed house	40 sq.m
4 bed + house	50 sq.m

7.4.19. In relation to the proposed development, I would note that there are 12 no. houses provided in total as follows:

- 4 no. 2 storey 2 bed semi-detached houses
- 8 no. 2 storey 3 bed terraced houses

7.4.20. There is no documentation provided that details a schedule of private amenity space for the 12 no. houses above. However, I have examined and scaled off the proposed site layout plan (Drg. 101 Rev B) and it would appear that the rear gardens of the houses would comfortably exceed the standards above. For example, Unit No. 24 has a rear garden area of c60 sq. m and the gardens of the remaining houses have rear gardens of similar extent, save for Unit No. 1 which has a larger area again.

7.4.21. In relation to Development Plan standards, Table DM3 of the Development Plan sets out rear garden areas shall be as follows:

House Type	Minimum rear garden areas (sq. m.)
1-2 bedroom	48
3-5 bedroom	60-75
Inner urban/infill dwellings/mews	25

7.4.22. I am of the view that, given the site is an infill site, a standard of 25 sq. m. would apply here. The proposed dwelling houses exceed this standard, as set out above.

Private Open Space- Duplexes

7.4.23. I would note that an observation on the appeal states that the private open space of the duplex houses is 14 sq. m. which is below the recommended thresholds in the CDP which requires a minimum private open space of 25 sq. m (Table DM 3 refers). In relation to same, and while the application documentation describes the upper duplex units as 'duplex houses', I am satisfied that the applicable standard is that set out in the Sustainable Urban Housing: Design Standards for New Apartments, Guidelines for Planning Authorities 2023, and the standard of 25 sq. m. for infill housing as set out in the Development Plan is not applicable to the duplex units proposed here.

7.4.24. In relation to the private open space requirements as set out in the Sustainable Urban Housing: Design Standards for New Apartments, Guidelines for Planning Authorities 2023. I have considered compliance with same below:

Unit Type	No. Beds	Private Open Space Provided (sq. m)	Minimum Standard (sq. m)⁴
Ground Floor Unit Duplex Type A (Unit No.s 26-37)	2bed/4person	60	7
First & Second Floor Unit Duplex Type A (Unit No.s 26-37)	3 bed/5 person	14	9

⁴ As set out in Appendix 1 of Sustainable Urban Housing: Design Standards for New Apartments, Guidelines for Planning Authorities 2023.

Duplex Type B (Ground Floor Unit) (Unit No.s 05-16)	2 bed/4 person	60	7
First & Second Floor Unit Duplex Type B (Unit No.s 05-16)	3 bed/5 person	14	9
Duplex Types C 1 & C2 (Ground Floor Unit) (Unit No.s 38-47)	1 bed/2 person	9	5
First & Second Floor Unit Duplex Type C (Unit No.s 38-47)	3 bed/5 person	9	9

7.4.25. In relation to above, I note that the proposed duplexes meet the required standards, with the ground floor duplexes comfortably exceeding the standards.

Overall Floor Areas/Room Areas/Storage Areas – Dwelling Houses

7.4.26. Section 5.3 Quality Housing for Sustainable Communities sets out guidelines in relation to overall floor areas, room areas and storage areas for dwelling houses as follows:

Dwelling Type	Target Gross Floor Area	Minimum – Main Living Room	Aggregate Living Area	Aggregate Bedroom Area	Storage
2 bed/4p House (2 storey)	80 m ²	12 m ²	30 m ²	25 m ²	4 m ²
3 bed/5p House (2 storey)	92 m ²	13 m ²	34 m ²	32 m ²	5

7.4.27. I would note that the dwelling houses meet the above guidelines (overall floor areas range from 85.7 m² to 92 m²) and meet the standards for living areas, bedroom areas and storage areas, save for a minor shortfall in the aggregate bedroom area of House Types F and G (3 bed/5P), where the provided aggregate bedroom area is 31.5 sq. m. and the recommended aggregate bedroom area is 32 sq. m, and a very minor shortfall in relation to the main bed of the 2 bed houses, where there is a shortfall of 0.1 sq. m. I am of the view that these very minor shortfalls are immaterial, and do not impact the overall amenity of the units, and I am satisfied that the overall standard of accommodation provided is acceptable.

Floor Areas – Duplexes

7.4.28. The relevant standards for the duplexes is set out in Sustainable Urban Housing: Design Standards for New Apartments, Guidelines for Planning Authorities 2023 (The Apartment Guidelines). SPPR 3 sets out the minimum apartment floor areas and I have set out the relevant minimum floor areas below:

- 1 bed/2 person 45 sq. m.
- 2 bed/4 person 73 sq. m.

- 3 bed/5 person 90 sq. m.

7.4.29. The proposed floor areas are as follows:

Unit Type (no)	Min Floor Area Required	Proposed Floor Area	Total Floor Area
9 X 1 bed	45 m ²	7 X 55.1 m ² 2 X 57.2 m ²	500.1 m ²
12 X 2 bed (4 persons)	73 m ²	12 X 81.3 m ²	997.2 m ²
21 X 3 bed (5 persons)	90 m ²	9 x 118.6 m ² 12 X 124.8 m ²	2,565 m ²
Total			4,062.3 m²

7.4.30. The duplexes exceed the required standard in all cases, and as such the requirements of SPPR 3 are met.

7.4.31. I would note also the additional requirements as set out in the Apartment Guidelines, which sets out that the majority of all apartments in any proposed scheme of 10 or more apartments exceed the minimum floor area standard for any combination of the relevant 1, 2 or 3 bedroom unit types, by a minimum of 10% (Section 3.8 refers). In relation to same I would note the following:

Unit Mix	No. of Apartments	Cumulative Min Floor Area	+10%	Total Required Floor Area	Total Provided Floor Area (see table above)
21.4% 1 bed units	9	9 X 45m ² = 405m ²			

28.6% 2-bed units	12	12 X 73 m ² =876 m ²			
50% 3 bed units	21	21 X 90 m ² =1,890 m ²			
Total	42	3,171 m²	317.1 m²	3488.1 m²	4,062.3 m²

7.4.32. I am satisfied therefore that the requirements of Section 3.8 of the Apartment Guidelines have been complied with.

Storage Areas

7.4.33. In relation to storage areas, I would note that the 3 bed duplex units provide for 5 sq. m. of storage, whereas the required standard is 9 sq. m. However, I am not of the view that this shortfall would reduce the overall amenity of the unit to an unacceptable degree, noting in particular the overall floor area which comfortably exceeds the minimum floor areas as noted above.

Communal Facilities

7.4.34. I would note that the Apartment Guidelines refer to the potential provision of communal facilities, particularly in larger developments. Noting the nature and scale of the proposed development, I am not of the view that such communal facilities are warranted in this instance.

Communal Amenity Space

7.4.35. Appendix 1 of the Apartment Guidelines sets out standards for communal amenity space. Having regard to same, the communal open space provision required is 318 sq. m. I would note that no specific communal amenity space that is dedicated to the duplex units only is demarcated on the plans. I am of the view that the provision of such communal amenity space is more applicable to those schemes which consist wholly or partly of apartment blocks, where the space can be provided within inner courtyards or by way of roof gardens. This is not such a scheme, and I am not of the view that the provision of a demarcated communal space, for the use of the duplex units only, is practical or appropriate in this instance, noting the nature and layout of

the proposal. Notwithstanding, I note that the duplex units, as well as the terraced and semi-detached housing units, have access to the large area of central open space and the open space to the north of the site and I am satisfied that these areas of open space can also function as communal open spaces for the duplex units.

Dual Aspect/Floor to Ceiling

- 7.4.36. I would note that 100% of the duplex units are dual aspect, and the units achieve the required floor to ceiling standards.

