

PROJECT NO. 34.03/2022



# Planning Report & Statement of Consistency

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**Mixed Use Development at  
Canal Bank, Pa Healy Road,  
LIMERICK**

**MARCH 2022**

**ON BEHALF OF:**  
Revington Developments  
Limited

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## **EXECUTIVE SUMMARY**

The proposed development is a repeat application of a development for which planning permission was previously refused. This Planning Report and Statement of Consistency sets out how the proposed development scheme complies with stated policies for the area incl. Ministerial planning guidelines and how a previous refusal decision by An Bord Pleanála has been addressed.

The site (4 ha.) is a vacant site near Limerick city centre which has been zoned for mixed use development in the Limerick City Development Plan. It is bounded to the north by the canal plus walking/cycling route and to the south by Pa Healy Road. A previous application for the proposed development at the site was refused by An Bord Pleanála because of deficiencies in the submitted Natura Impact Statement. These deficiencies have been addressed in this application.

The proposed development is for a predominantly residential, high density, mixed use scheme of 'build to rent' apartments and houses, together with a student accommodation block and retail units, plus community facilities building. Vehicular access to the scheme will be from Pa Healy Road. The scheme was developed in close consultation with the planning authority. Key decisions made are that the proposed use mix adequately addresses the zoning objective, as employment uses are likely to be achieved on the other side of Pa Healy road on similarly zoned land but with a higher degree of flood risk while significant retail development already exists in the vicinity of the site and should therefore not be replicated on the site. All apartments are 'build to rent' units and a Community Facilities building is provided to support the residential accommodation and provide a childcare facility. Detailed examinations have been carried out for soil contamination, flood risk, appropriate assessment, traffic impact assessment, ecological impact assessment incl. a tree survey and relevant reports are included with the documentation. The proposed development has been developed to comply with relevant Ministerial planning guidelines.

## 1.0 INTRODUCTION

This document has been prepared as part of an application to An Bord Pleanála for a mixed use development project in Limerick. The proposed project forms a ‘Strategic Housing Development’ as it contains more than 100 dwelling units. Section 4(1) of the Act of 2016<sup>1</sup> provides that an application for permission for a strategic housing development shall be made directly to An Bord Pleanála and not to a Planning Authority. An Bord Pleanála has advised prospective applicants that...“*pre-application consultation is mandatory for prospective applicants prior to making an application for strategic housing development (SHD)*”.<sup>2</sup> In addition to this Statement of Consistency, please refer to the application form that has been included with the application documents.

This Statement of Consistency has been updated from the previous version that was submitted as part of the pre-application consultation documents. The Guidance Document for pre-application consultations refers to the need for the applicant to provide a Statement of Consistency. ...“*The statements of consistency along with the site layout plan and other information submitted should set out the prospective applicant’s planning rationale for the proposal having specific regard to relevant policies and objectives contained in the development plan and section 28 Ministerial Guidance which are of relevance to the site. These statements should be clear and concise.*”<sup>3</sup> The relevant policies and objectives are referred to in sections 5, 6 and 7 of the report, referring to national policy, regional policy and local policy separately as well as Section 28 Ministerial Guidelines as well as other relevant sectoral policies at national or regional level. It is demonstrated that the proposed development is not only consistent with policies at all levels of the planning hierarchy but will achieve a number of explicit objectives in relation to: brownfield development, compact urban development, and addressing the current housing crisis incl. student accommodation.

The site of the proposed development is a brownfield redevelopment site located close to the city centre of Limerick City. The proposed development is a mixed used development project containing primarily residential development in the form of ‘build to rent’ apartments and dwelling houses and student accommodation as well as modest retail development and a community facilities building to provide support services for the residential development. Section 2 of this report sets out details of the site location and context. Section 3 sets out the planning and site history for the site and the sites immediately adjoining.

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<sup>1</sup> Planning and Development (Housing) and Residential Tenancies Act 2016, as amended.

<sup>2</sup> *SHD Overview*, An Bord Pleanála, June 2017, p.2.

<sup>3</sup> *SHD Pre-Application Consultation, Guidance for Prospective Applicants*, An Bord Pleanála, June 2017, p. 7

In compliance with requirements, pre-application consultation has been held with the planning authority. Section 9 sets out details re this meeting. The planning and consistency report should be read in conjunction with all planning documentation submitted with the application.

