



An
Coimisiún
Pleanála

Inspector's Report

PL-500972-LK-26

Development	74 residential units and associated site works
Location	Rivers , Annacotty , Co. Limerick.
Planning Authority	Limerick City and County Council
Planning Authority Reg. Ref.	2560399
Applicant(s)	Jada Projects Limited
Type of Application	Permission
Planning Authority Decision	Grant Permission + Conditions
Type of Appeal	Third Party Normal Planning Appeal
Appellant(s)	John Crowley and others
Observer(s)	Stephen Hennessy and Emer Carey Jakub Minor Luke Conroy and Qingxia Shen
Date of Site Inspection	1 st May 2026
Inspector	Suzanne Kehely

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1.0 Site Location and Description

- 1.1. This site of 1.63 hectares is a rectangular greenfield infill site surrounded by low density detached and semi-detached housing development in the suburban area of Annacotty which is c. 7km east of Limerick City Centre. It is less than 600m inside of the M7 route which by-passes the city to the southeast. The site is accessed from within an established two storey housing development, Carrigeen. The site entrance is c.350m from a local neighbourhood shopping centre at the junction of Rosskeen, a distributor road south of the site and Castletroy College Road from where there is a local bus service. A neighbourhood park and secondary school are also in this neighbourhood area.
- 1.2. The south side of the site fronts onto an internal estate cul-de-sac road in Carrigeen from which there is an agricultural gate/access and it is otherwise fenced off along this frontage. A row of semi-detached and one detached house face onto the site from the southern side of the road as part of Carrigeen. To the west, Carrinderry is a mature cul-de-sac development of detached houses on large sites and comprises a mix of single storey dwellings which back onto the site and two storey houses on its western side. To the north, a row of one-off single/dormer storey detached houses along the Walkers Lane back onto the site and to the east, a row of one-off detached houses along 'Rivers' backs onto the site. There is an intervening row of mature boundary of trees and hedgerow between these mature houses.
- 1.3. The site is under grass and appears well drained and aside from the mature boundaries the main topographical feature is that site moderately rises generally in a northerly direction - A topographical survey in the application shows contours typically ranging in the order of 7m from 21m OD to 28m OD although the survey shows a level difference from one end of the site to the other rising from 17.5m to 30.5m which is a 13m in difference at most over a distance of 230m giving an approximate gradient of 1:18. A UE wayleave extends through the western side of the site.

2.0 Proposed Development

- 2.1. Permission is sought for
 - 74 units in mix of house types comprising

- 2 no. 3 storey apartment block each with 12 units
- 44 no. 2 storey terraced houses (3 storey houses revised to 2 storey in FI)
- 6 duplex units
- Site entrance and associated roads
- Boundary treatment
- Footpath street lighting and landscaping
- Associated car parking and cycle parking

2.2. The initial planning application was accompanied by the following reports/studies:

- Cover letter
- Design Statement
- Housing Quality Assessment
- Preliminary Part V Agreement
- AA Screening
- Archaeological Impact Assessment
- Landscape Plan
- CEMP report
- Engineering Report

2.3. Pursuant to the request for further information, the following details were also submitted by the applicant:

- **Boundary Treatment details** to include 2m plaster block wall to north and 2m concrete post and fence to east. 2m high wall adjacent to houses 38, 39 and 40 in revised scheme. (No front boundaries for houses 1-12 to the south)
- **Landscaping and Open Space Details** showing the sizes of the open space and play/pocket park areas exceeds the required 15% of public open space (in line with Table DM2: Open space Hierarchy within Residential Estate.) Screening provision at seating area outside apartment windows,
- Tree Survey, Arboricultural Impact Assessment and Tree Protection Plan
- **An Ecological Impact Assessment** containing a Bird and Bat Report and a Flora Protection Order Species survey
- **A taking in charge** layout

- **Confirmation of Feasibility of connections from UE**
- **An invasive species assessment.**
- **Traffic and Transport Assessment (TTA)**
- **Stage 1 Road Safety Audit** in compliance with the TII Publication 'Road Safety Audit GESTY-01024'.
- **A lighting design**
- **Surface Water & SuDS drawings and supporting information**

2.4. The layout is arranged with proposed house terraces backing onto the northern and eastern boundaries in a back-to-back arrangement with the existing houses and back-to-back terraced block along the southern boundary. The layout along the western boundary is open with open space, planting and communal space and facilities centred around a pair of apartment blocks. It also incorporates the start of the entrance road which connects to a 'H' Layout form. The majority of the frontage on each side of the 'H' route has perpendicular parking with some bin facilities and landscaping along the open space frontage.

2.5. Summary Table

	Site area of 1.63ha - Proposed on net residential site of 1.58ha	Development Plan standards Unless other guidelines stated
Total number of units (Total residential floor space)	74 (7397.5 sq.m.)	
Density	46.8 units/ha	>45units /ha
Duplex ^D in terrace types F, G and H	6 no. F2 (1 bed /2P) 58.6sq.m. and 61sq.m.	45 sq.m.*
Terrace C	5 no 3 bed 2 storey 107.6 sq.m.	
Terraced Dwelling D	12 no. 3 bed 2 storey 111 sq.m.	92 sq.m. ^{H1}
Terrace Dwelling E	5 no 3 bed 2 storey 111 sq.m.-114 sq.m.	92 sq.m. ^{H1}
Terrace Dwelling E1	5 no 3 bed 2 storey 111 sq.m.-114 sq.m.	92 sq.m. ^{H1}

Terrace Dwelling F ^D	4 no. 3 bed 2 storey 107.6 sq.m.	92 sq.m ^{H1}
Terrace Dwelling G ^D	6 no. 3 bed 2 storey 107.6 sq.m.	92 sq.m ^{H1}
Terrace Dwelling H	6 no. 3 bed 2 storey 107.6 sq.m. 1 no 5 bed 131.4	92 sq.m ^{H1}
Apartments	2no. blocks of 12 apartments of 1092 sq.m. 16 no. 2 bed 8 no. 1 bed	Sizes/areas in accordance with Design Standards for Apartments (DoHLGH) 2025
Open Space	0.2391 ha (15.13%) Designated active and passive amenity areas – adult gym, children's paly area and seating	15%
Private Open Space houses	Rear Gardens c. 50 sq.m.	Table 5.1 of CSGs (20- 50sq.m.)
Car Parking	84 spaces 51 private for dwellings and 33 public parking spaces	106 max 69 for dwellinghouses based on 1.5 x 46units 28 for apartments and duplexes and 9 visitor
Bicycle Parking	241(201 private, 40 public)	Min 157 (120 private, 37 public)
Boundary treatment ^D	2m high mix of concrete post and plank fence and plaster and capped concrete block walls along adjoining rear boundaries. 2m high concrete and timber post along dividing side private boundaries to rear	

^D Drawings 15/12/25

^{H1} Compliance with Department of Environment Best Practice Guidelines as per
"Quality Housing for Sustainable Communities" Published February 2007

* Compliance with Environment, Community & Local Government. Guidelines for Planning Authorities Sustainable Urban Housing: Design Standards for New Apartments

3.0 Planning Authority Decision

3.1. Decision

- 3.1.1. On review of Further Information submitted in response to its request, the Planning Authority issued a Notification of Decision to GRANT Permission on the 17th February 2026 subject to 22 no. conditions.
- 3.1.2. Conditions of note
- C2 and 3 -Financial (contributions, = €258,912.5/ Bond – 50 x €4,500 = €225,000)
 - C4 - Part V Social/affordable housing agreement
 - C5- Boundary for unit nos. 1-12 fronting existing road to maintain open plan and de-exempt alterations
 - C6 and 7 - To Taking in charge standard/ open spaces
 - C8 - Section 47 Occupancy agreements,
 - C9 - Phasing programme
 - C10 - Existing Roads (preconstruction survey)
 - C11 proposed roads and footpath standards/ detailed design specifications and RSA**
 - C12 - Design to be submitted and completion details/phasing
 - C13 - Surface water and SuDS detailed specifications**
 - C14 - Construction hours, management plan - emission/dust, parking and deliveries
 - C15 - Ecology – specific to submitted tree report and surveys**
 - C16 and 17 - Archaeology monitoring and reporting
 - C18- Resource Waste Management Plan
 - C19 – Tree Protection
 - C20 - Uisce Eireann Connection agreements
 - C21 – Management Company
 - C22 - Service Cabling

3.2. Planning Authority Reports

3.2.1. Planning Report (19/6/2025): The initial report considered the principle of development acceptable in the context of the development plan. In appraising the overall design and layout regard was also had to the Compact Settlement Guidelines and Apartment Guidelines (2025) and is noted to comply both where relevant. The proposal, in overall terms is acceptable in terms of mix, floor area and internal layout amenity space, bicycle parking and facilities are acceptable for apartments

In appraising housing quality, regard was also had to the Quality Housing for Sustainable Communities Guidelines and while some shortfall in some units is noted, in overall terms the housing exceeds standards in many respects as set out in the applicant's Housing Quality Assessment and is acceptable.

Density is acceptable noting the Density Zone 2 context in the development plan and also having regard to the Compact Settlement Guidelines classification system whereby the site is suburban - urban extension type where 35-50 units per hectare generally applies. The site is noted to be 'accessible' having regard to the Table 3.8 CSG definition and the location of the site within the 500m range of planned high frequency urban bus services (Limerick Bus Connects) at 10-minute intervals.

Impact on existing residences is not considered an issue due to separation distances by reference to the CSGs -16m distance of opposing

Reduced car parking is considered to align with overarching goals of sustainable development, compact growth and enhanced mobility options.

Some detailed design issues in relation to open space, boundary treatment, trees and also in relation to the run-off/infiltration and proposed surface water drainage system and road safety issues for the site, as raised in the technical reports were needed for further consideration.

3.2.2. Planning Report (15/1/2026)

On receipt of the further information further technical reports were sought and in overall terms matters were substantially addressed and outstanding matters were considered manageable by condition.

- **The submitted Ecological Impact Assessment** details which contain a Bird and Bat Report and a Flora Protection Order Species survey are considered to be in

accordance with request and with no significant findings to prevent the development.

- **The Taking in charge layout** is noted to include apartment area that are more likely to be under private management control, and this can be clarified by a revised layout by condition
- Details from UE demonstrate feasibility for **water and wastewater connection** has been established.
- Amended **landscape plan** omits invasive species and satisfied no pre-existing species based on surveys.
- The **TTA** is noted to confirm that the development will not negatively impact the performance of the surrounding road network, while the RSA identifies internal design issues that are readily addressable through condition. Upon review, the Planning Authority concludes that, subject to the implementation of the RSA recommendations, the completion of a Stage 3 RSA, and the submission of revised drawings addressing the detailed technical matters, Item 7 can be fully resolved by way of condition.
- The **Roads Department** is noted to confirm that all matters raised under Item 9 can be resolved by way of comprehensive compliance submissions and that further detail will be required prior to commencement.
- The **lighting design** requires additional technical detail and overall compliance with Public Lighting Standards (TII publication series) and the Councils requirements.
- **SuDs and Storm Water**; There are outstanding details meaning suitability for the proposed connection point cannot be confirmed at this stage and further s.w. layout revision required including positioning of attenuation tank and pipe layout and set back standards for boundaries. Details of drainage has not been fully demonstrated and SuDs components are also insufficiently explained or illustrated. Details of pollution risk indices or corresponding mitigation indices were noted to be omitted from detail as has a Stage 1 Storm Water Audit. In this regard it is noted that the submission does not for example confirm whether infiltration is proposed, and in the absence of BRE 365 infiltration testing, aquifer

vulnerability analysis, or photographic evidence, infiltration systems cannot be considered or approved. The kiosk details for the interceptor messaging system also remain outstanding. However, in overall term the PA is satisfied that the applicant has demonstrated the broad principles for implementing of a surface water drainage network. Detailed design components required under the Council's SuDS Specification need to be submitted.