7.5. Impacts on Surrounding Residential Amenity

I would note that a number of observers have raised concerns in relation to residential amenity, in particular citing concerns in relation to the impacts of the proposed duplex units on privacy and loss of natural light, as well as impacts of noise at construction and operational stage, from the additional traffic generated. I have considered the potential impacts on natural light in Section 7.4 above.

Privacy

- 7.5.1. In relation to potential loss of privacy, I would note that SPPR 1 of the Compact Settlement Guidelines sets out that a separation distance of at least 16 metres between opposing windows serving habitable rooms at the rear or side of houses, duplex units and apartment units, above ground floor level shall be maintained. I would note that this has been achieved in the proposed development. Where the separation distance is less than 16m, (i.e. between proposed unit No. 1 and the existing dwelling house at No. 27 Hillcroft Close, and between proposed units 15/16 and the rear of 93-96 Hilltop), I note that there are no directly opposing habitable room windows between same. As such I am satisfied that no loss of privacy would result from the proposed development.

Noise

- 7.5.2. The issue of noise has been raised by observers on the appeal, in particular noise from construction traffic, and from construction activities. While I acknowledge that there will be some impact on the noise environment from construction related activities, I am not of the view that these are likely to be significant and will be temporary in nature. As such, I am satisfied that there will be no significant adverse impacts on residential amenity as a result of noise impacts.

7.5.3. Overall, I am satisfied that the proposed development will not result in any significant impacts on surrounding residential amenity, having regard to the considerations above, and having regard to the considerations as set out in other Sections of this report.

7.6. Biodiversity

7.6.1. I would note that observations on the appeal have reiterated concerns made at application stage, in relation to potential impacts on biodiversity as a result of the proposed development.

7.6.2. I note also the submission from the Department of Tourism, Culture, Arts, Gaeltacht, Sport and Media (DoTCAGS&M) which states that where possible, the native hedgerow should be retained. Where it is necessary to remove hedgerows and scrub, this should be done outside the bird nesting season. For any hedgerow removed, an equal length should be replanted on the site.

7.6.3. In relation to same, I would note that the site is located within an urban area, and there is no evidence on file that the existing habitats on the site are of any particular ecological significance. Notwithstanding, from my observations on site, there would appear to be a number of trees and hedgerows on the site, which will be removed to accommodate the proposed development. While the Development Plan seeks to retain, as far as is possible, trees and hedgerows (Objective EH 010 refers), and the submission from DoTCAGS&M) also requests same, it would not be practicable, in my view, to retain same here, noting that the site is zoned for residential development, and the proposed layout is such that the preservation of same would not appear to be practicable, nor would it be practicable to require the planting of replacement hedgerow, noting the constraints of the site, and the need to provide appropriate boundary treatment to existing residential dwellings and to the adjoining rail line. I am of the view also that, in order to achieve the efficient use of the site, and to achieve the minimum residential densities required, it would not be possible to retain the planting on site. A condition can be imposed in relation to the appropriate timing of such hedgerow removal. I note that the proposed landscaping plan proposes the planting of native tree species which will provide some benefits to biodiversity. Overall, I am of the view that no significant adverse effects on biodiversity will result from the development as proposed here.

7.7. Other Issues

- 7.7.1. Water/Foul Water Infrastructure – The proposed development will be served by the mains water supply and wastewater will be disposed of via a connection to the existing wastewater network. While capacity constraints in relation to wastewater treatment were raised by objectors at application stage, Uisce Eireann have not raised any issues in relation to wastewater treatment capacity (noting the submission date 25/05/2021 on file).
- 7.7.2. Creche – I would note the issue of creche provision was raised at application stage by an objector. The proposed residential development of 54 no. units is not of a scale that would warrant the provision of a creche, noting the proposed development is below the threshold of 75 units, where it is required to provide a childcare facility, with reference to the Childcare Facilities Guidelines for Planning Authorities (2001).
- 7.7.3. Part V – I would note the letter on file dated 4th May 2021, submitted with the application documentation, from the Housing Development Directorate, which states that an agreement in principle has been reached to transfer 6 no. units on site to Limerick City and County Council. In relation to same, I am satisfied that a standard condition can be imposed in relation to Part V requirements.

7.8. PA Conditions (Internal Reports)

- 7.8.1. While the decision of the Planning Authority was to refuse permission, I would note that a number of internal reports recommend conditions in the event of a grant. I have commented on same below.

County Archaeologist:

- 7.8.2. Recommended that conditions requiring archaeological monitoring of all ground disturbance works associated with the development be included in a grant of permission [dated 31/05/21]
- 7.8.3. I have recommended a condition that incorporates the requirements of the above (Recommended Condition No. 20 refers).

Fire & Emergency Services:

- 7.8.4. Observations made with regard to Fire & Building Control requirements [dated 02/06/21]

- 7.8.5. I would note that the recommendations as set out in this report are covered by separate areas of legislation.

Environmental Services:

- 7.8.6. The report recommends the inclusion of a condition requiring the submission of a waste management plan to be agreed prior to commencement of any works. [dated 15/06/21]
- 7.8.7. I have recommended a condition in relation to waste management (Recommended Conditions No. 17 and 19 refer).

Operations & Maintenance Services / Central Services (Roads):

- 7.8.8. The final report from this section of the PA advises a number of conditions to be included in any grant of planning permission [dated 29/03/22]. These include conditions relating to roads, public lighting and surface water. I am satisfied that the general requirements as set out in these conditions are adequately covered in recommended conditions 6(a) (relating to the requirements of the Roads Division), 18 relating to public lighting and 14 relating to surface water.

8.0 AA Screening

- 8.1. Please refer to Appendix 3 (AA Screening) of this report which contains an AA Screening Report where I have concluded the following:

In accordance with Section 177U(4) of the Planning and Development Act 2000 (as amended), and on the basis of objective information, I conclude 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. It is therefore determined that Appropriate Assessment (stage 2) [under Section 177V of the Planning and Development Act 2000] is not required.

- 8.2. This conclusion is based on:

- Standard pollution controls that would be employed regardless of proximity to a European site, and effectiveness of same (at construction and operational phases).
- Distance from European Sites.

- 8.3. No measures intended to avoid or reduce harmful effects on European sites were taken into account in reaching this conclusion.

9.0 Recommendation

Grant planning permission for the proposed development in accordance with the plans and particulars lodged based on the reasons and considerations set out below.

10.0 Reasons and Considerations

Having regard to the pattern of development in the area and its existing residential zoning under the Limerick Development Plan 2022-2028, it is considered that, subject to compliance with conditions below, the proposed development would provide a high-quality residential development on an underutilised, infill site; would not give rise to a traffic hazard; would not seriously injure the character of the area or the amenities of property in the vicinity and would provide an adequate standard of residential amenity to future occupiers. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

11.0 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 22nd day of December 2021, and the 21st Day of March 2022, 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 number of dwellings hereby permitted shall be 54.

Reason: In the interest of clarity.

3. The proposed parking provision of 87 no. car parking spaces shall include a minimum of 17 no. EV charging points. Ducting shall be provided for all remaining car parking spaces, facilitating the installation of EV charging points at a later date.

Reason: To comply with the requirements of the Limerick Development Plan 2022-2028 and to future proof the development such as would facilitate the use of Electric Vehicles in the interests of sustainable transportation.

4. A minimum of 53 no. covered, safe and secure bicycle parking spaces shall be provided within the site. Provision should be made for a mix of bicycle types including cargo bicycles. Details of these spaces shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

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

5. All roads and footpaths shown to adjoining lands shall be constructed up the boundaries to provide access to adjoining lands. These areas shall be shown for taking in charge in a drawing to be submitted to, and agreed in writing with, the planning authority prior to the commencement of development.

Reason: In the interest of permeability and proper planning and sustainable development.

6. (a)The requirements of the Roads Division (as set out in the internal report dated 29th March 2022) shall be complied with.

(b)The internal road network serving the proposed development including turning bays, junctions, parking areas, footpaths, and kerbs 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).