## **2.0 SITE DESCRIPTION AND CONTEXT**

The ca. 4 hectare site is a triangular shaped site of vacant land. It forms one of the last remaining development sites within walking distance of the city centre. There is no current active use on the site. There is one disused industrial building complex near the eastern boundary of the site. This building is no longer in use and is vacant. The site is generally level, is located adjacent to the canal and has been filled in.

The site is bounded to the south by Pa Healy Road, a relatively recently constructed road which provides an important connecting road linking Corbally to the Dublin Road and the general inner-city circular bypass route. Pa Healy road rises to a bridge over the canal near the northwestern corner of the site. As a result, the road is above the level of the site near the south western portion of the site.

The site is bounded to the east by Park Road and to the north by the canal. Along the canal on the side of the development site, there is a pedestrian walkway linking the University of Limerick grounds with the city centre. The site is immediately accessible from this walkway.

Along the southern site boundary the site adjoins established industrial development. To the north the area consists of generally open fields which form part of the Lower River Shannon SAC and public open space lands attached to residential development. To the east the site is adjoined by a mixture of residential and industrial development. To the northwest the site is adjoined by a shopping complex. A currently functioning commercial building stands near the south eastern corner of the site at the junction between Pa Healy Road and Park Road. This building is in active use and has separate vehicular access.

## **3.0 PLANNING AND SITE HISTORY**

The site has been vacant for some time and has been infilled with imported soil. Previous uses have been industrial use and a disused industrial building stands near the eastern boundary of the site. A hydrogeological investigation of the site was undertaken as part of the project development and it is concluded that there is contamination of the soils in one area of the site. Analysis has further shown that contamination has not impacted the bedrock aquifer.<sup>4</sup> Please refer to this report for details regarding the

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<sup>4</sup> Phase 2 Environmental Due Diligence Report Canal Bank Project Pa Healy Road Limerick City, Verde Environmental Consultants Ltd., October 2021.

level and extent of contamination. The report details how it is proposed to deal with the issue of soil contamination to ensure that the proposed development is sufficiently protected. These mitigation measures are also confirmed in the **Civil Engineering Report** and **Construction Environmental and Waste Management Report**. Please refer to these reports that are included with the application documentation.

A previous application for a Strategic Housing Development was made under An Bord Pleanála reference ABP-306541-20. The decision to refuse permission was made in May 2020 for a single refusal reason based on deficiencies in the Natura Impact Statement that was submitted with the planning application:

*..."Having regard to the deficiencies in the information provided in the submitted Natura Impact Statement, in particular the lack of information in relation to the baseline ecology of the site and of the surrounding area, and in relation to potential impacts on the qualifying interests of the Lower River Shannon Special Area of Conservation (site code 002165), including, but not limited to, 'Otters' [1355] and 'Water courses of plain to montane levels with the Ranunculion fluitantis and Callitricho-Batrachion vegetation' [3260]; and having regard to the inadequate information provided within the Natura Impact Statement in relation to the potential impacts on the special conservation interests associated with the River Shannon and River Fergus Estuaries Special Protection Area (site code 004077), resulting from development on the site and from potential impacts both on the adjacent Park Canal and on the wetlands to the north of the Park Canal, the Board is not satisfied that the proposed development would not adversely affect the integrity of the Lower River Shannon Special Area of Conservation (site code 002165) or of The River Shannon and River Fergus Estuaries Special Protection Area (site code 004077), in view of the sites' conservation objectives. In such circumstances the Board is precluded from granting permission for the proposed development."*

This refusal reason has been comprehensively addressed in the revised **Natura Impact Statement (NIS)** that is included with the planning application documentation. In particular this revised NIS has addressed the deficiencies that were noted in the previous decision in the following ways:

- *..."Lack of information in relation to the baseline ecology of the site and of the surrounding area."*  
A detailed ecological baseline survey has been carried out in addition to the desk survey. The results of this survey are included in the **Environmental Impact Assessment Report (EIAR)** and **Tree Survey** report. Please refer to these reports for details.
- *..."Deficiencies in the information in relation to potential impacts on the qualifying interests of the Lower River Shannon Special Area of Conservation (site code 002165), including, but not limited*