- AA screening: Planning authority concluded, while noting that the site is located in an area of moderate groundwater vulnerability that 'given the size of the development combined with the groundwater vulnerability score in the area it is considered sufficient to screen out any potential impacts arising through this pathway.
- Environmental Impact Assessment: The Planning Authority carried out a screening exercise and concluded having considered the nature, size and location of the development, there is no real likelihood of significant effects on the environment and as such the need for an EIAR can be ruled out.

3.2.3. Other Technical Reports

- The Heritage Officer: on review of FI, confirmed that the recommendations set out in Section 4 of the Arboricultural Method Statement (FI) should be implemented in full.
 - The Bird and Bat Report and Flora Protection Order (FPO) survey were carried out satisfactorily and at correct time of year and confirm no FPO species on site. The presence of foraging House Martins is noted as is the general suitability for bat activity in the hedgerow. Mitigation and enhancement measures are noted in respect of House Martin nest bat boxes and artificial Swift nest sites implemented under the ecologist supervision and as recommended by the Heritage Officer.
 - No invasive species surveyed and conclusion acceptable.
 - The AA screening was considered robust - concurs that significant effects on the SAC are unlikely.
- Environment and Climate Action:

- The Parks & Landscape Officer: Tree groups 5 and 6 (in part) are in conflict with proposed development levels & boundary wall types. Most items raised in report of 6-6-25 have been addressed in FI except tree protection (tree no 4 and tree groups 5 and 6 conflict with boundary treatment. Further tree retention details needed. Reference to consent for removal of trees outside boundary.
- Roads Department: accepts finding of TTA and 1 /2 Road Safety Audit and requires the RSA recommendation to be implemented and that stage 3 RSA be completed at detailed design stage. A 3m radii outside House 24 is the only deviation from the measures and is accepted as an alternative measure. Final compliance with all RSA outcomes be demonstrated through updated drawings at compliance stage
- Housing : No objection - 15 units to be transferred.
- Archaeologist: Concurs with finding of AIA. No objection subject to conditions.
- Mid-West National Road Design Office: No observations
- Fire and Emergency Services: no objection

3.3. **Prescribed Bodies**

- 3.3.1. TII: A letter submitted with general advice on its reliance on the planning authority to adhere to Spatial Planning and National Roads Guidelines. It also states its position that it will not entertain future claims arising from the development in respect of road schemes. (Scheme not specified)
- 3.3.2. UE: In its initial report 6th June 2025 Further information was necessary and engagement by applicant through a Pre-connection enquiry was required. In a later observation on the subsequent FI, UE states:

The applicant has engaged with Uisce Éireann via a Pre-Connection Enquiry (our ref.: CDS25000313) and Uisce Éireann can confirm that a Confirmation of Feasibility has been issued in April 2025 to the applicant advising that water connection is feasible without upgrades to Uisce Éireann infrastructure subject to certain conditions and wastewater connections are feasible subject to infrastructure upgrades by Uisce Éireann infrastructure requiring conditions. Uisce Éireann respectfully requests any grant of permission be conditioned as follows;

1. The applicant shall enter into a Connection Agreement with Uisce Éireann to provide for a service connection to the public water supply and wastewater collection network and adhere to the standards and conditions set out in that agreement.
2. The applicant shall secure all consents/ wayleaves/ permissions necessary for Uisce Éireann, and/or its agents, to undertake the connection works to the public watermain, which is located in third party private lands. All wayleaves necessary for the maintenance and access to new infrastructure shall be vested in the name of Uisce Éireann.
3. The applicant shall make arrangements with Uisce Éireann for the upgrade of a public foul sewer from a 225mm diameter to a 300mm diameter pipe for approximately 120m, and this upgrade shall be fully financed/ funded by the applicant/ developer in accordance with the particulars of the Connection Agreement.
4. All development shall be carried out in compliance with Uisce Éireann's Standard Details and Codes of Practice

DAU: There is reference to a report received on 3/6/25 but this is not uploaded> IT relates to watercourse mitigation and removal of hedgerow which is not strictly applicable to the subject site as there are not watercourses on site and hedgerows are being maintained.

3.4. Third Party Observations

A total of 22 objections were received by the planning authority. These are from residents in the area surrounding the subject site. The issues are noted in the planning appraisal report.

4.0 Planning History

- 4.1. PA ref 17/7055 refers to a grant of an extension of duration of permission for 34 houses, site entrance and ancillary works on the site which was originally granted under PA ref 07/2719. This was for 48 dwellings (34 terraced houses 13 terraced housed and 1 detached)

5.0 Policy Context

5.1. Limerick City and County Development Plan 2022-2028

5.1.1. Land Use Zoning:

- The site is zoned to provide for **new residential** development in tandem with the provision of social and physical infrastructure.

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

- It is surrounded by existing residential development that is zoned to provide for residential development, protect and improve existing residential amenity.
(Purpose: This zone is intended primarily for established housing areas. Existing residential amenity will be protected while allowing appropriate infill development. The quality of the zone will be enhanced with associated open space, community uses and where an acceptable standard of amenity can be maintained, a limited range of other uses that support the overall residential function of the area, such as schools, crèches, doctor's surgeries, playing fields etc.)

5.1.2. Site Specific

Map 4 – Density Map. The site is in the 45/ha zone

Map 5 – The site is outside Flood zones

Map 6 – The site is proximate to existing and indicative cycleways and walkways as part of a network.

5.1.3. **Core Strategy** Policy (Chapter 2)

- Policy CS P1 Core Strategy Implementation
- Policy CS P2 Compact Growth : 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 lien with the Core Strategy Table 2.7.

5.1.4. **Spatial Strategy** Policy and Objectives (chapter 3)

- Policy CGR P1 Compact Growth and revitalisation : to achieve sustainable intensification and consolidation in accordance with the Core Strategy through an emphasis 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 Limericks City, Towns and villages.
- CGR 03 Urban Lands and Compact Growth:
 - 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 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 in Chapter 11 of this Plan

5.1.5. **Car Parking /Transport policy:**

- TR P3 Integration of Land Use and Transport Policies
- TR P4 Promotion of Sustainable Patterns of Transport Use

- Objective TR P6 Delivering Modal Split: a) to promote a modal shift away from the private car towards more sustainable modes of transport including walking, cycling, car pool and public transport in conjunction with the relevant transport authorities, b) support investment in sustainable transport infrastructure....
- Policy TR P7 Sustainable Travel and Transport: to support, facilitate and co-operate with the relevant agencies to secure sustainable travel within Limerick and seek to implement the 10-minute city/town concept, promote compact growth and reduce the need for long distance travel, as a means to reduce the impact of climate change.

5.1.6. **Sustainable Communities and Social Infrastructure (Chapter 10)**

- SCSI P1 Sustainable Communities Objective SCSI O14 Childcare Facilities

5.1.7. **Residential Amenity (chapter 4)**

- Objective HO 03 Protection of existing residential amenity: to ensure a balance between the protection of existing residential amenities, the established character of the area and the need to provide of sustainable new development.
- Objective HO 05 Apartments: 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/waterfront, shopping and other services.

5.1.8. **Development Management Standards (chapter 11)**

- Section 11.2 Residential Development – Design, Principles and Standards
- Section 11.3 Residential Development – General Requirements
- Section 11.4 Residential Development – Quality Standards
- Section 11.5.1 Childcare Facilities
- Section 11.8 Transport and Infrastructure
- Table DM 9(a): Car and Bicycle Standards Table DM 9(a0 Car and bicycle Parking Standards for Limerick City and Suburbs(in Limerick) the aim is provide for car free development and assess on a case-by case basis.

5.2. Relevant National Policy/Plans

- 5.2.1. The National Planning Framework (NPF), Housing for All, Climate Action Plan, National Biodiversity Plan, and several section 28 Ministerial Guidelines provide a policy and guidance context for housing growth in city environs such as Limerick. The following are of note:
- 5.2.2. **Project Ireland 2040, National Planning Framework, First Revision, 2025.** A number of national policy objectives (NPOs) are applicable to the proposed development as a new residential scheme within a built-up City suburban area and as part of the provision of new homes in providing for targeted population growth in Limerick City and suburbs. Policies such as, NPO 4, NPO 7, NPO 8, NPO 16, NPO 42 and NPO 43 are applicable to the proposed development. Other policy objectives NPO 11, and NPO 22, NPO 37, NPO 45, NPO 78, NPO 79, NPO 85 and NPO 87 seek to deliver well designed urban schemes which incorporate sustainable modes of transport, while also protecting biodiversity.
- 5.2.3. **Delivering Homes, Building Communities 2025-2030, An Action Plan on Housing Supply and Targeting Homelessness.** The two pillars to this plan focused on activating housing supply and supporting people to provide homes to those in need.
- 5.2.4. **Climate Action Plan 2025 (as informed by CAP 2024).** This plan outlines measures and actions by which the national climate objective of transitioning to a climate resilient, biodiversity rich, environmentally sustainable and climate neutral economy by 2050 is to be achieved. The plan calls for a 40% reduction in emissions from residential buildings and a 50% reduction in transport emissions by 2030. 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. Regional Policy

- 5.3.1. **Limerick Shannon | Metropolitan Area Transport Strategy 2040:** This is an NTA led long-term strategic framework for the planning and development of transport

infrastructure and services for the Limerick Shannon Metropolitan Area (LSMA). Key pillars include

- Transit oriented development in that the strategy proposes a comprehensive public transport network across the LSMA and a high-quality cycle network which will support Transit Oriented Development to emerge at key points where accessibility is maximised.
- Transformation of the Urban Environment: It recognises the absence of coherent priority for public transport and sees the strategy as having a key role in reducing car dominance.

The Strategic Transport Objectives of the LSMATS include

- To prioritise investment in sustainable transport in order to reduce the reliance on the private car;
- To provide a high level of public transport connectivity to key destinations;
- To facilitate higher density housing a part of Transit-Oriented Developments at key points of high public transport accessibility;
- To deliver a fully accessible and inclusive transport system;
- To improve road safety, public health and personal security;
- To minimise the impact of motorised traffic in urban centres.

Site Specific: In this strategy Annacotty (College Rd) is included is part of cycle network and priority Bus network and a local bus network with 20 minute intervals for a route that is within 300m of the site.

- 5.3.2. **National Transport Authority: BusConnects - Limerick Bus Network Redesign Map 2023** (busconnects.ie/cities/limerick/limerick-area-bus-network-redesign): This shows the new network schedule to be delivered from 2027 on a phased basis and includes new routes for the Limerick City and suburbs including Annacotty.
- 5.3.3. **Regional Spatial and Economic Strategy for the Southern Region, 2020.** This provides a regional framework and notably includes the Metropolitan Area Strategic Plan (MASP) covering the Limerick Shannon Metropolitan Area which include the following policy objectives.