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

7. The following requirements in relation to the operation and safety of the rail line shall be complied with:

- (i) Should the existing palisade fence adjoining the rail line be removed, before commencing such work, the applicant shall liaise with Irish Rail to ensure a safe system of work to be established. If the existing fence is not be removed, the boundary wall of the proposed development shall be built inside the existing fence;
- (ii) No liquid either surface water or effluent to be discharged onto the railway property;
- (iii) Railway mounds, ditches and drains are to be preserved except where the written consent of Iarnród Éireann has been sought and received;
- (iv) No works shall take place on CIE property without written permission from the Senior Track & Structures Engineer, Iarnród Eireann, Grace Road, Athlone, Co. Westmeath;
- (v) No development to take place within 2m of the new boundary wall.
- (vi) Lights from the propose development either during the construction phase or when the development is completed should not cause glare in any way or impair the vision of train drivers or personnel operating on-track machines;
- (vii) Should the development require the use of a tower crane or other equipment that could swing over the railway property, then the developer must enter into an agreement with Iarnród Eireann regarding this issue;
- (viii) The design of new structures adjacent to the railway should ensure that there is no flashback of sunlight from reflective surfaces, which would impair the vision of train drivers or other railway personnel;
- (ix) Should new services be required to cross the railway, then the utility company and/or the developer must apply for a wayleave agreement with Iarnród Eireann/CIE.
- (x) Should you intend to cut down trees that are in proximity of the railway line such that if they were to fall towards the line they would block it, ou must arrange with the Infrastructure Manager, Iarnród Eireann, Grace Road, Athlone, Co. Westmeath for a safe system of work to be established to undertake this work;

- (xi) Any excavations which infringe upon the Track Support Zone will require permission and approval from the Senior Track & Structures Engineer.

Reason: To ensure the safety of the rail line.

8. The areas of public open space shown on the lodged plans shall be reserved for such use and shall be soiled, seeded, and landscaped in accordance with the detailed requirements of the planning authority. This work shall be completed before any of the dwellings are made available for occupation unless otherwise agreed with the planning authority [and shall be maintained as public open space by the developer until taken in charge by the local 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 shown on drawing number 21758_3_100 as submitted to the planning authority on the 21 day of March 2022 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. 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 amenity.

11. Details of the materials, colours and textures of all the external finishes to the proposed buildings 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.

12. Proposals for an estate/street name, 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 dwelling numbers, shall be provided in accordance with the agreed scheme. The proposed name(s) shall be based on local historical or topographical features, or other alternatives acceptable to the planning authority. No advertisements/marketing signage relating to the name(s) of the 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.

13. 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.

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

14. The disposal of surface water shall comply with the requirements of the planning authority for such works and services.

Reason: In the interest of public health and surface water management.

15. Site development and building works shall be carried out only between the hours of 0800 to 2000 Mondays to Friday inclusive, between 0800 to 1600 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.

16. The construction of the development shall be managed in accordance with a Construction Management Plan, which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This plan shall provide details of intended construction practice for the development, including:
- (a) Location of the site and materials compound(s) including area(s) identified for the storage of construction refuse;
 - (b) Location of areas for construction site offices and staff facilities;
 - (c) Details of site security fencing and hoardings;
 - (d) Details of on-site car parking facilities for site workers during the course of construction;
 - (e) Details of the timing and routing of construction traffic to and from the construction site and associated directional signage, to include proposals to facilitate the delivery of abnormal loads to the site;
 - (f) Measures to obviate queuing of construction traffic on the adjoining road network;
 - (g) Measures to prevent the spillage or deposit of clay, rubble or other debris on the public road network;
 - (h) Alternative arrangements to be put in place for pedestrians and vehicles in the case of the closure of any public road or footpath during the course of site development works;
 - (i) Provision of parking/access for existing adjoining properties during the construction period;
 - (j) Details of appropriate mitigation measures for noise, dust and vibration, and monitoring of such levels;
 - (k) Containment of all construction-related fuel and oil within specially constructed bunds to ensure that fuel spillages are fully contained. Such bunds shall be roofed to exclude rainwater;

(l) Off-site disposal of construction/demolition waste and details of how it is proposed to manage excavated soil;

(m) Means to ensure that surface water run-off is controlled such that no silt or other pollutants enter local surface water sewers or drains.

(n) A record of daily checks that the works are being undertaken in accordance with the Construction Management Plan shall be available for inspection by the planning authority;

Reason: In the interest of amenities, public health and safety and environmental protection

17. Prior to commencement of development, a Resource Waste Management Plan (RWMP) as set out in the EPA's Best Practice Guidelines for the Preparation of Resource and Waste Management Plans for Construction and Demolition Projects (2021) shall be prepared and submitted to the planning authority for written agreement. The RWMP shall include specific proposals as to how the RWMP will be measured and monitored for effectiveness. All records (including for waste and all resources) pursuant to the agreed RWMP shall be made available for inspection at the site office at all times.

Reason: In the interest of reducing waste and encouraging recycling.

18. 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. 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.

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

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

Reason: To provide for the appropriate management of waste and, in particular recyclable materials, in the interest of protecting the environment.

20. The developer shall engage a suitably qualified (licensed eligible) archaeologist to monitor (licensed under the National Monuments Acts) all site clearance works, topsoil stripping, groundworks, dredging and/or the implementation of agreed preservation in-situ measures associated with the development. following consultation with the National Monument Service (NMS)]. Prior to the commencement of such works the archaeologist shall consult with and forward to the NMS as appropriate a method statement for written agreement. The use of appropriate tools and/or machinery to ensure the preservation and recording of any surviving archaeological remains shall be necessary. Should archaeological remains be identified during the course of archaeological monitoring, all works shall cease in the area of archaeological interest pending a decision of the planning authority, in consultation with the National Monuments Service, regarding appropriate mitigation [preservation in-situ/excavation].

The developer shall facilitate the archaeologist in recording any remains identified. Any further archaeological mitigation requirements specified by the planning authority, following consultation with the National Monuments Service, shall be complied with by the developer.

Following the completion of all archaeological work on site and any necessary post-excavation specialist analysis, the planning authority and the National Monuments Service shall be furnished with a final archaeological report describing the results of the monitoring and any subsequent required archaeological investigative work/excavation required. All resulting and associated archaeological costs shall be borne by the developer.

Reason: To ensure the continued preservation of features of archaeologist heritage.

21. (a) Prior to the commencement of any house or duplex unit 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 or duplex unit), pursuant to Section 47 of the Planning and Development Act 2000, that restricts all relevant houses and duplex units 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.

(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.

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 housing units, in which case the planning authority shall confirm in writing to the applicant 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.

Reason: 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.

22. Prior to commencement of development, the applicant or other person with an interest in the land to which the application relates shall enter into an agreement in writing with the planning authority [in relation to the transfer of a percentage of the land, to be agreed with the planning authority, in accordance with the requirements of section 94(4) and section 96(2) and

96(3)(a), (Part V) of the Planning and Development Act 2000, as amended, and/or 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 Bord Pleanála for determination.

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

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

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

24. 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 Bord 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.