to, 'Otters' [1355] and 'Water courses of plain to montane levels with the *Ranunculus fluitantis* and *Callitriche-Batrachion* vegetation' [3260]." The Natura Impact Statement describes potential impacts on these and all other qualifying interests in section 5.3 of the report. It is concluded that potential impacts could arise from either discharge of water or disturbance. The NIS concludes that because all foul water is discharged to the existing sewerage network and surface water to the canal via silt traps and a hydrocarbon interceptor, there is no risk of potential impacts arising from discharge of water. In terms of disturbance the report concludes that there are no qualifying interests other than 'Otters' [1355] where impacts could arise. These impacts are considered in detail and mitigation is recommended in terms of minimising increase in noise, artificial light and human presence during construction, and increase in recreational use of the pathway and their pets (in particular dogs) during the operational phase of the development. These mitigation measures are included in the Construction and Environmental Waste Management Plan, Public Lighting Report and Build to Rent and Student Management Plans that are included with the planning application documentation. Please refer to these reports for further details. As a result of these mitigation measures, there will be no increased light, or pedestrian activity arising from the proposed development during nighttime hours. However, it is relevant to note that the canal towpath is an important pedestrian and cycle route with its own provision of public lighting.

- *"Inadequate information provided within the Natura Impact Statement in relation to the potential impacts on the special conservation interests associated with the River Shannon and River Fergus Estuaries Special Protection Area (site code 004077)." The Natura Impact Statement describes potential impacts in section 5.3 of the report and concludes that because of the distance of the SPA from the site and the lack of suitable habitat within the site for bird species that have been listed, disturbance effects are not likely.*

In addition, the refusal reason includes in the potential impacts arising from the development, not only the development scheme itself (i.e. the development within the site curtilage) but also potential impacts on the adjacent Park Canal and on the wetlands to the north of the Park Canal. Potential impacts on the adjacent Park Canal have been addressed in the NIS for both the construction and operational phases of the development. The proposed development will have no impact on the wetlands to the north of the Park Canal.

In addition to the concerns expressed in the refusal reason, the Inspector's report on the previous application also noted a general lack of baseline ecological data incl. lack of a tree survey, that was

submitted with the previous application.<sup>5</sup> Notwithstanding the fact that the site is a vacant brownfield site with little vegetation, a full **Environmental Impact Assessment Report** has been prepared and this has been included in the planning application documentation. The report concludes that subject to implementation of the proposed mitigation measures, the proposed development will not result in any significant effects on the biodiversity, flora and fauna of the existing environment.

Relevant considerations are included in the proposed development of a public lighting scheme that will prevent any increase in light intensity along the canal that may cause disturbance to the receiving environment, in particular otter population. Please refer to the **Exterior Lighting Report** included with the planning application documentation. Further important considerations are the need to protect the canal zone from intrusion during the construction process and limiting access to the canal walkway to daylight hours only. These measures are detailed in the **Construction Environmental and Waste Management Plan** for the construction phase and the **Build to Rent and Student Accommodation Management Plans** that are included in the planning application documentation. The applicant would welcome relevant conditions attached to the planning permission.

In addition, a **Tree Survey report** has been included in the planning application documentation. The report concludes that there are no trees on the site that are of high arboricultural quality meriting retention. The report also notes that the retention of some trees, woodland and/or scrub areas should be considered, for the visual amenity and maturity they could provide to the proposed development. Please refer to the **Landscape Report** which set out details with regard to retention and replacement of existing trees and shrubs within the site. The Tree Survey Report further recommends that the protection of all trees to the north of the footpath along the northern site boundary (i.e. on the southern bank of City Canal), must be ensured. While these trees are outside the site curtilage, protection requires that during construction works there will be no access to the footpath as part of the construction works. Please refer to the **Construction Environmental and Waste Management Plan** for details in this regard.

There are no significant previous planning decisions relevant to the proposed development in the vicinity of the site. A Part 8 application for a new bridge crossing of the canal to be constructed to the east of the current Park Road Bridge, is pending although it appears that the current application has been withdrawn<sup>6</sup>. This new bridge is located near the north eastern corner of the site and will connect Lower Park Road with Park Road, facilitating two-way traffic flow. Vehicle traffic on South Canal Road will change from the current one-way system to a two-way system with the carriageway being widened accordingly. Under the application the existing Park Road Bridge will be retained as a pedestrian and cycle

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<sup>5</sup> Inspector's report ABP-306541-20, p. 46.