Objective1 :

- a) . It is an objective to strengthen the role of the Limerick Shannon Metropolitan Area as an international location of scale, a complement to Dublin and a primary driver of economic and population growth in the Southern Region.
- b. It is an objective to promote the Limerick Shannon Metropolitan Area as a cohesive metropolitan area with (i) the city centre as the primary location at the heart of the metropolitan area and Region (ii) compact growth and regeneration of Limerick city centre and suburbs, (iii) compact growth and regeneration of Shannon (iv) active land management initiatives to deliver housing and employment locations in a sustainable, infrastructure led manner.
- c. It is an objective to seek coordinated investment and delivery of holistic infrastructure packages across State Departments and infrastructure delivery agencies as they apply to the Limerick Shannon Metropolitan Area and seek further investments to deliver on the Metropolitan Area Goals.
- d. Any reference to support for all plans, projects, activities and development in the MASP should be considered to refer to 'sustainable development' that shall be subject to appropriate feasibility studies, best practice site/route selection (to consider environmental constraints), environmental assessment including EclA to support development management and where required, the completion of statutory SEA, EIA and AA processes as appropriate.
- e. The MASP seeks to protect, manage and, through enhanced ecological connectivity, to improve the coherence of the Natura 2000 Network in the Region.

Limerick Shannon MASP Policy Objective 2 Limerick City:

The Limerick Shannon MASP recognises that, for the Limerick Shannon Metropolitan Area and the Mid-West SPA to prosper and develop sustainably, a strong Limerick City is paramount. It is an objective to:

- a. Support the regeneration and continued investment into Limerick City through initiatives such as Limerick 2030 and Limerick Regeneration, and to further enhance Limerick City as a primary economic driver for the Southern Region.
- b. Enhance the city centre as the primary commercial area, supporting a range of retail, tourism, social and cultural activities.

- c. Strengthen the consolidation and regeneration of Limerick City Centre to drive its role as a vibrant living, retailing and working city, the economic, social and cultural heart of the Limerick Shannon Metropolitan Area and Region.
- d. Seek investment to achieve brownfield regeneration of city centre sites as high quality, mixed-use, sustainable and transformative projects which set national and international good practice standards in innovation, quality design, exemplary urbanism and placemaking.
- e. Support collaboration between Limerick City and County Council and the Land Development Agency to masterplan and sustainably develop strategic city centre and Dockland sites in Limerick City, utilising the appropriate planning mechanisms and subject to required environmental assessments.
- f. Seek investment to achieve regeneration and consolidation in the city suburbs.

5.4. Ministerial Guidelines

5.4.1. Sustainable Residential Development and Compact Settlements, Guidelines for Planning Authorities, 2024, (SRDCSG's). Relevant sections of this guidance include:

Section 3.3: Table 3.4 sets out types and Density Ranges for Limerick City and suburbs, City-Suburban/ Urban Extension' are described as areas of low-density car orientated residential areas constructed at the edge of the town/ greenfield lands at the edge of the existing built-up footprint that are zoned for residential development. Densities in the range of 35dph-50dph should be applied to such locations. Density of up to 100 units per hectare is open for consideration.

Section 3.4 provides a density refining process, based on 1) consideration of accessibility - this is based on definitions in Table 3.8 such location close to as high frequency of bus service e.g. within 500m of a 15min interval services and then, 2) consideration of site-specific criteria such as the built and natural character, such as historic environment and protected habitats and species and also daylight/ sunlight issues for residential properties and water services capacity.

- Policy and Objective 3.1 requires that the recommended density ranges set out in Section 3.3 are applied in the consideration of individual planning applications,

and that these density ranges are refined further, where appropriate, using the criteria set out in Section 3.4.

- Policy and Objective 4.1 requires the implementation of principles, approaches and standards in the Design Manual for Urban Roads and Streets, 2013, including updates (DMURS).

Section 5.3 sets out development standards and includes specific parameters for achievement of compact housing through housing standards.

- SPPR 1 – Separation Distances which requires a minimum of 16m between opposing windows serving habitable rooms at the rear or side of houses and apartment units above ground floor level.
- SPPR 2 – Minimum Private Open Space specifies new standards for houses (1 bed 20sqm, 2 bed 30sqm, 3 bed 40sqm), and private open space for apartments/ duplexes remains as per the Apartment Guidelines.
- Policy and Objective 5.1 recommends a public open space provision of between 10%-15% of net site area, exceptions to this range are outlined.
- SPPR 3 – Car Parking specifies the maximum allowable rate of car parking provision based on types of locations (e.g., 2 no. spaces per dwelling for intermediate and peripheral locations (exclusive of visitor spaces)).
- SPPR 4 – Cycle Parking and Storage which requires a general minimum standard of 1 no. cycle storage space per bedroom (plus visitor spaces), a mix of cycle parking types, and cycle storage facilities in a dedicated facility of permanent construction (within or adjoining the residences).

Section 5.3.7 – Daylight: a detailed technical assessment is not required in all cases, regard should be had to standards in the BRE 209 2022, a balance is required between poor performance and wider planning gains, and compensatory design solutions are not required.

- 5.4.2. **Urban Development and Building Heights, Guidelines for Planning Authorities, December 2018 (Building Height Guidelines).**: Section 1.9 requires building heights of at least 3 to 4 storeys, coupled with appropriate density, in locations

outside town centre areas to be supported in principle at development management level.

- SPPR 4 requires: It is a specific planning policy requirement that in planning the future development of ... edge of 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 ...;
 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.

5.4.3. **Childcare Facilities, Guidelines for Planning Authorities, 2001** (Childcare Guidelines). Appendix 2 recommends the provision of a childcare facility with a capacity of 20 childcare spaces per 75 dwellings units. Developments with high numbers of single bedroom apartments may not this provision (This guide is also included in the recent Apartment Guidelines which allows 1 and 2 bedroom units to be discounted from childcare calculations – see section 4.7).

5.4.4. **Regulation of Commercial Institutional Investment in Housing, Guidelines for Planning Authorities, 2021, updated 2023** (Commercial Institutional Investment Guidelines). These require restrictions on the first occupation of houses and duplexes to individual purchasers or persons eligible for social and/ or affordable housing, excludes corporate entities.

5.5. **Natural Heritage Designations**

The Lower River Shannon SAC 002165 is c.300m from the development site.

The River Shannon & River Fergus Estuaries SPA 004077 is c.6.7km from the development site.

6.0 EIA Screening

- 6.1. Having regard to the nature and scale of development on residentially zoned and fully serviced lands site and the absence of any significant environmental sensitivity in the vicinity of the site, as well as the criteria set out in Schedule 7 of the Planning and Development Regulations, 2001, as amended, there is no real likelihood of significant effects on the environment arising from the proposed development. The need for environmental impact assessment can, therefore, be excluded at preliminary examination and a screening determination is not required. (See Forms 1 and 2 in Appendices)

7.0 The Appeal

7.1. Grounds of Appeal

The grounds of appeal have been submitted by a planning consultant on behalf of residents of 5 of the dwellings in the Carrderry development to the west of the site. The grounds for appealing a grant of permission are based on the following issues:

Density, height and Layout

- The density is submitted to be too high for the mature low-density context and is contrary to section 5.3.4.2 of CSG which requires responding to receiving environment.
- The proposed height is excessive for the peripheral suburban context characterised by predominantly single storey housing to west, other two storey development and also having regard to the topography and higher ground levels of the subject site. To illustrate this point ,3D modelled images (prepared by an Architectural Technologist) are appended.

Overall Layout

- This is considered to be poor in urban form in terms of creating strong urban edges

Impact on Residential Amenity

- Overlooking by reason of design which provides for direct views into the 4 single-storey and 1 two-storey dwellings and rear gardens of the appellants to the west. This is due to ground height difference.
- Overshadowing due to three storey height due east of the rear of the dwellings. This is due to the lower angle of the sun and consequent loss of morning sun presently enjoyed. Insufficient appraisal has been carried out in this regard.
- Overbearing Impact
- The proposed nature and scale of development is submitted to contravene the residential zoning which states design should be complementary to surroundings and should not adversely impact on the amenity of adjoining residents.

Loss of trees/ tree damage:

- This is of concern generally along boundaries and impact on ecology but also in regard to root damage of trees in private gardens. The extent of loss is submitted to be unclear in the details.

7.2. Applicant Response in the case of a 3rd Party Appeal

- The scheme is fully in accordance with the development plan and most relevant statutory guidance which to create a more compact city through higher densities. Specifically, the site is earmarked for density in excess of 45 dwellings per hectare and the site is a designated Tier 1 site suitable for immediate development.
- The proposal has been thoroughly assessed by the planning authority.
- With respect to urban context and form, the proposed scheme is stated to adhere to the principle of 'responsive built form' as set out in the CSGs.
 - It has a coherent internal structure; the 2 and 3 storey emulates the pattern of single and two storey with apartments centrally located and layout protecting amenities of surrounding houses while achieving the target density.
 - New linkages are not possible due to surrounding urban structure
 - A new streetscape is provided to south with internal development arranged to overlook public realm areas enabling passive surveillance

- Good architecture: Houses are simple and extendable and also energy efficient
- Materials and Finishes: these mirror the local vernacular.
- Impact on Residential Amenity
 - No buildings are closer than 24m to houses outside the site on the northern and western boundaries with the apartment blocks exceeding 38m from the bungalows on the western boundary.
 - The visualization submitted in appeal underestimate the screening effect of vegetation. Attention is drawing to the proposed strengthening of vegetation buffer along the western boundary with existing trees to be supplemented by native trees and some of which will exceed 30m in height.
 - Overbearing is subjective. For context the proposal is compared in the context of even taller development being permitted at height of 4 and 5 storeys (Old Dublin Road) in the locality.
 - Overlooking by 3 storey height of apartment blocks is mitigated by separation distance, adjacent rear garden depths of bungalows and boundary treatment. Further screening could be incorporated in the proposed balconies by condition of permission if required.
- Trees and Hedgerows: It is submitted that the appeal grounds in respect of the western boundary treated are misrepresented as the proposal will enhance the western boundary by conserving hedgerow and existing trees.
- Childcare: It is pointed out that the S.28 guidance only applies to housing schemes of at least 75 dwellings and that a large crèche facility is within a 325m walk of the site entrance. Play facilities are provided within the proposed development
- On balance the conflict arising between low density suburb and new development has been mitigated through good design so as to enable positive benefits of a core compact settlement to materialise.

7.3. Planning Authority Response

No comments

7.4. Observations

7.4.1. Three observing parties raise the following concerns about the scale and form of the proposed housing development with particular reference to the limitations of the receiving environment. The issues in summary are:

- Density of development is excessive for capacity of social infrastructure - such as crèche facilities and health care – no indication of capacity.
- Traffic volume increase and impact on safety: there has been insufficient analysis of potential for traffic congestion generated by 200 vehicles at a single vehicular access point. A TIA is needed
- Inadequate car parking and spillover effect: this is due to an unrealistic reliance on public transport which and SPPR3 in this peripheral local where bus timetables are based on 30–60-minute intervals.
- Road layout and traffic safety: glare of traffic on house facing site entrance due junction layout. It is unsafe due to bends does not meet with DMUTS ‘self-regulating street’
- Height will have overbearing impact on houses facing onto site. Not sufficiently segregated from existing housing developments.
- Loss of trees and segregation along the site south boundary.