Rónán O'Connor
Senior Planning Inspector

24th April 2025

Appendix 1 - Form 1 EIA Pre-Screening

An Bord Pleanála	ABP-321645-25		
Case Reference			
Proposed Development Summary	A residential development comprising 55 no. residential units and all associated site works. The development will be accessed via Hillcroft Close, St. Patricks Road, Singland, Limerick.		
Development Address	Hillcroft Close, Saint Patrick's Road, Singland, Limerick		
1. Does the proposed development come within the definition of a 'project' for the purposes of EIA? (that is involving construction works, demolition, or interventions in the natural surroundings)		Yes	X
		No	
2. Is the proposed development of a CLASS specified in Part 1 or Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended)?			
Yes	X	Class 10, (b), (i) (threshold is 500 dwelling units) – proposal is for 55 no. dwelling units. Class 10, (b), (iv) (threshold is 10 Ha.) – site area is 1.23 ha.	Proceed to Q3.
No			
3. Does the proposed development equal or exceed any relevant THRESHOLD set out in the relevant Class?			
Yes			
No	X		Proceed to Q4

4. Is the proposed development below the relevant threshold for the Class of development [sub-threshold development]?			
Yes	X	Class 10, (b), (i) (threshold is 500 dwelling units) – proposal is for 55 no. dwelling units. Class 10, (b), (iv) (threshold is 10 Ha.) – site area is 1.23 ha.	Preliminary examination required (Form 2)

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

Inspector: _____ Date: _____

Form 2

Appendix 2 - EIA Preliminary Examination

An Bord Pleanála Case Reference	ABP-321645-25
Proposed Development Summary	A residential development comprising 55 no. residential units and all associated site works. The development will be accessed via Hillcroft Close, St. Patricks Road, Singland, Limerick.
Development Address	Hillcroft Close, Saint Patrick's Road, Singland, Limerick
<p>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.</p> <p>This preliminary examination should be read with, and in the light of, the rest of the Inspector's Report attached herewith.</p>	
<p>Characteristics of proposed development</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>	<p>The proposed development comprises the construction of 55 no. residential units and all associated site works.</p> <p>At operational stage, the proposed development will connect to the existing wastewater and stormwater network. Water supply will be via the mains water network. Uisce Eireann have not cited any capacity constraints (in relation to wastewater treatment) or cited any constraints in relation to water supply.</p>

	<p>The site is located within an urban area and surrounding land uses are mainly residential. It is not considered that any significant cumulative environmental impacts will result when considered in cumulation with existing developments.</p> <p>There are no demolition works involved, and there is no identified risks of accidents or disasters, nor is there any obvious risks to human health that result from the proposed development.</p> <p>The proposed development will not give rise to the production of significant waste, emissions or pollutants.</p>
<p>Location of development</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>	<p>The site is not located within any designated site. The closest Natura 2000 site is the Lower River Shannon SAC (Site Code: 002165) which is located approximately 0.9km to the north of the site and the River Shannon and River Fergus Estuaries SPA (Site Code: 004077) lies approximately</p>

	<p>2.2km to the west of the site. I refer to the conclusions of the AA Screening (Appendix 3) in which I have concluded that likely significant effects on same can be ruled out, having regard to the sites' conservation objectives.</p> <p>The site is an inner urban site. While there will be some loss of trees and hedgerows, there is no evidence on file that the site is of particular ecological value, nor is there evidence that the site of particular ecological value for any species, and I am satisfied that there will be no significant effects on biodiversity.</p> <p>The site has not been identified as of particular cultural importance, although I note the report of the County Archaeologist on file in which conditions are recommended in relation to potential archaeology underlying the site. I am satisfied that the imposition of same will ensure no significant adverse effects on cultural heritage as a result of the proposed development.</p>
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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).		<p>During the construction phase noise, dust and vibration emissions are likely. However, any impacts would be local and temporary in nature and the implementation of standard construction practice measures would satisfactorily mitigate potential impacts. Impacts on the surrounding road network at construction stage can be mitigated by way of adherence to a Construction Management Plan.</p> <p>No significant impacts on the surrounding road network are considered likely at operational stage.</p>
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 3 Appropriate Assessment Screening Determination (Stage 1)

Screening for Appropriate Assessment

Screening Determination

Description of Project/Site Context

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

The proposed development is as described in Section 2 of this report. In summary, the proposal is for a residential development comprising 55 no. residential units and all associated site works. The development will be accessed via Hillcroft Close, St. Patricks Road, Singland, Limerick.

I note that no Appropriate Assessment Screening Report has been submitted with the application, noting also that this is not a mandatory requirement.

The Planning Authority has carried out a Screening for Appropriate Assessment and concluded that an Appropriate Assessment of the proposed development is not required.

Observers on the appeal have not raised the issue of Appropriate Assessment explicitly but have raised issues in relation to general impacts on biodiversity.

Prescribed bodies have not raised any issues related explicitly to Appropriate Assessment.

In order to screen for Appropriate Assessment I have utilised the information on file as well as publicly accessible information on the NPWS website⁵ and the EPA Appropriate Assessment tool⁶ as well as EPA mapping.⁷

With reference to the documentation on file, and with reference to EPA mapping, there are no obvious surface water bodies on the site, or in close proximity to the site. No such waterbodies were evident from my site visit. No parties have raised any evidence

⁵ [Protected Sites in Ireland | National Parks & Wildlife Service](https://www.npws.ie/Protected-Sites)

⁶ <https://gis.epa.ie/EPAMaps/AAGeoTool>

⁷ <https://gis.epa.ie/EPAMaps/>

to the contrary. As such there is no evidence of a direct or indirect surface water hydrological link to any Natura 2000 site, via drains, stream or rivers. I would note that at operational stage, the proposed development will connect to the existing foul sewer network, which will then be treated at a wastewater treatment plant, and is likely to be eventually discharged to the River Shannon, and therefore discharge into Lower River Shannon SAC and the River Shannon and River Fergus Estuaries SPA. While I note at application stage the capacity of wastewater treatment plants was raised as a concern by third-parties, Uisce Eireann (Irish Water) have not raised any objection to the proposed development, and have not raised any concerns in relation to waste water treatment capacity constraints (Noting submission from Uisce Eireann on file dated 25/05/2021).

It is possible that, at construction stage, pollutants related to construction activities (e.g. hydrocarbons from machinery and plant) as well as sediments from soil excavation could enter the existing surface water network, via the existing piped surface water/stormwater network. At operational stage, the proposed surface water/stormwater runoff will connect to the existing manhole to the north of the site. While it is not referenced within the application documentation, it is possible that the surface water network could eventually discharge to the River Shannon.

I would note that the site is located c930m south of the Lower River Shannon SAC at its closest point and is located c2.3km east of the River Shannon and River Fergus Estuaries SPA at its closest point and therefore, by virtue of the proximity to same there is some potential for *ex-situ* impacts on species and habitats associated with these 2 no. Natura 2000 site, applying the precautionary principle.

There is no evidence of any other hydrological or other ecological connection to any other Natura 2000 site

Having regard to the considerations above, I am of the view that the only Natura 2000 sites within the 'Zone of Influence' of the proposed development are as follows:

- Lower River Shannon SAC (site code 002165) located c930m north of the site (at its closest point)
- River Shannon and River Fergus Estuaries SPA (site code 004077) located c2.3km west of the site.

Potential impact mechanisms from the project

I note the development site is not located in or immediately adjacent to a European site. The closest European sites are as detailed above. As noted above, I have concluded that the only site within the zone of influence of the project are as follows:

- Lower River Shannon SAC (site code 002165) located c930m north of the site (at its closest point)
- River Shannon and River Fergus Estuaries SPA (site code 004077) located c2.3km west of the site.