<sup>6</sup> Planning Reg Ref 198002 (Part 8)



facility and the existing traffic lights at this location will be removed. In addition to the above, the works will also include an upgrade of the junction underneath the northern span of the adjacent rail bridge to the east of Park Road Bridge which currently has poor sightlines and widths for road users. This scheme will not impact on the proposed development but will improve the traffic safety and enhance the proposed public realm quality improvements along the canal that are proposed in the planning application.

An important development in the vicinity is the Opera Quarter development project. This project is planned for a block within the city centre enclosed to the west by Patrick Street and Rutland Street, to the north by Bank Place, to the east by Michael Street and to the south by Ellen Street. The Plan envisages a business quarter with mixed use development including office accommodation and higher education facilities. The project has been approved by An Bord Pleanála under Section 175 of the Planning and Development Act, 2000 (as amended).<sup>7</sup> The development will provide significant employment and higher education opportunities at a distance of less than one km from the site.

#### **4.0 PROPOSED DEVELOPMENT**

The proposed development is for a mixed use development containing residential development in the form of 363 'build to rent' apartments (66 studio, 67 one-bedroom and 230 two-bedroom), 18 (four bedroom) houses, a student accommodation block (189 bedspaces), a community facilities building to provide services for residential development incl. creche, café, management offices and common accommodation for use by apartment dwellers, and three retail units to serve the local population incl. student population.

Vehicular access is proposed from a single main access point from Pa Healy Road in the southern boundary of the site together with a secondary 'left in' road to facilitate deliveries and short term parking for the retail units. A **Traffic and Transport Assessment** has been carried out which demonstrates that the proposed development can be accommodated comfortably by the existing road infrastructure in the area. Minor works may be needed in the future at the Pa Healy Road/Park Road junction to increase capacity at that junction. Please refer to the **Environmental Impact Assessment Report** (EIAR) for further details.<sup>8</sup>

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<sup>7</sup> Appeal ref. PL91 .304028

<sup>8</sup> *Environmental Impact Assessment Report*, Chapter 11, TBC.

In addition to the Traffic and Transport Assessment, a **Stage 1 Road Safety Audit** has been completed.<sup>9</sup> While most of the problems noted in the audit have been addressed in the design of the proposed development, a small number of recommendations are not accepted for reasons outlined below.

- Detailed design of the bus bay and cycle lane on Pa Healy Road (recommendation 3.4). The bus bay is not yet operational. This issue will be addressed at detailed design stage in the Stage 2 road Safety Audit.
- Turning areas at the end of each access road (recommendations 3.13 and 3.14). Having regard to the Design Manual for Urban Roads and Streets and the short length of each of the access roads to the individual building blocks, it is considered that the provision of standard design turning areas would lead to potential unauthorised parking and have a negative impact on the quality of the open space. Refuse collection vehicles can reverse into each access road without the need for making turning movements. However, turning areas at each of the access roads can be provided should the Board consider these to be required.
- The need for defined connected pedestrian routes for the access roads to each of the blocks (recommendation 3.19) will not apply as adequate permeability is provided through the public park and communal open space area. Traffic speeds will be low at ends of roads and the design solution is considered in accordance with the design principles of the Design Manual for Urban Roads and Streets. However, these can be provided should the Board consider defined pedestrian routes preferable.

The application for the proposed development seeks a ten year planning permission. Having regard to the large scale of the development and the number of units in the overall scheme, it is considered that such a duration is appropriate. It should be noted that the planning authority supports a ten year permission, subject to appropriate phasing of the proposed scheme. Please refer to the attached **Phasing Plan** which shows a phasing of the proposed development in four phases as follows:

- Phase 1: Student accommodation, Facilities Building and the proposed Houses;
- Phase 2a: Apartment blocks 4 and 5;
- Phase 2b: Apartment blocks 6 and 7;
- Phase 3: Apartment blocks 2 and 3.

In more detail the proposed development is described as follows:

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<sup>9</sup> *Stage 1 Road Safety Audit*, TTRSA, January 2020.