8.0 Assessment

8.1. The issues

8.1.1. This appeal relates to an infill housing development in residential zoned lands within the suburban environs of Limerick City. Having examined the application details and all other documentation on file, including all of the submissions received in relation to the appeal, the report/s of the local authority, and having inspected the site, and having regard to the relevant local and national policies and statutory guidance, I consider that the substantive issues in this appeal to be considered are:

- Principle of Density of Development
- Height, Design and Layout
- Impact on Residential Amenity.

- Impact on Traffic Safety
- Impact on Trees
- Other matters

8.2. Pinnacle of density of development

- 8.2.1. While there is no dispute on the provision of housing on this residential zoned site, the principle of a higher density housing development at the level proposed is queried in terms of the infrastructure capacity generally. Density of development is considered by the objectors to be excessive for capacity of social infrastructure - such as crèche facilities, schools and health care for which it is suggested that there is no indication that the local facilities can absorb the development.
- 8.2.2. The planning authority considers the scheme to be fully in accordance with the development plan in terms of its Core Strategy which link national and local policy and in which the site has been specifically identified as a Tier 1 service infill site and accordingly is a priority site as part of its housing development strategy. This is also stated to be compliant with statutory guidance which aims to create a more compact city through higher densities. I note the site is earmarked for new residential development as site No. 62 and within a density zone for a level in excess of 45 dwellings per hectare. I refer to Map 4 - Limerick City and Suburbs Density zones (in Vol 2a of Development Plan) in which the site is in density zone that is classed in the development plan as an Intermediate Urban Locations/Transport Corridors where a minimum net density of 45+ units per hectare is required at appropriate locations such as within 800m of certain 3rd level institutions/training and business park, 500m of high frequency (min 10 minute peak hour frequency) planned or existing bus services and 400m of reasonably frequency (min 15min peak hour frequency) urban bus service. I also note that the designation of development site as an infill site for new residential development and nearby employment centre is informed by a review of capacity. In volume 2 it states that the Forward Planning team consulted with the various Departments of Limerick City and County Council and considered utilities and services in preparation of this Development Plan. These consultations have also informed its Settlement Capacity Audit (SCA). I also note the reference in the planning report to the context of the site with regard to bus network upgrades by way of investment and improvement through the Bus Connects programme. In terms of

water supply and wastewater infrastructure I note that availability informed the designation and has been re-affirmed by Uisce Eireann as submitted further information to the satisfaction of the planning authority. The site is accordingly justified as being designated a Tier 1 status in terms of services and suitability for immediate development.

- 8.2.3. At a strategic level, I note the NPF identifies Limerick City and suburbs as the 3rd biggest growth centre in Table 2.1 in terms of achieving compact growth which is a critical element to achieving sustainable development. It set a target of 50% of future housing development to be within the existing footprint of such built up areas and 44,000 are to be accommodated for population growth to 2040 in this Limerick City and suburbs area which includes Annacotty. The importance for the delivery of housing and developing in this designated accessible site is underlined by the NPF objective NPO8 which seeks 'to deliver at least 50% of all new homes that are targeted in the five Cities and suburbs of Dublin, Cork, Limerick, Galway and Waterford, within their existing built-up footprints and ensure compact and sequential patterns of growth'. The scale of the need for such is also further underlined by NPO 42 with a target of delivering housing to accommodate approximately 50,000 additional homes per annum to 2040 in the country. The RSES for the southern Region reinforces this growth strategy and the LSMASP also notably includes the Annacotty area as part of the consolidation area within Limerick City and suburbs.
- 8.2.4. While the compact settlement guidelines set a guide of 35-50 units per hectare in suburban areas generally, the provision for refining density having regard to accessibility as well as the receiving environment provides for potentially up to 100 units per hectare in this class of area. The subject site in being development at a moderately higher density at 46.8 units per hectare is reasonably at the upper end of the 35-50 range for this urban expansion type area. The site I consider meets the strategic criteria at a number of levels
- It is a Tier 1 residential infill site in the residential settlement capacity map. (Map 1 In vol. 2)
 - It is within 350m of a neighbourhood centre, secondary school, large park and amenities.

- There is an existing bus service along College Road which also has cycle paths as part of network and the bus network is planned for major expansion and investment.
- There is planned employment centre to the north of Walkers Lane
- It is one of network of new residential site around the centre which have the capacity to support investment in services and facilities serving the locality within a 10minute reach.

8.2.5. In terms of childcare facilities, I note the existence of such a facility in the nearby neighbourhood centre which is within walking distance of the site (less than 350m). While there may be capacity issues, the statutory guidance for requiring further provision of such only applies to housing schemes of at least 75 dwellings and even at this level of housing provision it depends on the dwelling unit type. One bed units are not counted in the meeting the threshold.

8.2.6. On balance, I consider the provision of housing development of the density proposed at a moderately higher level than prevailing in the immediate surrounding urban area where there is existing local services and a bus network subject of significant planned improvement that in terms of principle, to be consistent with the aims of achieving a compact form of expansion consistent with the Core Strategy (CS P2) and Spatial Strategy (CGR P1) and as recommended by the Sustainable Residential Development and Compact Settlement Guidelines 2024 in meeting the national target for housing provision. Accordingly, I consider that the principle of this higher density development of this infill site within the Limerick City and Suburbs and is acceptable in principle.

8.3. **Height, Design and layout**

Height:

8.3.1. In terms of height, the appellant and observing parties express the view that 3 storeys is too high for the area which is characterised by two storey and single storey type of housing development. In the first instance the building height at 3 storeys cannot reasonably be described as a tall building. I refer for example to a definition cited in Volume 6 of the CPD which defines tall buildings as “buildings which are substantially taller than their neighbourhoods and/or which change the skyline”. In this case the immediate environs include a mix of large detached single storey,

dormer and two storey houses which all back onto the site and two-storey houses that face onto the site from the opposite side of road. The provision of two-storey houses facing onto the road opposite these two-storey houses and the provision of two three-storey apartment setback in a parkland setting and surrounded by two storey housing does not, I consider, fall into the category of substantially taller. The placing of two spaced and stepped apartments in the middle of the site with a backdrop of two storey houses being on moderately higher ground helps assimilate into the surrounding environs and as viewed from the public realm to the south. The proposed form in fact accords with the guidance on general approach to height in know density areas. To reflect the NPF aims for compact growth the Urban Development and Building Heights Guidelines advocate the need to support in principle general building heights of at least three to four storeys, coupled with appropriate density, in locations outside what would be defined as city and town centre areas, and which would include suburban areas at development plan and development management levels. These guidelines also advocate the avoidance of mono-type, mix of building typology while adhering to a higher density range - all criteria which has been complied with. As there is a sound basis for the density proposed, to reduce height would service to undermine the delivery of an appropriate compact form to achieve sustainable development,

- 8.3.2. Accordingly, in this policy and guidance context as cited in some detail in section 5 of this report, I consider the provision of a mix of 2 and 3 storeys in height in an area characterised by single and two storey height housing is acceptable in principle.

Design and Layout

- 8.3.3. While the main objection to design is in terms of height, there is general criticism of the layout and design by way of placing apartments adjacent to rear gardens rather than defining a street edge such as a distributor road. In this case the site does not front onto a distributor and if it did it is likely to be higher in line with the Building Height Guidelines. Nor is the site back land. It is a large infill site that can accommodate a standalone design incorporating a variety of building typologies. In this case the apartment blocks bring variety and visual interest to an area dominated by two storey housing. The apartments are sited in a parkland setting generously set back from the boundaries as compared to the garden depths of back-to-back

housing. The balconies overlook open space providing passive surveillance while availing of afternoon-evening sun with a westerly orientation. The landscaping approach seeks to maximise retention of trees which is more visible and also readily maintained and facilitated in an open space without a multiplicity of dividing boundary structures than is collectively managed. The submitted design statement as appraised by the planning authority reasonably sets out the main design components and of the development compromising a responsive built form

- It has a coherent internal structure; the 2 and 3 storey emulates the pattern of single and two storeys with apartments centrally located and a layout protecting amenities of surrounding houses while achieving the target density.
- A new streetscape is provided to south with internal development arranged to overlook public realm areas enabling passive surveillance
- Houses are simple and extendable and also energy efficient Materials and Finishes reflect the character of the area.

8.3.4. Another point of view is expressed that the development is not sufficiently segregated from existing housing developments such as to the south and reference is made to the loss of the hedgerow which would I accept have screened the site. In this case the proposal introduces terraced housing on the northern side of the existing estate road fronting the site and directly opposite existing houses. This reinforcement of the urban streetscape is good design practice in that it accords with the design standard of the DMURS. I do not consider it reasonable to seek the retention or reinstatement of the hedgerow along this frontage to be reasonable in view of the development objective for the area and the general adherence to good urban design practice.

8.3.5. There is also criticism of the internal road layout which is from a safety point of view. The supporting design statement set out how the road layout complies with DMURS. While it generally complies (see traffic safety) it is acknowledged in terms of permeability that the site does not provide through linkages. While I note the site is constrained in terms of linkage to the north and east notwithstanding a strip of ground highlighted in the development plan maps, the applicant does not own this. The layout however provides for potential future linkage in the event of future redevelopment. The internal layout incorporates looped pedestrian route and the

houses and apartments provide passive surveillance. the sole use of perpendicular parking is I consider a design weakness as mix of parallel parking is better design practice however but with the grouped arrangement and intervening landscape it can generally be absorbed in the overall layout.

8.3.6. On balance I do not consider there is reasonable grounds to refuse permission the basis of height design or layout.

8.4. **Impact on residential Amenity.**

Overlooking

The appellants who live in housing backing on to the western boundary and west of the proposed apartment object to the height and proximity of windows and balconies which will provide for direct views into the rear of their dwellings - 4 single-storey houses and 1 two-storey dwelling as well as their rear gardens. The 3-storey height is aggravated by the ground level difference due to ground height difference. The PA has dismissed this as a significant issue given the separation distance by reference to SPPR on opposing window distance. However, the appellant challenges the reliance on this 16m minimum in this intake that involve apartment interfacing with mature and private single storey houses. The applicant in response emphasises how no building is closer than 24m to houses outside the site on the northern eastern and western boundaries with the apartment blocks exceeding 38m from the bungalows on the western boundary. I note that the apartment blocks are set back from the western boundary by a distance in the order of 17m to well over 20m. The adjacent dwelling then have deep and mature gardens I consider the setback distance for a three storey flat roofed block with no directly opposing first floor windows (due to single storey nature) to provide for adequate spacing. I further note that of the houses directly west, one is at an oblique angle, two back onto the intervening open space between the blocks and only one backs directly opposite on to the boundary with the apartments. I consider it reasonable to conclude that potential undue overlooking from the 3 storey high apartment blocks is sufficiently mitigated by separation distance, adjacent rear garden of bungalows and boundary treatment. While further screening could be incorporated in the proposed balconies by condition of permission, if required, I do not consider this entirely warranted

Overshadowing

- 8.4.1. The residents to the west are concerned about the overshadowing and loss of sunlight due to the three-storey height of the apartment due east of the rear of their dwellings. This is due to the lower angle of the sun and consequent loss of morning sun presently enjoyed. It is submitted that insufficient appraisal has been carried out in this regard.
- 8.4.2. I note that the height of the apartment blocks is less than 10m and that the section drawings allow to gauge the angle of shadow of cast based on the 25 degree rule of thumb as a preliminary estimate on impact of opposing windows. Given the separation distance and height, the proposed apartments would have minimal obstruction. I note that section 5.3.7 of the CSGs states that detailed technical assessment for sunlight and daylight is not required in all cases and regard should be had to standards in the BRE 209 2022. Accordingly in view of the height, setback and separation, massing and orientation, I do not consider a detailed daylight and sunlight evaluation is needed. I do not consider overshadowing to constitute reasonable grounds for refusal.