In considering potential impacts I am of the view that the elements of the proposed development that would potentially generate a source of impact are:

Construction Stage

- The construction of the residential development would involve *inter alia* excavation of soils with potential for same to enter the surface water network, and subsequently to the River Shannon.
- Hydrocarbon and other potential spillages potential for same to enter the surface water network and subsequently to the River Shannon.
- Ex-situ loss of habitat

Operational Stage

- Soiled surface water/stormwater runoff from the site which could eventually discharge to the River Shannon.
- Waste Water disposal which will be treated at the relevant WWTP, with likely discharge to the River Shannon.
- Ex-situ loss of habitat

European Sites at risk

Table 1 European Sites at risk from impacts of the proposed project

<u>Lower River Shannon SAC (Site Code 002165)</u>

Effect mechanism	Impact pathway/Zone of influence	European Site(s)	Qualifying interest features at risk
Indirect surface water pollution	<p>Construction Stage impacts with potential pollutants and sediments entering the piped surface water network.</p> <p>Operational Stage impacts -Pollutants and sediments entering the surface/storm water network, which may eventually drain to the River Shannon.</p> <p>Operational Stage impacts- wastewater from the site eventually discharging to the River Shannon via a WWTP</p>	<p>1. Lower River Shannon SAC</p> <p>2. River Shannon and River Fergus Estuaries SPA</p>	<p><u>Lower River Shannon SAC</u></p> <p>Sandbanks which are slightly covered by sea water all the time [1110]</p> <p>Estuaries [1130]</p> <p>Mudflats and sandflats not covered by seawater at low tide [1140]</p> <p>Coastal lagoons [1150]</p> <p>Large shallow inlets and bays [1160]</p> <p>Reefs [1170]</p> <p>Perennial vegetation of stony banks [1220]</p> <p>Vegetated sea cliffs of the Atlantic and Baltic coasts [1230]</p> <p>Salicornia and other annuals</p>

			<p>colonising mud and sand [1310]</p> <p>Atlantic salt meadows (Glaucopuccinellietalia maritimae) [1330]</p> <p>Mediterranean salt meadows (Juncetalia maritimi) [1410]</p> <p>Water courses of plain to montane levels with the Ranunculion fluitantis and Callitricho-Batrachion vegetation [3260]</p> <p>Molinia meadows on calcareous, peaty or clayey-silt-laden soils (Molinion caeruleae) [6410]</p> <p>Alluvial forests with Alnus glutinosa and Fraxinus excelsior (Alno-Padion, Alnion incanae, Salicion albae) [91E0]</p>
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			<p>Margaritifera margaritifera (Freshwater Pearl Mussel) [1029]</p> <p>Petromyzon marinus (Sea Lamprey) [1095]</p> <p>Lampetra planeri (Brook Lamprey) [1096]</p> <p>Lampetra fluviatilis (River Lamprey) [1099]</p> <p>Salmo salar (Salmon) [1106]</p> <p>Tursiops truncatus (Common Bottlenose Dolphin) [1349]</p> <p>Lutra lutra (Otter) [1355]</p> <p><u>River Shannon and River Fergus Estuaries SPA</u></p> <p>Cormorant (Phalacrocorax carbo) [A017]</p> <p>Whooper Swan (Cygnus cygnus) [A038]</p>
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			<p>Light-bellied Brent Goose (<i>Branta bernicla hrota</i>) [A046]</p> <p>Shelduck (<i>Tadorna tadorna</i>) [A048]</p> <p>Wigeon (<i>Anas penelope</i>) [A050]</p> <p>Teal (<i>Anas crecca</i>) [A052]</p> <p>Pintail (<i>Anas acuta</i>) [A054]</p> <p>Shoveler (<i>Anas clypeata</i>) [A056]</p> <p>Scaup (<i>Aythya marila</i>) [A062]</p> <p>Ringed Plover (<i>Charadrius hiaticula</i>) [A137]</p> <p>Golden Plover (<i>Pluvialis apricaria</i>) [A140]</p> <p>Grey Plover (<i>Pluvialis squatarola</i>) [A141]</p> <p>Lapwing (<i>Vanellus vanellus</i>) [A142]</p> <p>Knot (<i>Calidris canutus</i>) [A143]</p>
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			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] Wetland and Waterbirds [A999]
Ex-situ impacts on species.	Proximity to site.	As above.	As above.

Site Synopsis Summaries

Lower River Shannon SAC⁸

This very large site stretches along the Shannon valley from Killaloe in Co. Clare to Loop Head/ Kerry Head, a distance of some 120 km. The site thus encompasses the Shannon, Feale, Mulkear and Fergus estuaries, the freshwater lower reaches of the River Shannon (between Killaloe and Limerick), the freshwater stretches of much of the Feale and Mulkear catchments and the marine area between Loop Head and Kerry

⁸ For full synopsis, see <https://www.npws.ie/sites/default/files/protected-sites/synopsis/SY002165.pdf>

Head. Rivers within the sub-catchment of the Feale include the Galey, Smearlagh, Oolagh, Allaughaun, Owveg, Clydagh, Caher, Breanagh and Glenacarney. Rivers within the sub-catchment of the Mulkear include the Killeenagarrieff, Annagh, Newport, the Dead River, the Bilboa, Glashacloonaraveela, Gortnageragh and Cahernahallia.

River Shannon and River Fergus Estuaries SPA⁹

The estuaries of the River Shannon and River Fergus form the largest estuarine complex in Ireland. The site comprises the entire estuarine habitat from Limerick City westwards as far as Doonaha in Co. Clare and Dooneen Point in Co. Kerry.

The site has vast expanses of intertidal flats which contain a diverse macro-invertebrate community, e.g. *Macoma-Scrobicularia-Nereis*, which provides a rich food resource for the wintering birds. Salt marsh vegetation frequently fringes the mudflats and this provides important high tide roost areas for the wintering birds. Elsewhere in the site the shoreline comprises stony or shingle beaches

Likely significant effects on the European site(s) ‘alone’

Table 2: Could the project undermine the conservation objectives ‘alone’

European Site and qualifying feature	Conservation objectives (summary)	Could the conservation objectives be undermined (Y/N)?
Lower River Shannon SAC (site code 002165) ¹⁰		
Sandbanks which are slightly covered by sea water all the time [1110] Estuaries [1130] Mudflats and sandflats not covered by seawater at low tide [1140] Coastal lagoons [1150]	To maintain the favourable conservation condition of: <ul style="list-style-type: none"> • <i>Lampetra planeri</i> (Brook Lamprey) [1096] • <i>Lampetra fluviatilis</i> (River Lamprey) [1099] 	No. see discussion below

⁹ For full synopsis, see <https://www.npws.ie/sites/default/files/protected-sites/synopsis/SY004077.pdf>

¹⁰ For full text of same, please see https://www.npws.ie/sites/default/files/protected-sites/conservation_objectives/CO002165.pdf

<p>Large shallow inlets and bays [1160]</p> <p>Reefs [1170]</p> <p>Perennial vegetation of stony banks [1220]</p> <p>Vegetated sea cliffs of the Atlantic and Baltic coasts [1230]</p> <p>Salicornia and other annuals colonising mud and sand [1310]</p> <p>Atlantic salt meadows (<i>Glauco-Puccinellietalia maritima</i>) [1330]</p> <p>Mediterranean salt meadows (<i>Juncetalia maritimi</i>) [1410]</p> <p>Water courses of plain to montane levels with the <i>Ranunculion fluitantis</i> and <i>Callitriche-Batrachion</i> vegetation [3260]</p> <p><i>Molinia</i> meadows on calcareous, peaty or clayey-silt-laden soils (<i>Molinion caeruleae</i>) [6410]</p> <p>Alluvial forests with <i>Alnus glutinosa</i> and <i>Fraxinus excelsior</i> (Alno-Padion,</p>	<ul style="list-style-type: none"> • Sandbanks which are slightly covered by sea water all the time [1110] • Estuaries [1130] • Mudflats and sandflats not covered by seawater at low tide [1140] • 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] • <i>Tursiops truncatus</i> (Common Bottlenose Dolphin) [1349] <p>To restore the favourable conservation condition of:</p> <ul style="list-style-type: none"> • <i>Margaritifera margaritifera</i> (Freshwater Pearl Mussel) [1029] 	
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<p>Alnion incanae, Salicion albae) [91E0]</p> <p>Margaritifera margaritifera (Freshwater Pearl Mussel) [1029]</p> <p>Petromyzon marinus (Sea Lamprey) [1095]</p> <p>Lampetra planeri (Brook Lamprey) [1096]</p> <p>Lampetra fluviatilis (River Lamprey) [1099]</p> <p>Salmo salar (Salmon) [1106]</p> <p>Tursiops truncatus (Common Bottlenose Dolphin) [1349]</p> <p>Lutra lutra (Otter) [1355]</p>	<ul style="list-style-type: none"> • Petromyzon marinus (Sea Lamprey) [1095] • Salmo salar (Salmon) [1106] • Coastal lagoons [1150] • Atlantic salt meadows (Glauco-Puccinellietalia maritimae) [1330] • Lutra lutra (Otter) [1355] 	
River Shannon and River Fergus Estuaries SPA ¹¹ (site code 004077)		
<p>Cormorant (Phalacrocorax carbo) [A017]</p> <p>Whooper Swan (Cygnus cygnus) [A038]</p> <p>Light-bellied Brent Goose (Branta bernicla hrota) [A046]</p>	<p>To maintain the favourable conservation condition of:</p> <p>Cormorant (Phalacrocorax carbo) [A017]</p> <p>Whooper Swan (Cygnus cygnus) [A038]</p>	No. see discussion below.