*The proposed development will consist of a mixed-use development of build-to-rent apartments, student apartments incorporating common areas, café and 3no retail units, creche and management facilities building, and dwelling houses at Canal Bank, Pa Healy Road, Limerick. The development will consist of a 4ha area bounded by City Canal to the north, Pa Healy Road to the south and Park Road to the east, Canal Bank, Limerick;*

*A. Demolition of existing 530m<sup>2</sup> warehouse building on site.*

*B. Block 1 – Student accommodation building of 8,238m<sup>2</sup> stepped from three to six storeys, with ground floor café of 144.60m<sup>2</sup> and 3 no. retail units facing onto Pa Healy road of 86.59m<sup>2</sup> each, with 9 no. two bedroom, 37 no. three bedroom, and 15 no. four bedroom student apartments, totalling 189 bed spaces, ancillary laundry, refuse and enclosed communal courtyard with landscaping and bicycle storage;*

*C. Block 2 - A residential apartment building of 6,013.25m<sup>2</sup> with eight storeys and two penthouse storeys, total ten storeys containing 10 no. studio, 1 no. one bedroom and 52 no. two-bedroom apartments;*

*D. Block 3 – A residential apartment building of 8,107.10m<sup>2</sup> with six storeys and two penthouse storeys, total eight storeys containing 16 no. studio, 10 no. one bedroom, and 62 no. two-bedroom apartments;*

*E. Block 4 – A residential apartment building of 3,869.18m<sup>2</sup> with six storeys and one penthouse storey, total seven storeys containing 7 no. studio, 13 no. one bedroom and 25 no. two-bedroom apartments;*

*F. Block 5 – A residential apartment building of 5,849.40m<sup>2</sup> with six storey and one penthouse storey total seven storeys containing 14 no. studio, 16 no. one bedroom and 36 no. two-bedroom apartments;*

*G. Block 6 a residential apartment building of 3,869.18m<sup>2</sup> with six storeys and one penthouse storey, total seven storeys containing 7 no. studio, 13 no. one bedroom and 25 no. two-bedroom apartments;*

*H. Block 7 a residential apartment building of 4,962m<sup>2</sup> with five storeys and one penthouse storey, total six storeys containing 12 no. studio, 14 no. one bedroom and 30 no. two-bedroom apartments;*

*I. Community facilities building of 1,336.90m<sup>2</sup> and three storeys with creche, café, management offices and common accommodation for use by apartment dwellers;*

*J. 18 no. Executive Houses – Consisting of 2 no. detached four-bedroom houses of 194.62m<sup>2</sup> each and 16 no. terraced four-bedroom houses of 177.82m<sup>2</sup> each, with off street parking to front separate from communal parking;*

*K. 149 Car parking spaces throughout the development and 420 secured bicycle parking spaces throughout the development;*

*L. Ancillary works comprising; new vehicular entrances onto Pa Healy Road, pedestrian and cycle links to Pa Healy road, Park road and City Canal, bin storage for all developments adjacent to all entrances, New public park of 0.5ha along city canal, communal open space and communal roof gardens for all apartments, all ancillary drainage, civil and landscape works, public lighting within estate and Electricity Sub-station to rear of Block 1.*

*The total number of units is as follows;*

*Build to rent apartments - 363 (66x studio, 67x one bedroom, 230x two bedroom); Student apartments - 61 (9x two-bedroom, 37x three bedroom and 15x four bedroom, totalling 189 student bed spaces); 18 Dwelling houses.*

*Overall total of residential units is 442. Overall Gross floor area of development proposed is 45,478.65m<sup>2</sup> on a site of circa 4ha.*

*A Natura Impact Statement (NIS) and Environmental Impact Assessment Report (EIAR) have been prepared in respect of the proposed development.*

The demolition of the existing building relates to an industrial unit that is no longer in use. The floor area is approx. 530 sq m. Please refer to the **Construction Environmental and Waste Management Plan** for further details. This plan also details the management of surface water drainage during the construction phase of the project.

A significant feature of the design of the development is the introduction of a sequence of typically six storey height apartment blocks with penthouse level along the canal frontage with a landmark 10-storey tower building in the western corner of the site. The blocks are orientated to allow light penetration between the blocks east-west aspect to all apartment units. Overlooking of the pedestrian route and canal corridor along the northern boundary is achieved from the apartments with further overlooking of the communal open space and general public open space areas in between the apartment blocks. As a result, all public open space is overlooked.

In addition to the public open space zones between the apartment blocks, a wide zone of open space is provided along the northern boundary of the site which provides for a public park near the western end of the site. A feature of the development is full public access through the site from east-west to provide an urban layout and also to allow option of pedestrians or cyclists divert their route from Limerick University to the city at unsocial hours with passive building protection along open space/green space. The proposed development therefore achieves a significant improvement of permeability and connectivity that will serve the proposed population of the site but also the general public in the wider

area. In this regard two specific features of the layout are relevant: the public park in the western corner invites pedestrians to access the site en-route to the University in addition to the canal walkway, while several pedestrian entrance points are created in the public open space areas between the apartment buildings.