Overbearing Impact

- 8.4.3. The height of the scheme at three storeys and on elevated ground is submitted to be likely to have an overbearing impact relative to the smaller houses on lower ground. The applicant makes reference to even taller development being permitted at height of 4 and 5 storeys (31568 Old Dublin Road) in the locality and that overbearing is subjective and implies it is not a reasonable rational grounds to refuse permission. In terms of interface with the Carrigeen houses, I note the original 3 storey houses (dormer) nos.1-12 were modified and are two storey and are also reduced in number along this road from 12 to 11. However there are concerns about the rising height northwards. As I have concluded in terms of assessing height, I do not consider 3 storeys to constitute an inappropriate or abrupt transition in scale and height particularly in the context where there is already a variance of one storey. I consider it is a fair point that the 3D model images submitted in the appeal underestimate the screening effect of landscaping, both existing and planned. Attention is drawn by the applicant to the proposed strengthening of the vegetation buffer along the western boundary with existing trees. The applicant also refers to supplementing with native trees and that some will exceed 30m in height while I note from the landscaping

plans that low planting is also incorporated which will ground the development without impacting on sightlines. I consider the landscaping together with the variety of building form and stepped height in the terraces and apartment blocks reflects the natural terrain and adds visual interest.

8.4.4. While it is a significant change from a greenfield site, it is I consider a reasonable balance of integrating planned new residential with existing. The incorporation of 2 storey family homes bridges similar existing development with the apartment format, I consider due regard has been had to the low-density scale and will, in overall terms, constitute a positive development for the area.

8.4.5. In view of the forgoing appraisal that residential amenities will be reasonably protected in the realisation of the residential development objective of the site, I consider that the proposal accords with the development plan objective H03 in balancing the protection of residential amenities while providing for new sustainable development. The reference by the appellant to the contravention with zoning due to not being complimentary to surrounding development does not I consider stand up to scrutiny. The reference is to one element of the stated purpose of the new residential zoning objective. I am satisfied that when the objective and entire purpose is considered that the proposed development serves to meet with the aims of the housing objective and contravention does not arise.

8.5. Impact on Traffic Safety

8.5.1. There is concern about the general infrastructure capacity of the road network in terms of traffic generation by the proposed development and that insufficient analysis of potential for traffic congestion generated by 200 vehicles at a single vehicular access point. As part of the appraisal the planning authority sought a Traffic and Transport Assessment (TTA) and an Road Safety Audit (RSA) which were submitted to the satisfaction of the Roads Department. They demonstrate that the surrounding junctions will have capacity for the future development. In the observations on the appeal, a Traffic Impact Assessment is stated to be required however the TTA incorporates this but also has regard to wider transport demand management issues

Traffic volume increase and impact on safety:

8.5.2. The TII publication Traffic and Transport Assessment Guidelines (214) provides guidance for an integrated approach to development and in considering investment in transportation infrastructure to reduce travel demand and promote road safety. Having regard to the level of traffic generated by housing considerably subthreshold and also the category of road (not national routes), the degree of capacity and I would question the need for TTA. I note Table 2.1 sets out Traffic Management Guidelines Thresholds for Transport Assessments and thresholds are relevant.

- Traffic to and from the development exceeds 10% of the traffic flow on the adjoining road.
- Traffic to and from the development exceeds 5% of the traffic flow on the adjoining road where congestion exists or the location is sensitive.* (In locations that experience particularly heavy congestion and when traffic flows from a proposed development are less than 5% of the traffic flows on the adjoining road, a Transport Assessment may still be required and should in this event be scoped with the local authority.)
- Residential development in excess of 200 dwellings.

The submitted data in the Traffic and Transport Assessment show a range of traffic flow to capacity ratio for the immediate internal road network which indicate indicates that traffic is light, free-flowing, and operating well below maximum capacity. Table 5.2 for the Rosskeen Road/ Carrigeen Rd crossroad junction that 'with development' by 2032 the predicted RFC would from 0.02 to 0.3. at AM and PM Peak period on and account for different approaches. A capacity assessment for the Rosskeen/Castletroy College Road junction is also represented in Table 5.3 and this has higher flows but still is operating well within capacity with base flows of 0.2 -0.49 at AM and 0.59 and 0.36 at PM. With development this is predicted to rise to a range of 0.23 to 0.64 and is still well within capacity and is predicted to remain so 2042 at levels up to 0.68 in 2042. I do not consider there is reasonable basis to refuse permission on congestion. I would also query the value of this data over the longer term in terms of fully taking account of modal shift in the context of significant investment in other modes of transport complimented by compact form and combining to reduce car dependency.

Inadequate car parking and spillover effect

- 8.5.3. The residents of the adjacent road network consider the maximum car parking level of 106 spaces as set out the development plan rather than 84 should be adhered to. The 84 spaces is based on what is considered an unrealistic reliance on public transport and SPPR3 in this peripheral local where bus service is in the experience of the objectors at 30-60 minute intervals.
- 8.5.4. I note from the TFI Local Link -Transport for Ireland website that the 310 bus currently provides service from the northern end of Annacotty along College Road and into the City centre. This is at 30 min intervals. I also note the immediate range of services and facilities at the Newtown neighbourhood centre where local shop and services serve the area. There are primary and secondary school, a crèche facility in addition to recreational Parkland and playing field. An additional planned employment centre is also north of Walkers lane for future employment opportunities in the locality with walking, cycling or public transport route as alternatives to the car.
- 8.5.5. I note from the current Limerick BusConnects planned service that this shows the new network schedule to be delivered from 2027 on a phased basis and includes new routes for the Limerick City and suburbs including Annacotty. It states that the redesign of the bus network is a key element of BusConnects Limerick that aims to transform the city's bus system, making public transport more useful to more people. The new bus network will enable more people to avail of public transport resulting in increased access to a greater number of schools and workplaces across Limerick city. Overall, it is projected that 41% of residents will live within 400 metres of a high frequency bus route (running every 15 minutes or better). Route 4B is planned to serve the site with 20minute intervals. The route includes Rivers to the east of the site and then connects to College Road. while the residents in the area correctly point out the limitation into existing services, the local bis service is set to improve with phasing set to commence within 2 years.
- 8.5.6. In term of accessibility, I consider the area meets the criteria in the CSG Table 3.8. and a lower provision for car parking than the maximum level guided in the Development plan is reasonable and appropriate in supporting strategic transport objective to shift from reliance on the private car. Policies and objective such as TR P4 and TR P6 in the promotion of sustainable patterns of transport and modal shift and also LSMATS strategic transport objective to invest in public transport and

reduce car dependency as mandated by the NPF NPO37 to Ensure the integration of safe and convenient alternatives to the car into the design of our communities, by prioritising walking and cycling accessibility to both existing and proposed developments and integrating physical activity facilities for all ages.

Road layout and traffic safety:

- 8.5.7. glare of traffic due junction layout It is unsafe due to bends does not meet with DMURS 'self-regulating street' I note Drawing no 0051 Vehicle Tracking rec. 15/12/26 illustrates how vehicle up to 2.5m in width and 7.64 m in length can be manoeuvre around corners. Turning heading are indicated to comply with Recommendation to site development work for housing estate 1998 by refence to Type 1 and Type 2 turning bay design. the site has been subject to a Road Safety Audit which points out detailed safety measures in relation to enhancing sightlines and intervisibility and treatment of footpaths. The Planning authority has considered the road layout in detail as is evident in the comprehensive schedule of design details sought in its request for further information and in it subsequent review as informed by the Roads Division. The road layout complies with DMURS in terms of road width, turning corner radii, the kink in the ora to avoid continuous long straight line and the raised tables.
- 8.5.8. Overall, the TTA confirms that the development will not negatively impact the performance of the surrounding road network, while the RSA identifies internal design issues that are readily addressable through condition. Upon review, the Planning Authority concludes that, subject to the implementation of the RSA recommendations, the completion of a Stage 3 RSA, and the submission of revised drawings addressing the detailed technical matters as outlined in its reports that such traffic safety issues above, Item 7 can be fully resolved by way of condition.
- 8.5.9. In terms of light spill for the junction, I note this matter was not specifically addressed in the reports. I note the dwelling is double fronted and detached with a wider plot than another semi-detached house on the road. The proposed road partially faces the house frontage. A low wall bounds the site. Headlights are most likely to cause disturbance when departing in the evening which are not be comparable to evening return traffic. While it may be a source of nuisance the road cannot be repositioned

without having a similar impact on another house. It is something that can be readily addressed by window dressing/ blinds in the evening or by boundary hedge. The low wall provides a barrier and with road calming and stop signs in low-speed urban environment I do not consider collision with the house curtilage to be an issue. Having regard to the urban context and new residential zoning together with the existing site access and absence of alternative I do not consider glare to be reasonable grounds to refuse permission on zoned lands.

8.6. Impact on Trees

- 8.6.1. Loss of tree is a concern generally to residents along boundaries for reasons of privacy character and impact on ecology. The issue of root damage of trees in private gardens is also raised. The extent of loss is submitted to be unclear in the details.
- 8.6.2. The applicant however clarifies that the proposal will enhance the western boundary by conserving hedgerow and existing trees . I note Fig 8 in the response illustrates the tree survey and show one tree proposed for removal. The trees are mostly B classification and grouped along the western boundary where open space is proposed. Whereas along the eastern boundary they are of class B and C where small rear gardens are proposed alongside. Tree protection fences are proposed and the Parks Division in their report on FI notes that most items originally raised have been addressed however matters of detail need agreement in relation to retention measures for some trees along the eastern boundary in context of root protection and also boundary construction. On the basis of the Tree Survey it was viewed that proposed mitigation measure no.2 was important in protecting the existing trees surrounding the boundary – especially to the east of the site. Protective tree barriers are an acceptable provision for tree protection in this instance as has been reviewed and accepted by the Local Authority's Heritage Officer. In conclusion I consider this issue has been robustly assessed by the Planning authority and that outstanding matters are reasonably addressed by condition so as to facilitate co-ordination of other construction details relating to drainage and services.