¹¹ For full text, see https://www.npws.ie/sites/default/files/protected-sites/conservation_objectives/CO004077.pdf

Shelduck (Tadorna tadorna) [A048]	Light-bellied Brent Goose (Branta bernicla hrota) [A046]	
Wigeon (Anas penelope) [A050]	Shelduck (Tadorna tadorna) [A048]	
Teal (Anas crecca) [A052]	Wigeon (Anas penelope) [A050]	
Pintail (Anas acuta) [A054]	Teal (Anas crecca) [A052]	
Shoveler (Anas clypeata) [A056]	Pintail (Anas acuta) [A054]	
Scaup (Aythya marila) [A062]	Shoveler (Anas clypeata) [A056]	
Ringed Plover (Charadrius hiaticula) [A137]	Scaup (Aythya marila) [A062]	
Golden Plover (Pluvialis apricaria) [A140]	Ringed Plover (Charadrius hiaticula) [A137]	
Grey Plover (Pluvialis squatarola) [A141]	Golden Plover (Pluvialis apricaria) [A140]	
Lapwing (Vanellus vanellus) [A142]	Grey Plover (Pluvialis squatarola) [A141]	
Knot (Calidris canutus) [A143]	Lapwing (Vanellus vanellus) [A142]	
Dunlin (Calidris alpina) [A149]	Knot (Calidris canutus) [A143]	
Black-tailed Godwit (Limosa limosa) [A156]	Dunlin (Calidris alpina) [A149]	
Bar-tailed Godwit (Limosa lapponica) [A157]	Black-tailed Godwit (Limosa limosa) [A156]	
Curlew (Numenius arquata) [A160]	Bar-tailed Godwit (Limosa lapponica) [A157]	

Redshank (Tringa totanus) [A162]	Curlew (Numenius arquata) [A160]	
Greenshank (Tringa nebularia) [A164]	Redshank (Tringa totanus) [A162]	
Black-headed Gull (Chroicocephalus ridibundus) [A179]	Greenshank (Tringa nebularia) [A164]	
Wetland and Waterbirds [A999]	Black-headed Gull (Chroicocephalus ridibundus) [A179]	
	Wetland and Waterbirds [A999]	

Surface Water/Storm Water

As noted above, there are no obvious surface water bodies on the site, or in close proximity to the site. No such waterbodies were evident from my site visit. No parties have raised any evidence to the contrary. As such there is no evidence of a direct or indirect hydrological link to any of the sites as listed above, nor to any other Natura 2000 site. As such I am satisfied that direct impacts and indirect impacts on the surface water network, as a result of sediments and pollutants entering the surface water network at construction and at operational stage, via drainage ditches, streams and rivers can be ruled out, and therefore direct and indirect impacts on water quality within the Lower River Shannon SAC and the River Shannon and River Fergus Estuaries SPA via this mechanism can be ruled out.

However, as noted above, at construction stage it is possible that pollutants and sediments could enter the piped surface water network and eventually discharge to the River Shannon, and therefore into the Lower River Shannon SAC and the River Shannon and River Fergus Estuaries SPA.

In relation to same, I am of the view that, at construction stage, standard best practice construction measures will prevent pollutants and sediments entering the piped surface

water network . Even if these standard construction measures should not be implemented or should they fail to work as intended, and pollutants/waste material enter this drainage network will be subject to dilution and dispersion, rendering any significant impacts on water quality within Lower River Shannon SAC or the River Shannon and River Fergus Estuaries SPA unlikely. I would note that the best practice measures that would be adhered to at construction stage are not mitigation measures intended to reduce or avoid any harmful effect on any Natura 2000 site and would be employed by any competent operator, notwithstanding any proximity to any Natura 2000 site.

At operational stage, pollutants and sediments could enter the same piped surface water network, and eventually into the Lower River Shannon SAC and the River Shannon and River Fergus Estuaries SPA, noting the proposed surface water/stormwater runoff will connect to the existing manhole to the north of the site. While it is not referenced within the application documentation, it is possible that the surface water network could eventually discharge to the River Shannon, and therefore discharge into Lower River Shannon SAC and the River Shannon and River Fergus Estuaries SPA. A number of SUDs measures will be utilised at operational stage, as detailed in the Services Report (April 2021), as submitted with the application. These measures include attenuation, as well as a petrol interceptor and hydrobrake flow control device. As such, the storm water system is designed as to prevent contaminants and sediments entering the surface water drainage network, as well as limiting the quantity of water discharged. Such standard measures will ensure that the quality and quantity of surface water/stormwater discharged from the proposed development will be such that no likely significant impacts on water quality are likely. The design of this drainage system is a standard pollution control measure and would be included within any development of this nature, notwithstanding any proximity to, or any hydrological connections to, a Natura 2000 site, and is not a mitigation measure that is designed specifically to avoid impacts on any Natura 2000 site. Even if such measures were to fail, I am satisfied that any contaminants that do enter the storm sewer system would be diluted and dispersed to such an extent to as to render any significant impacts on water quality within Lower River Shannon SAC, and the River Shannon and River Fergus Estuaries SPA, unlikely, given the distance from the site

(which is at least c930m and likely to be significantly greater via the piped surface water network).

Waste Water/Foul Water

I would note that at operational stage, the proposed development will connect to the existing foul sewer network and will be treated at the relevant waste water treatment plant. As noted above, given the location of the site, is likely that treated waste water will eventually discharge to the River Shannon. Uisce Eireann (Irish Water) have not raised any objection to the proposed development, and have not raised any concerns in relation to waste water treatment capacity constraints (noting the submission dated 25/05/21 on file).

Ex-Situ Impacts

The site is relatively small site in an urban area and there is no evidence on file that the site is of importance for any species associated with any Natura 2000 site. In particular, there is no evidence that habitats on the site would support any mammal species associated with the Lower River Shannon SAC, and in any case I would note the distance to same, approximately 930m to the north, and the urban nature of the intervening land between the site and the SAC, rendering it unlikely that the site would provide any *ex-situ* habitat for mammal species associated with the SAC. In addition, there is no evidence that the site supports any *ex-situ* habitat for bird species associated with the River Shannon and River Fergus Estuaries SPA, located c2.3km to the west of the site. As such I am satisfied that any likely significant impacts on any species associated with the Lower River Shannon SAC, and River Shannon and River Fergus Estuaries SPA, can be ruled out.

Conclusion on standalone impacts

Having regard to the discussion above, I conclude that the proposed development would have no likely significant effect 'alone' on any qualifying features of Lower River Shannon SAC , nor of the River Shannon and River Fergus Estuaries SPA. Further AA screening in-combination with other plans and projects is required.

Likely significant effects on the European site(s) 'in-combination with other plans and projects'

There is no evidence on file of any plans or projects that are proposed or permitted that could impact in combination with the proposed development and as such no in-combination issues arise.