8.7. Other matters

- 8.7.1. In relation to surface water run-off the planning authority has sought further details that remain outstanding. I note that the surface water drainage details proposed incorporate SuDS principles and related measures as outlined in the HLA Engineering Report lodged with the application and this is also augmented with further information although a lot of technical details were omitted. I note, the management of surface water is to be contained and the HLA report states in addition to attenuation, a number of additional drainage measures will be introduced within the site in accordance with Limerick City and County Council Surface Water/SuDS to include Infiltration & speed of filtration, Improved water quality, and additional storage. Measures to be incorporated, to include permeable paving to parking, blue roof to apartments (if practical in relation to sustainable maintenance) and Bioretention Planters/Rain Gardens and tree pits.
- 8.7.2. Further information was sought in respect of the existing storm system (CCTV), relocation of attenuation tank off the road, clarification of certain pipe layout and manhole details in addition to showing road gully connection and details cross section and pipe gradient within normal parameters and calculation in lines with Limerick City and County Council's Surface Water and SuDS, specification and other details relating to Storm Water audit, ground infiltration and an Aquifer Vulnerability Assessment to determine infiltration system use. Many matters of detail remain outstanding. Some matters of detail are in relation to pollution risk indices/ corresponding mitigation indices, Stage 1 Storm Water Audit and infiltration/aquifer analysis have not been fully provided. Of note is that there are issues of groundwater vulnerability and the risk of pollution through infiltration. The submission is noted by the PA to not confirm whether infiltration is proposed, and further details are needed to see if this is possible. These details tie in with much of the roads Department required specifications and that Division is satisfied that that such matters can be addressed by condition. As these matters remain outstanding it may be difficult for some aspects of the Drainage system to be worked to the level of detail required at this stage.
- 8.7.3. The planning authority accordingly has detailed conditions of permission addressing these matters. As they serve to protect water quality they could as a matter of precaution be included for clarity.

8.7.4. Other conditions are of a standard nature

9.0 AA Screening

9.1. In accordance with Section 177U of the Planning and Development Act 2000 (as amended) and on the basis of the information considered in this AA screening, I conclude that the proposed development individually or in combination with other plans or projects would not be likely to give rise to significant effects on Lower River Shannon SAC Code: 002165 in view of the conservation objectives of this site and is therefore excluded from further consideration. Appropriate Assessment is not required.

9.2. This determination is based on:

- Nature and scale of works
- Scientific information provided in the AA Screening report and supporting surveys, for species habitat and FPO
- Location of site in urban infill serviced site at a distance of approximately 370m from the nearest European site and lack of any meaningful connections

No mitigation measures aimed at avoiding or reducing impacts on European sites were required to be considered in reaching this conclusion.

10.0 Water Framework Directive

10.1.1. An assessment of the proposed development has been carried out in accordance with Article 4 of the Water Framework Directive and relevant EPA guidance, including best practice in sustainable drainage design.

10.1.2. The nearest waterbodies are:

- Riverwater Body: Mulkear Limerick) _50 (IE_SH_25M040590). It is classed as 'good' status based on the 2019-2024 monitoring report.

- Groundwater Body: Limerick City Southeast (IE_SH_G_138) This groundwater body underlies the subject site and is classed as 'good ' status but 'at risk' as had not achieved its WFD objective based on 2019 2024 monitoring period

10.1.3. The details for drainage have not been fully demonstrated and SuDs components are also insufficiently explained or illustrated. Of note a Stage 1 Storm Water Audit and infiltration/aquifer analysis have not been fully provided and details of the feasibility of the implementation of these measures is required having regard to the risk of pollution through infiltration to the groundwater. Accordingly with the implementation of conditions of permission related to surface water management (SuDS) and installation of appropriate and approved type interceptor, these measures would serve to mitigate risk at operational stage in addition to standard measures in CEMP at construction stage.

10.1.4. I have assessed the proposed development and have considered the objectives as set out in Article 4 of the Water Framework Directive which seeks to protect and, where necessary, restore surface & ground water waterbodies in order to reach good status (meaning both good chemical and good ecological status), and to prevent deterioration.

10.2. Having considered the nature, scale and location of the project, I am satisfied that it can be eliminated from further assessment because there is no conceivable risk to any surface and/or groundwater water bodies either qualitatively or quantitatively.

10.3. The reason for this conclusion is as follows.

- Scale and size of the proposed development within an existing residential urban centre location.

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

11.0 Recommendation

- 11.1. I recommend that permission is granted for the proposed development based on the following reasons and considerations.

12.0 Reasons and Considerations

Having regard to the residential zoning provisions for the site and the specific inclusion of the site in Limerick City and County Development Plan 2022-2028 as Tier 1 serviced site and as identified as site 62 in Map1- Residential Settlement Capacity Map for Limerick City and Suburbs (in Limerick), Mungret and Annacotty, the pattern of residential development in the area and its proximity to a range of services and facilities within walking distance, and the nature and scale of the proposed development, it is considered that, subject to compliance with the conditions set out below, the proposed development would be consistent with the Core Strategy of the current Limerick City and County Development Plan 2022-2028, that the proposed density, height and layout of development is appropriate and that the development would not seriously injure the amenities of adjacent properties within the area would not result in the creation of a traffic hazard or adversely impact the capacity of the adjoining road network and would be acceptable in protecting the local ecology of this urban area. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area

13.0 Conditions

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application on 2nd May 2025 and as amended by the further plans and particulars submitted on 19th May 2025 and 15th December 2025, 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. No walls, fences or other boundary treatment including hedges/trees shall be constructed or erected around the front gardens of units 1-12 (inclusive). The front gardens of these units hereby approved shall be kept as Open Plan. Class 5 of Schedule 2, Part 1 of the Planning & Development Regulations 2001 (as amended) and any statutory provision replacing or amending them shall not apply.
Reason - To ensure that the proposed scheme remains open plan in nature/appearance, in the interest of urban design and visual amenity.
3. Water supply and drainage arrangements, including the attenuation and disposal of surface water, shall comply with the requirements of the planning authority for such works and services. Prior to the commencement of development, proposals for increased on-site attenuation in accordance with the Limerick City and county council surface Water and SuDS specification and Greater Dublin Regional Code of Practice for Drainage Works where applicable, shall be submitted to, and agreed in writing with, the planning authority.
Reason: in the interest of public health
4. The developer shall enter into water and/or wastewater connection agreement(s) with Uisce Eireann prior to the commencement of this development.
Reason: in the interest of public health
5. Surface Water & SuDs Management
 - (a) Drawings and supporting information showing compliance with Limerick City and County Council's Surface Water & SuDs Specification (2022) shall be submitted for the written agreement with the Planning Authority prior to the commencement of the development.
 - (b) All the issues shown on the CCTV survey & footage regarding the existing surface water system to which the proposed development is reliant on must be repaired in agreement with Limerick City and County Council. Revised CCTV survey details showing the repairs shall be submitted prior to the commencement of the Development.
 - (c) The connection to the discharge manhole shall not be carried out until the Surface Water and SuDS is certified by the Applicants/Developers Consulting Engineer.

- (d) The freeboard on the finished floor levels shall be a minimum of 500mm
- (e) The discharge levels shall not exceed 2 l/s/ha.
- (f) Minimum pipe velocities shall be 1.0m/s and maximum 3.0m/s
- (g) The same type of road gully and storm manhole cover and frame shall be used throughout the development.
- (h) The developer shall submit certification for the Surface Water/SuDs Specification that it has been constructed as designed upon completion of any phase of the development and there shall be no occupation until this is received and agreed.
- (i) A maintenance plan shall be submitted and agreed with the Planning Authority for the Surface Water/Suds System prior to the commencement of the development.
- (j) Prior to commencement of development, the developer shall submit to the Planning Authority for written agreement a Stage 2 – Detailed Design Stage Storm Water Audit.
- (k) Upon completion of any phase of the development and prior to any occupation, a Stage 3 Completion Storm water Audit to demonstrate Sustainable Urban Drainage System measures and the proposed surface water system have been installed and are working as designed and that there are no misconnections or damage to storm water drainage infrastructure during construction, shall be submitted for written agreement.
- (l) All surface water run-off from the development shall be disposed of appropriately. No such surface water shall be allowed discharge onto adjoining properties or onto the public road.
- (m) All surface water run-off from the public road which flows into the site shall continue to be accommodated within the site unless alternative arrangements acceptable to Limerick City & County Council are carried out. Full details of any such alternative arrangements shall be submitted to the Planning Authority and agreed prior to commencement of development.

Reason- In the interest of public health and to prevent flooding in the interest of traffic safety and amenity.

6. Details of the materials, colours, and textures of all the external finishes to the proposed development, including external lighting throughout the development, shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. Reason: in the interests of visual and residential amenities.
7. (a) The internal road network serving the proposed development including turning bays, junctions, parking areas, footpaths, and kerbs and car parking bay sizes shall comply with the requirements of the Design Manual for Urban Roads and Streets, in particular carriageway widths and corner radii within the development shall be in accordance with the guidance provided in the National Cycle Manual. (b) The materials used in any roads/footpaths provided by the developer shall comply with the detailed standards of the planning authority for such road works. (c) The recommendations contained in the Road Safety Audit submitted with the application shall be implemented.

Reason: in the interests of pedestrian, cyclist, and traffic safety.

8. (a) Details of all boundary treatments shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.
(b) Prior to the commencement of development, the developer shall submit a revised Taken in Charge layout for the written agreement of the Planning Authority.
Reason - In order to ensure the satisfactory completion of the development.

9. (a) Recommendations of S.4 of the Tree Report entitled Arboriculture Method Statement to be implemented in full.
(b) Artificial House Martin nest sites to be included in the new development. This species has been identified as using the site in the Bird and Bat Report. Artificial Nests such as Schwegler 9b could be used. The location and individual siting of these nests to be supervised by a competent ecologist and these details are to be provided to the Planning Authority.

(c) The installation of bat boxes on trees associated with the development as mentioned on p.7 of the Bat Report is to be carried out. Other locations in addition to trees may also be suitable. This is to take place under the supervision of a competent ecologist and details of these are to be provided to the Planning Authority.

(d) Artificial Swift Nests to be installed on suitable buildings to increase coverage of such nest sites in the city and enhance the ecological effects of the development. The location and individual siting of these nests to be supervised by a competent ecologist and these details are to be provide to the Planning Authority.

Reason: to protect and enhance the local ecological environment.

10. Landscape Management and Maintenance Plan submitted with this application shall be implemented in full, except where otherwise required by conditions attached to this permission. Reason: in the interest of natural heritage, protecting the environment, public health, and clarity.
11. (a) Drawings and supporting information shall be submitted for the written agreement of the Planning Authority prior to the commencement of the development to include the following:
 - i) Address the forward visibility issues.
 - ii) Revise the location of the proposed stop road markings at units 38/39.
 - iii) Show a spare bank of ducts to be handed over to LCCC upon taking in charge in line with TII Standards.
 - iv) Submit a Site Layout Plan for utility ducting and manholes for broadband services etc. for the full development. The ducting shall be 100mm diameter uPVC and shall be provided to each housing unit.
- (b) A Stage 3 Road Safety Audit shall be completed and submitted for the written agreement of the Planning Authority in compliance with the TII Publication 'Road Safety Audit GE-STY01024' prior to the occupation of the development. The development shall be carried out in accordance with the agreed details.

- (c) The Applicant shall address all problems raised with the stage 3 Audit in full and submit revised Site Layout Plans to include the recommendations of the Audits, for the written agreement of the Planning Authority.
- (d) Footpaths for the proposed development shall be in line with "TII Specification for Road Works Series 1100 – Kerbs, Footways and Paved Areas.
- (e) The road construction shall be in accordance with "TII Publications Specification for Road Works Series 700 – Road Pavements & Specification for Road Works Series 900 Road Pavement-Bituminous.
- (f) The developer shall ensure that the road surface for the proposed development is tied in suitably to the existing road and any damage to the existing road shall be appropriately repaired in agreement with Limerick City and County Council.
- (g) The proposed residential car parking spaces shall be constructed and have appropriate ducting to be capable of accommodating future electric charging points for electrically operated vehicles.
- (h) Driveways shall have a minimum length of 6m with a maximum gradient shall be 10%. A kerb upstand of 25mm shall be provided at entrances.
- (i) Road Markings and Signs shall be in accordance with "IS EN 1436 European Standard for Road Markings" & in accordance with the "Traffic Signs Manual". All road markings and signage shall be kept maintained by the developer.

Reason – In the interest of traffic safety, visual and residential amenity.

- 12. Proposals for a naming and numbering scheme and associated signage shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. Thereafter, all signs, and numbers shall be provided in accordance with the agreed scheme.

Reason: in the interests of amenity and of the proper planning and sustainable development of the area.

- 13. A phasing programme for the development shall be submitted to and agreed with the Planning Authority prior to the commencement of development. Each phase shall be completed including all services and public open space within 3 months of work commencing on a subsequent phase.

Reason - To provide for the orderly development of the site.

14. 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. All existing over ground cables shall be relocated underground as part of the site development works.

Reason: in the interests of visual and residential amenity.

15. The landscape masterplan proposals, as submitted to the planning authority as amended in further information 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.

16. Site development and building works shall be carried out only between the hours of 0700 and 1900 from Mondays to Fridays inclusive, between 0800 and 1400 hours on Saturdays and not at all on Sundays and public holidays. Deviation from these times will only be allowed in exceptional circumstances where prior written approval has been received from the planning authority.

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

17. The construction of the development shall be managed in accordance with a Construction Traffic and Environmental 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, environmental control measures, including noise, dust and vibration management measures, construction traffic and parking, management of laying of independent foul

sewer line, liaisons with neighbours during the construction period, measures for managing construction sediment run-off and off site disposal of construction/demolition waste.

Reason: in the interests of residential amenity.

18. Prior to the 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 proper planning and sustainable development.

19. Prior to commencement of development, the developer shall submit to and agree in writing with the planning authority full details of the proposed public lighting along the Armagh Road and throughout the residential scheme, including the lighting levels within open space areas of the development.

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

20. (a) The management and maintenance of the development following its completion shall be the responsibility of a legally constituted management company, or by the local authority in the event of the development being so taken in charge. (b) The communal open spaces, hard and soft landscaping, car and cycle parking areas, access ways, refuse/ bin storage, and all areas not intended to be taken in charge by the local authority, shall be maintained by the legally constituted management company. (c) Details of the management company contract, and drawings/ particulars describing the parts of the development for which the company would have responsibility, shall be submitted to, and agreed in writing with, the planning authority before any of the residential units are made available for occupation.

Reason: in the interests of orderly development and to provide for the satisfactory future maintenance of this development.

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

22. The applicant/developer shall
- (a) Notify the Planning Authority in writing at least four weeks prior to the commencement of any site operation (including hydrological and geotechnical investigations) relating to the proposed development.
 - (b) Employ a suitably qualified archaeologist who shall apply for a licence to monitor all site investigations, excavation works and all ground disturbance associated with the development.
 - (c) Submit the name of the suitably qualified archaeologist to the Planning Authority four weeks in advance of the commencement of any site works (including site investigations) accompanied by a site specific letter from the archaeologist certifying that they have applied for a licence.
 - (d) Submit on completion of the ground works a report detailing the results of the licensed archaeological monitoring works to the Department of Housing, Local Government & Heritage and the Planning Authority. The report shall contain a drawing showing the exact extent of the area that was archaeologically monitored certified by the archaeologist. Excavators should include a catalogue of

excavated features with 12 figure ITM coordinates for the centre point of each feature. In the event that the development is phased, interim reports shall be submitted at each stage showing the area monitored and giving preliminary results.

- (e) Should archaeological material be found during the course of monitoring, the archaeologist may have work on the site stopped, pending a decision as to how best to deal with the archaeology. The Development Applications Unit, National Monuments Service, Department of Housing, Local Government & Heritage and the Planning Authority Archaeologist shall be informed immediately. The developer shall be prepared to be advised by the National Monuments Service, Department of Housing, Local Government & Heritage and the Planning Authority with regard to any necessary mitigating action.
- (f) Should an archaeological excavation be required then the following shall apply: the developer shall provide satisfactory arrangements for the recording and excavation of any archaeological material that may be considered appropriate to excavate and shall undertake to complete all post excavation analysis up to and including final report stage. Excavators should include a catalogue of excavated features with 12 figure ITM coordinates for the centre point of each feature. Within twelve months of the completion of the excavation a final report (in the format recommended in the Guidelines for Authors of Reports on Archaeological Excavations 2006 National Monuments Service) shall be submitted to the Planning Authority

Reason: In order to conserve the archaeological heritage of the site and to secure the preservation of any remains which may exist within the site.

23. Prior to the commencement of 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 residential 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 of the residential units 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.

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 Coimisi n Plean  a 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.

25. Prior to commencement of development, the developer shall lodge with the planning authority a cash deposit 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 Comisiun Pleanala for determination.

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

I confirm that this report represents my professional planning assessment, judgement and opinion on the matter assigned to me and that no person has influenced or sought to influence me, directly or indirectly, following my professional assessment and recommendation set out in my report in an improper or inappropriate way.”

Suzanne Kehely

Senior Planning Inspector

19th June 2026

Appendix 1: Form 1 EIA Pre-Screening

Case Reference	500972-LK-26
Proposed Development Summary	Construction of residential development comprising 74 residential units and all associated site works
Development Address	Rivers , Annacotty, Co. Limerick.
IN ALL CASES CHECK BOX / OR LEAVE BLANK	
1. Does the proposed development come within the definition of a 'Project' for the purposes of EIA?	☒ Yes, it is a 'Project'. Proceed to Q.2.
	☒ No, No further action required.
(For the purposes of the Directive, "Project" means: - The execution of construction works or of other installations or schemes, - Other interventions in the natural surroundings and landscape including those involving the extraction of mineral resources)	
2. Is the proposed development of a CLASS specified in Part 1, Schedule 5 of the Planning and Development Regulations 2001 (as amended)?	
☐ Yes, it is a Class specified in Part 1. EIA is mandatory. No Screening required. EIAR to be requested. Discuss with ADP.	State the Class here
☒ No, it is not a Class specified in Part 1. Proceed to Q3	

3. Is the proposed development of a CLASS specified in Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended) OR a prescribed type of proposed road development under Article 8 of Roads Regulations 1994, AND does it meet/exceed the thresholds?	
☐ No, the development is not of a Class Specified in Part 2, Schedule 5 or a prescribed type of proposed road development under Article 8 of the Roads Regulations, 1994. No Screening required.	
☐ Yes, the proposed development is of a Class and meets/exceeds the threshold. EIA is Mandatory. No Screening Required	State the Class and state the relevant threshold
☒ Yes, the proposed development is of a Class but is sub-threshold. Preliminary examination required. (Form 2) OR If Schedule 7A information submitted proceed to Q4. (Form 3 Required)	State the Class and state the relevant threshold Class 10 - Construction of more than 500 dwelling units
4. Has Schedule 7A information been submitted AND is the development a Class of Development for the purposes of the EIA Directive (as identified in Q3)?	
Yes ☐	Screening Determination required (Complete Form 3)
No ☒	Pre-screening determination conclusion remains as above (Q1 to Q3)

Inspector: _____

Date: _____

Appendix 2: Form 2 - EIA Preliminary Examination

Case Reference	
Proposed Development Summary	Construction of residential development comprising 74 residential units and all associated site works
Development Address	Rivers , Annacotty , Co. Limerick.
This preliminary examination should be read with, and in the light of, the rest of the Inspector's Report attached herewith.	
Characteristics of proposed development (In particular, the size, design, cumulation with existing/ proposed development, nature of demolition works, use of natural resources, production of waste, pollution and nuisance, risk of accidents/disasters and to human health).	Site measuring 1.68 ha. Identified for infill housing development in the development plan. There are no other developments under construction in proximity to the site. Proposal comprises the construction of residential development comprising 74 residential units, and all associated site works. The proposal would be connected to all public services and utilities. The development is a standalone project, requiring some earthwork associated with cut and fill on a gently sloping site. It does not require demolition, the use of substantial natural resources, or give rise to significant risk of pollution or nuisance. The development does not pose a risk of major accident and/or disaster or is vulnerable to climate change. It presents no risks to human health.
Location of development (The environmental sensitivity of geographical areas likely to be affected by the development in particular existing and approved land use,	The site is not located within or immediately adjoining to any European Site. The closest European Sites are the Lower River Shannon SAC (Site Code: 002165), the nearest of which is located approximately 350 metres east of the subject site. It is considered that the

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).	proposed development would not be likely to have a significant effect individually, or in combination with other plans and projects, on a European Site and Appropriate Assessment is, therefore, not required.
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).	Having regard to the relatively modest scale of the proposed development generally in accordance with the land use objectives of the development plan , its location removed from sensitive habitats/features, likely limited magnitude and spatial extent of effects, and absence of in combination effects, there is no potential for significant effects on the environmental factors listed in section 171A of the Act
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: Standard AA Screening Determination Template 2

Test for likely significant effects

Screening for Appropriate Assessment Test for likely significant effects	
Case Reference Number: 500972	
Step 1: Description of the project and local site characteristics	
Brief description of project	The development consists of 74 residential units. See section 2 for description
Brief description of development site characteristics and potential impact mechanisms	The total floor area of 7397.5 sq.m on a site of 1.68ha which includes 15% of open space and substantial retention of boundary trees and hedgerow. It will connect to the foul sewer and water connection is available. It will incorporate SuDs but ultimately storm water surplus will discharge to the Surface water municipal sewer. Ecological surveys have been conducted and there is some bat activity and House Martins. The site is grasslands.
Screening report	Yes
Natura Impact Statement	No
Relevant submissions	The Ecologist for the planning authority has screened out the need for an appropriate assessment

An AA screening report was submitted with the application which concluded that there are no ecologically sensitive habitats, water courses, drainage ditches, bodies of open water or invasive species within the site. There are no natural, surface hydrological pathways, terrestrial or direct or indirect hydrological pathways to the SAC or the SPA. Final discharge of surface water will be to the municipal surface water sewer and will be separate to foul sewer.				
Step 2. Identification of relevant European sites using the Source-pathway-receptor model				
European Site (code)	Qualifying interests ¹ Link to conservation objectives (NPWS, date)	Distance from proposed development (km)	Ecological connections ²	Consider further in screening ³ Y/N
Lower River Shannon SAC Code: 002165	See step 3	c. 350m	Indirect hydrological connections	yes
River Shannon and River Fergus Estuaries SPA Code: 004165	Cormorant (Phalacrocorax carbo) [A017] Whooper Swan (Cygnus cygnus) [A038] Light-bellied Brent Goose (Branta bernicla hrota) [A046] Shelduck	6.7km	Site contains minimal supporting habitat for QI birds. Wetlands and Waterbirds are unlikely to use the site as it provides no supporting	No (see step 3 for brief comment)