I conclude, therefore, that the proposed development would have no likely significant effect in combination with other plans and projects on the qualifying features of any European sites. No further assessment is required for the project.

Overall Conclusion- Screening Determination

In accordance with Section 177U(4) of the Planning and Development Act 2000 (as amended) and on the basis of objective information, I conclude that 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. It is therefore determined that Appropriate Assessment (stage 2) [under Section 177V of the Planning and Development Act 2000] is not required.

This conclusion is based on:

- Standard pollution controls that would be employed regardless of proximity to a European site, and effectiveness of same (at construction and operational phases).
- Distance from European Sites.

No measures intended to avoid or reduce harmful effects on European sites were taken into account in reaching this conclusion.

Appendix 4 – Relevant Policies and Provisions of the Limerick Development Plan 2022-2028

Table 2.2 Table 2.2: Population growth Q3 2016-Q2 2028, with estimate of growth up to Q2 2022 and future growth to be facilitated by end of 2022-2028 Development Plan period

Population Growth during the Plan Period Q2022 – Q2 2028 – 30,621

Table 2.5 Projected population and household growth per settlement hierarchy

For - Level 1 Limerick City and Suburbs (in Limerick), Mungret and Annacotty
Additional households forecasted 2022-2028 – 11,442

Density

Table 2.6 Density Assumptions per Settlement Hierarchy

Level 1, 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. (Map 2.2 and Map 4)

Table DM 9(a): Car and Bicycle Parking Standards Limerick City and Suburbs- site located within Zone 2

Density Zone 3: Suburban Edge:

A minimum net density of 35+ dwelling units per hectare are required at sites in suburban development areas that do not meet proximity or accessibility criteria of the Intermediate Urban Locations

Policy CS P2 Compact Growth It is a policy of the Council to support the compact growth of Limerick City Metropolitan Area, towns and villages by prioritising housing and employment development in locations within and contiguous to existing City and

town footprints where it can be served by public transport and walking and cycling networks, to ensure that development proceeds sustainably and at an appropriate scale, density and sequence, in line with the Core Strategy Table 2.7.

Policy CGR P1 Compact Growth and Revitalisation - It is a policy of the Council to achieve sustainable intensification and consolidation, in accordance with the Core Strategy, through an emphasis on revitalisation and the delivery of more compact and consolidated growth, integrating land use and transport, with the use of higher densities and mixed-use developments at an appropriate scale on brownfield, infill, backland, state-lands and underutilised sites within the existing built footprint of Limerick's City, Towns and Villages

Objective CGR O2 Place-making, Universal Design and Public Realm

It is an objective of the Council to:

- a) Ensure that all developments are designed to the highest quality with respect to the principles of placemaking, universal design and public realm including the guidance set out under the Urban Design Manual – A Best Practice Guide (2009) and the Design Manual for Urban Roads and Streets (2013) the Whole of Government National Disability Inclusion Strategy (NDIS) 2017-2022 and the 2020 DMURS Interim Advice Note – Covid 19 Pandemic Response.

- b) Prepare and facilitate implementation of Public Realm Plans for settlements including Limerick City, Adare and Rathkeale.

- c) Ensure the construction of the highest quality and innovative designed buildings, in particular on the approaches to Limerick City, along the Riverfront/Quays, on important street corners or junctions, corner sites, the end of vistas and gateways, Town Centres and the edges of public squares or open space/

3.3.1.5 Backland Sites

Objective CGR O3 Urban Lands and Compact Growth - It is an objective of the Council to:

- a) Deliver 50% of new homes within the existing built-up footprint of Limerick City and Suburbs (in Limerick), Mungret and Annacotty and 30% of new homes within the existing built-up footprint of settlements, in a compact and sustainable manner in accordance with the Core and Housing Strategies of this Plan.
- b) Encourage and facilitate sustainable revitalisation and intensification of brownfield, infill, underutilised and backland urban sites, subject to compliance with all

quantitative and qualitative Development Management Standards set out under Chapter 11 of this Plan....

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

Table 3.2: Urban Character and Objectives - 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 - Infill and brownfield development patterns to be favoured.

Building Height Strategy to inform design of higher buildings

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 backlands and centrally located brownfield sites.

Objective HO O3 Protection of Existing Residential Amenity It is an objective of the Council to ensure a balance between the protection of existing residential amenities, the established character of the area and the need to provide for sustainable new development.

Objective HO O13 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 6

Policy EH P1 Protection of Natural Heritage and Biodiversity It is a policy of the Council to:

a) Protect and conserve Limerick's natural heritage and biodiversity, in particular, areas designated as part of the European Sites Natura 2000 network, such as Special Protection Areas (SPAs) and Special Areas of Conservations (SACs), in accordance with relevant EU Directives and national legislation and guidelines.

b) Maintain the conservation value of all Natural Heritage Areas and proposed Natural Heritage Areas (pNHAs) for the benefit of existing and future generations.

Objective EH O10 Trees and Hedgerows

Trees and Hedgerows

It is an objective of the Council to: a) Retain and protect amenity and biodiversity value of the County and City by preserving as far as possible trees, woodlands and hedgerows, having regard to the significant role that trees and hedgerows play in local ecology, climate change and air quality and their contribution to quality place making and the associated health and wellbeing benefits.

b) Require, in the event that mature trees or extensive mature hedgerow is proposed to be removed, that a comprehensive tree and hedgerow survey be carried out by a suitably qualified tree specialist to assess the condition, ecological and amenity value of the tree stock/hedgerow proposed for removal and to include mitigation planting and a management scheme. The Council will seek in all cases to ensure when undertaking development, or when permitting development, that the loss of, or damage to, existing trees is minimised.

c) Require the planting of native trees, hedgerows and vegetation and the creation of new habitats in all new developments and public realm projects. The Council will avail of tree planting schemes administered by the Forest Service, in ecologically suitable locations, where this is considered desirable.

d) To identify and prepare TPO's where trees of exceptional amenity, cultural or environmental value are identified which warrant a high level of protection.

e) To implement the Limerick City and County Tree Policy when completed and review as appropriate.

Chapter 7

Objective TR O2 Design Manual for Urban Roads and Streets

It is an objective of the Council to support the appropriate road design standards of all roads and streets within the urban areas, including suburbs, towns and villages within the 60km/h zone as per the Design Manual for Urban Roads and Streets and TII Publication Standards DN-GEO-03084 The Treatment of Transition Zones to Towns and Villages on National Roads

Objective TR O37 Land Uses and Access Standards It is an objective of the Council to:

- a) Ensure that any development involving new access to a non-national public road, or the intensification of use of an existing access onto a non-national public road meets the appropriate design and safety standards.
- b) Ensure that on roads that are sub-standard, either in terms of their width, (less than 3m), alignment, surface condition or junction with the nearest main road, development for one off rural housing will only be considered in exceptional circumstances. This includes applicants who have a demonstrable social need to live on the particular road, where no alternative site is available, or where the only alternative access available is onto a strategic regional road as designated in the Development Plan.

Objective TR O48 Traffic Management

It is an objective of the Council to require the submission of Mobility Management Plans and Traffic and Transport Assessments in accordance with the requirements of Traffic and Transport Assessment Guidelines (2014), for developments with the potential to create significant additional demands on the traffic network by virtue of the nature of their activity, the number of employees, their location or a combination of these factors and for significant developments affecting the national and non-national road network.

Objective TR O49 Car and Cycle Parking

It is an objective of the Council to support the provision of parking and cycle standards in accordance with Section 11.8.3, Table DM 9(a) and 9(b) of Chapter 11: Development Management Standards

Section 7.10.3 Road Safety

The design of development proposals must address the functionality and safety of road needs. Road Safety Audits and Road Safety Impact Assessments improve the safety performance of new roads and existing roads that require modifications due to projects or proposals. Road Safety Audits examine the safety aspects within a scheme and are generally required when a development requires a new access to a national road or significant changes to an existing access. Road Safety Impact Assessments consider the safety impact of a scheme on the surrounding road network.

Guidance for the preparation of Road Safety Audits and Road Safety Impact Assessments is included in TII Publications (Standards). Objectives in relation to Road Safety Audits and Road Safety Impact Assessments can be found in Chapter 11: Development Management Standards.

Chapter 10: Sustainable Communities and Social Infrastructure

Objective SCSI O27 Playgrounds

It is an objective of the Council to:

- a) Support play policies to address the play and recreation needs of children and young people, with specific consideration given to the needs of children and young adults with Disabilities.
- b) Support local communities in the provision of a range of play facilities in appropriate locations across Limerick, including urban and rural locations.
- c) Encourage the use of nature-based play with respect to the provision of play opportunities.
- d) Require developers of new residential schemes commensurate with the scale and purpose of the development to provide in situ, natural play areas for children, or as the case may be, small playgrounds, where it is considered necessary and opportune to address local deficits in provision as set out in Table DM2 Open Space Hierarchy within Residential Estates

Chapter 11: Development Management Standards

11.2 Residential Development - Design, Principles and Standards incl:

11.2.1 Design Criteria

The Council will be guided by current national policy documents and any subsequent national policy guidance in relation to planning within the lifetime of the Plan. For additional information, refer to Chapter 3: Spatial Strategy, Chapter 4: Housing and Chapter 6: Environment, Heritage, Landscape and Green Infrastructure.

The following criteria will be taken into account when assessing applications:

- Land use zoning and specific objectives contained in the Plan and Local Area Plan/Urban Framework Plan/non-statutory planning guidance adopted by the Council;

- Compliance with other policy requirements contained within the Plan;
Consistency with relevant National and Regional policy objectives;
- Interactions with adjoining complementary uses and land use zoning objectives;
- Development of brownfield sites, underutilised and vacant sites is favored over greenfield proposals;
- Retention and refurbishment of existing structures, is favored over demolition and new build, where practical and reasonable;
- Consistency with Sustainable Residential Density Guidelines for Planning Authorities 2009 and any subsequent update thereafter;
- Density - higher densities should be provided in appropriate locations;
- The emphasis is on high quality materials, design and appropriate landscaping;
- The quality of the residential environment will be of primary significance in determining the acceptability of planning applications;
- Context - having regard to the setting of the site, the surrounding character, streetscape and the impact of any proposed development on the development potential of adjoining sites

11.2.4 Density and Phasing

- Guidance for Residential density have been set out in Chapter 2: Core Strategy.
- A phasing schedule for any residential development exceeding 30 units, shall be submitted with a planning application.

11.3.5 Roads, footpaths, water services and landscaping

11.3.6 Open Space Requirements

Public open space is an integral part of any residential development. A variety of types and sizes of public open space should be provided with natural passive surveillance by the residents. Residential development should incorporate appropriate provision of quality public open space and play lots in accordance with national guidance and any subsequent guidance within the timeframe of the Plan. Open space will be required as follows:

- Open space shall be cognisant of the principles of national guidance including accessibility, personal and child safety, linkage, place-making, public realm, permeability and the hierarchy of open space;
- In accordance with the 2009 Sustainable Residential Guidelines and any subsequent guidelines, at a minimum, 15% of the gross greenfield sites should be provided as multi-functional open space in new residential developments easily accessible to all, encouraging active and passive use for persons of all abilities regardless of
- mobility and/or age;
- In brownfield sites or infill sites, a minimum of 10% may be provided as public open space. Residential developments of 5 units or less may be exempt from the 15% open space provision on greenfield sites. The Council will determine on a case-by case basis where it is demonstrated that the function of the space is not viable.

The Planning Authority will have regard to the following in the design and provision of open space:

- A reduction in open space may be considered for residential units in new housing estates located within 100m walking distance of a pocket park/play lot, small park, local park, urban neighbourhood park or regional park. Such facilities must be clearly delineated on planning application drawings and demarcated in advance of the sale of any of the units;
- Existing and proposed open space shall where possible be linked, providing green linkages/corridors for wildlife habitats and improving walking and cycling permeability through the site;
- A landscaping plan will be required for residential developments. Refer to Section 11.3.8 Landscaping for additional information;
- Where a proposed development adjoins a river or canal bank, a linear walkway/cycleway access for the public may be required. The overall layout of the scheme will not compromise the future development of blue and green infrastructure proposals;

- Open space shall be appropriately sized to accommodate a range of open space activities. Both active and passive open space is required, functional and accessible to all;
- Provide for the retention of existing natural features;
- Include proposals for drainage and landscaping of the public open space;
- Houses shall not be permitted to back onto open spaces;
- Provide high levels of natural surveillance and overlooking by as many houses as possible.

Table DM 2: Open Space Hierarchy within Residential Estates including

All residential areas in excess of 50 units should incorporate a play lot provided at a rate of 4sqm per residential unit; Play lot should be overlooked with sufficient passive surveillance by as many houses as possible; Not permitted to side or rear of dwellings; Developer will be required to provide a minimum of two permanent play low maintenance features on site. The design shall reflect nature-based play solutions.

11.3.8 Private Open Space

The following is required as a minimum for new housing developments (excluding apartments and sheltered housing):

Front garden: Minimum length of 6m. where ground floor dwellings have little or no front gardens a 'defensible space' must be created behind the public footpath, such as a planting strip. Variation in building lines will be permitted where there is overall coherence to the design.

Rear Garden: Minimum 11m (22m back-to-back) garden depth will apply in order to protect privacy, sunlight and avoid undue overlooking. Reductions will be considered in the case of single storey developments and/or innovative schemes where it can be demonstrated that adequate levels of privacy, natural lighting and sunlight can be achieved.

All dwellings should have the minimum rear garden area as follows:

Table DM 3: Rear Garden Areas

House Type	Minimum rear garden areas (sq. m.)
1-2 bedroom	48
3-5 bedroom	60-75
Inner urban/infill dwellings/mews	25

11.3.10 Boundary Treatment

11.3.11 SuDS (Sustainable Drainage Systems)

11.3.12 Noise

11.4 Residential Development - Quality Standards incl:

11.4.1 Apartment Development

11.4.2 Residential Quality Standards – Houses

11.8.1 Access to Roads, Traffic and Transport Assessments (TTAs) and Road Safety Audits (RSAs)

11.8.3 Car and Bicycle Parking Standards

Table DM 9(a): Car and Bicycle Parking Standards Limerick City and Suburbs (in Limerick) Mungret and Annacotty

Table DM 10: Car parking dimensions

11.8.6 EV Charging Points

Chapter 12 – Land Use Zoning Strategy

12.4 Land Use Zoning Matrix

Transitional Zoning Areas should be considered in the design of developments in order to avoid abrupt transitions in scale, density and use in the boundary areas of adjoining land use zones. In particular, developments which would be detrimental to the amenities of residential properties should be avoided in order to protect the amenities of such properties.

Volume 2a

- Level 1 - Limerick City and Suburbs (in Limerick), Mungret and Annacotty
Settlement Capacity Audit; Zoning Map; Density and Residential Capacity Audit
Map; Flood Map; Transport Map

Table 1: SCA Limerick City and Suburbs (in Limerick), Mungret and Annacotty lands
identified for potential Residential, or a combination of Residential and other Mixed-
Use development

Site 79 – assumed residential density 45+ - Permission for 55 units (21/580).

Map 1: Limerick City and Suburbs (in Limerick), Mungret and Annacotty - Residential
Settlement Capacity Map

Map 3: Limerick City and Suburbs (in Limerick), including Mungret and Annacotty -
Zoning Map – Site is zoned 'New Residential'

Map 4: Limerick City and Suburbs (in Limerick), including Mungret and Annacotty -
Density Map