	(Tadorna tadorna) [A048] Teal (Anas crecca) [A052] Pintail (Anas acuta) [A054] Scaup (Aythya marila) [A062] Ringed Plover (Charadrius hiaticula) [A137] Golden Plover (Pluvialis apricaria) [A140] Grey Plover (Pluvialis squatarola) [A141] Lapwing (Vanellus vanellus) [A142] Knot (Calidris canutus) [A143] Dunlin (Calidris alpina) [A149] Black-tailed Godwit (Limosa limosa) [A156] Bar-tailed Godwit (Limosa lapponica) [A157] Curlew (Numenius arquata) [A160] Redshank (Tringa totanus) [A162] Greenshank (Tringa nebularia) [A164] Black-headed Gull (Chroicocephalus ridibundus) [A179]		habitat and features for them. Any indirect effects due to potential impacts on fish and other aquatic organisms are not likely to be sufficient extent to effect QIs.	
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	Wigeon (Mareca penelope) [A855] Shoveler (Spatula clypeata) [A857] Wetland and Waterbirds [A999]			
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¹ Summary description / **cross reference to NPWS website** is acceptable at this stage in the report

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

³ if no connections: N

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

[From the AA Screening Report or the Inspector's own assessment if no Screening Report submitted, complete the following table where European sites need further consideration taking the following into account:

- (a) Identify potential direct or indirect impacts (if any) arising from the project alone that could have an effect on the European Site(s) taking into account the size and scale of the proposed development and all relevant stages of the project (See Appendix 9 in Advice note 1A).
- (b) Are there any design or standard practice measures proposed that would reduce the risk of impacts to surface water, wastewater etc. that would be implemented regardless of proximity to a European Site?
- (c) Identify possible significant effects on the European sites in view of the conservation objectives (alone or in combination with other plans and projects)

AA Screening matrix

Site name Qualifying interests	Possibility of significant effects (alone) in view of the conservation objectives of the site*	
	Impacts	Effects

Lower River Shannon SAC Code: 002165 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] Large shallow inlets and bays [1160] Reefs [1170] Perennial vegetation of stony banks [1220] Vegetated sea cliffs of the Atlantic and Baltic coasts [1230] Salicornia and other annuals colonising mud and sand [1310] Atlantic salt meadows (Glauco Puccinellietalia maritima) [1330] Mediterranean salt meadows (Juncetalia maritimi) [1410] Water courses of plain to montane levels with the Ranunculion fluitantis and	Direct: None Indirect Pollution and sediment release at construction and operational	There is an indirect pathway via surface and wastewater to the River Mulkear and the River Shannon and its estuary that is potentially a conduit for water pollution. In terms of the receiving waters, water quality affecting the poor status of the estuary is not believed to be affecting any of the conservation objectives for SAC (or SPA) within the intertidal zone. The project is unlikely to impair good status. (There are no water quality conservation objectives for species or habitats in the marine or intertidal zone including for bird populations in the SPA.) While increase in wastewater will arise there is sufficient capacity in the Bunlicky WWTP and best available data states that negative effects to water quality are not arising from this discharge. With standard best practice CEMP measures (see section 4 of CEMP 'surface water Management during Demolition and Construction – neither ground water or surface water from working areas will be permitted to discharge to existing s.w. system. It
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Callitricho-Batrachion vegetation [3260] Molinia meadows on calcareous, peaty or clayey-silt-laden soils (Molinion caeruleae) [6410] Alluvial forests with <i>Alnus glutinosa</i> and <i>Fraxinus excelsior</i> (Alno-Padion, Alnion incanae, Salicion albae) [91E0] <i>Margaritifera margaritifera</i> (Freshwater Pearl Mussel) [1029] <i>Petromyzon marinus</i> (Sea Lamprey) [1095] <i>Lampetra planeri</i> (Brook Lamprey) [1096] <i>Lampetra fluviatilis</i> (River Lamprey) [1099] <i>Salmo salar</i> (Salmon) [1106] <i>Tursiops truncatus</i> (Common Bottlenose Dolphin) [1349] <i>Lutra lutra</i> (Otter) [1355] (30/01/2026)		will be filtered and treated to remove hydrocarbons and sediment.) and incorporated standard attenuation measures in the design of the surface water drainage system and SuDS measures, no impact on quality or quantity of surface water run-off will arise. Surface water will be separated from foul waste and will not discharge to the Bunlicky WWTP. Accordingly, no significant effects are likely to arise.
	Likelihood of significant effects from proposed development (alone) No	

	If No, is there likelihood of significant effects occurring in combination with other plans or projects? No As part of wider urban infill development in and around the city fringes, cumulative effects are potentially from this include changes to surface water run-off and additional loading on the wwtp. While construction activities may be carried out simultaneously, it cannot act in combination to result in pollution effects due to lack of any surface water pathways in the vicinity of the site. The development plan which provides for this particular site as an infill housing site was subject to AA and concluded adverse effects to the Natura 2000 network were not likely to arise from the implementation of the core strategy.
*Where a restore objective applies it is necessary to consider whether the project might compromise the objective of restoration or make restoration more difficult.	
Step 4: Conclude if the proposed development could result in likely significant effects on a European site	
I conclude that the proposed development (alone) would not result in likely significant effects on [insert European site(s)]. The proposed development would have no likely significant effect in combination with other plans and projects on any European site(s). No further assessment is required for the project]. No mitigation measures are required to come to these conclusions.	
Screening Determination Finding of no likely significant effects In accordance with Section 177U of the Planning and Development Act 2000 (as amended) and on the basis of the information considered in this AA screening, I conclude that the proposed development individually or in combination with other plans or projects would not be likely to give rise to significant effects on Lower River Shannon SAC Code:	

002165 in view of the conservation objectives of this site and is therefore excluded from further consideration. Appropriate Assessment is not required.

This determination is based on:

- Nature and scale of works
- Scientific information provided in the AA Screening report and supporting surveys, for species habitat and FPO
- Location of site in urban infill serviced site at a distance of approximately 370m from the nearest European site and lack of any meaningful connections

No mitigation measures aimed at avoiding or reducing impacts on European sites were required to be considered in reaching this conclusion.

Appendix 4			
WFD IMPACT ASSESSMENT STAGE 1: SCREENING			
Step 1: Nature of the Project, the Site and Locality			
An Bord Pleanála ref.	PL-500972-LK-26	Address	Rivers, Annacotty, Limerick
Description of project		Construction of 74 dwelling in 2 to 3 storey buildings with ancillary site works. 15% to be open space. No demolition. Refer to section 2 for detailed description.	
Brief site description, relevant to WFD Screening		The site is a greenfield site under grass and surrounded by housing development in an urban serviced area. There are no watercourses on the site. It has moderate incline sloping upward in a northerly direction..	
Proposed surface water details		A sustainable urban drainage system (SUDS) is proposed to collect, attenuate and treat storm water from the proposed development as shown on Drawing Foul & Storm Services-2701-HLA-00-ZZ-DR-A-0061. Discharge to existing 600mm diameter storm sewer on the Carrigeen road will be via 2 No. Attenuation tanks. The first attenuation tank at 320m cubed will accommodate the runoff from the majority of the site with controlled flow of 6l/sec via hydro valve within storm MH S11. The second attenuation tank will be 80m cubed and will be accommodating runoff from the lower end of the site (housing units 01-12 inclusive and the estate road running from MH S8 to S13 and associated parking-controlled flow at 1.5l/sec via hydro valve within storm MH S13. The storm water network will be contained within the new roads of the proposed development and the proposed attenuation tank will be located to the south-east of the site. The proposed SUDS network within the estate will collect all rainwater runoff from the roads, footpaths and roofs. A total runoff flow of 7.5 l/s from the site has been adopted for the site using the Q-	

	BAR method of calculation. Storm flows will be attenuated in the proposed underground attenuation tanks, sized to cater for the 1 in 100-year storm event, with any flows in excess of this extreme event discharging to the green area within the site, in accordance with Limerick City and County Council Surface Water/SuDs specification 2022, and The Greater Dublin Drainage Study GSDS CIRIA SUDS Manual guidelines. Attenuation will be accommodated within the proposed tanks and the flows into the existing Storm Network and will be restricted to 7.5 l/s using flow control devices. The low discharge rates of 7.5 l/s exiting the site during a storm event means there will be negligible impact on the capacity of the existing storm Network downstream. In addition to attenuation a number of additional drainage measure will be introduced within the site in accordance with Limerick City and County Council Surface Water/SuDs.					
Water supply	provided to the proposed development via a new 110mm Ø welded HDPE watermain. Connection to existing water main in the Carrigreen road as per Watermain layout drawing 2701-HLA-00-ZZ-DR-A-0060					
Proposed wastewater treatment system & available capacity, other issues	Discharge to existing foul sewer to existing Castletroy Wastewater Treatment Plant services East limerick city serves the Annacotty and Mulkear River area and upgrade works would increase capacity by over 70% and add stormwater storage. Uisce Eireann has indicated conditional feasibility of connection.					
Other matters	Site not at risk of flooding.					
Drainage Division requires further details regarding surface water attenuation and SuDS. Infiltration feasibility needs to be clarified. See ‘other matters’ in section 8 of this report.						
Step 2: Identification of relevant water bodies and Step 3: S-P-R connection						
Identified water body	Distance to (m)	Water body	WFD Status	Risk of not achieving WFD Objective	Identified pressures on that water body	Pathway linkage to water feature

		name(s) (code)					
Groundwater	Underlying site	Limerick City Southeast (IE_SH_G_138)	Good	At risk	Agriculture	Yes – Via surface water run-off and infiltration	
River	380m east of site	Mulkear Limerick)_50 (IE_SH_2 5M040590).	Good	Not at risk	-	The road is connected to a municipal surface water netw=work,	
River		Shannon (Lower)_0 60,	Moderate	Not at Risk		Foul sweer	
Step 4: Detailed description of any component of the development or activity that may cause a risk of not achieving the WFD Objectives having regard to the S-P-R linkage.							
CONSTRUCTION PHASE							
No.	Component	Water body receptor (EPA Code)	Pathway (existing and new)	Potential for impact	Screening Stage Mitigation Measure	Residual Risk (yes/no) Detail	Determination to proceed to Stage 2. Is there a risk to the water environment? (if

							'screened' / 'uncertain' Stage2.
1.	<u>Surface Construction</u>	Mulkear Limerick) _50 (IE_SH_25M0 40590)	Existing surface water drainage network adjacent to site. No direct pathway via drain or ditch to River.	none	Standard construction practice CEMP	No	Screened Out
2.	<u>Earthworks and seepage to Ground water</u>	Limerick City Southeast (IE_SH_G_13 8)	The pathway is through soil.	hydrocarbon spillages	Standard Construction practice CEMP	No	Screened Out
OPERATIONAL PHASE							
1	<u>Surface water run-off</u>	Mulkear Limerick) _50 (IE_SH_25M0 40590)	SuDS Attenuation and filtering Existing surface water drainage network	Siltation, hydrocarbon spillages, siltation, ph concrete	Drainages system requirement fo the Standard the of the Planning authority Construction practice CEMP	No	Screened Out

	<u>Connection to foul sewer</u>		Via the WWTP which discharges to this surface water		WWTP to comply within its discharge license.	No	Screened out
2	<u>Run-off and seepage to Ground water</u>	Limerick City Southeast (IE_SH_G_13 8)	The pathway is through soil percolation ro.	Hydrocarbon spillages	SUDS/nature-based measures which incorporate pollution mitigationall to be subject to be addressed by condition and agreed.	No	Screened Out
DECOMMISSIONING PHASE							
N/A							