Separate detailed drawings have been included outlining details of the proposed pedestrian/cycle links to the surrounding footpath/cycle network. These drawings include details in relation to any proposed gated access to such pedestrian/cycle ways. Having regard to the managed nature of the site, access to the internal pathway network, while open to the public during the daytime, will be closed after dark.

A triangular shaped community facilities building (1,337 sq m) is provided in a central location of the site. In addition to providing a childcare facility to serve the proposed development, this building is also proposed to accommodate dedicated amenities and facilities specifically for residents in the 'build to rent' apartment units, in accordance with the Ministerial Guidelines for Apartments.<sup>10</sup> Use of the social space within the community facilities building has been specified in more detail and includes dedicated facilities such as a gym/dedicated laundry. The crèche has a gross floor area of 441 sq m. A children play area is provided in the public open space area immediately north of the crèche facility.

The student accommodation building with 189 bedspaces is located near the southern boundary in the form of a six storey building stepped down in parts. The building includes ancillary student facilities and three retail outlets plus cafe. The student building is designed to integrate with a future site to the south east which is currently in active commercial use and outside the site curtilage. Although the site of this building is self-contained with independent vehicular access from Park Road and active commercial use, the site could be redeveloped in the future in line with the proposed development as the scale of the proposed student accommodation block could be continued on this site. A secondary road access is provided adjoining this building in order to provide short term car parking for users of the shop units. This secondary access is 'left in – left out' only in order to prevent conflict with traffic on Pa Healy Road.

The student accommodation meets demand for such facilities in this part of the city as demonstrated in the **Student Demand Concentration Report** that is included in the planning application documentation. This report has been updated from the report submitted with the previous application and includes reference to the Grove Island Student Accommodation located approximately 200m to the north-west of the site.

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<sup>10</sup> *Sustainable Urban Housing: Design Standards for New Apartments Guidelines for Planning Authorities, Dept. of Housing, Planning and Local Government, December 2020, p. 27.*

Car parking for the proposed apartments is generally provided as surface car parking in between the blocks at the rate of 0.35 space per unit. Car parking provision has been significantly reduced, reflecting the central location of the site. The houses have generally front garden parking spaces with limited additional on street car parking.

A cluster of terraced houses is proposed near the eastern boundary of the site generally to a three storey height. It is envisaged that the public open space throughout the site will encourage access to the site by residents and visitors from outside the site in the adjoining areas as well as the future population in the proposed development. The position of the play area is chosen to encourage such shared use. Please refer to the **Architectural and Urban Design Statement** for further details.

Vehicular access will be provided in the form of a central spine road with direct front access to the houses and individual entrance points to the car parks of the apartment buildings. The internal access road within the proposed development is 5 m wide. Secure bicycle storage spaces totalling 420 spaces are provided for the apartments. Please refer to the **Traffic and Transportation** chapter within the submitted EIAR, prepared by **TTRSA**, for further details.<sup>11</sup>

Cycle lanes are provided along the eastern and northern boundaries of the site in accordance with development plan objectives.

The design of the proposed development has been progressed and developed through detailed consultation with the planning authority which took place as part of the previous application. Important design principles include the following:

- The decision to adopt a high density for the scheme with appropriate building heights incl. a feature building to address the location of the site as one of the last remaining development sites near the city centre and the general absence of significant constraints plus strong horizontal features like the canal and the Pa Healy road.
- The decision to address the zoning objective by providing predominantly residential use on the proposed development in recognition of the fact that existing retail facilities exist in the vicinity and lands to the south of the Pa Healy road, with similar zoning objective, are likely to be used for non-residential use, given the potential for flooding of that land.
- The decision to open up the site to the general public and improve connectivity and permeability by linking the successful canal pedestrian route to surrounding developments.

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<sup>11</sup> *Environmental Impact Assessment Report*, Chapter 11, 2022.

The site is subject to purchase contract from the current landowners. A **Letter of Consent** to the making of the planning application from the current landowners is included with the application documentation.

The proposed development provides for communal open space. Please refer to the **Landscape Report** and associated drawings that have been included in the application documentation. The proposed development will provide for public lighting. Please refer to the **Exterior Lighting Report** that has been included in the application documentation.

A shadow cast and sunlight analysis was carried out. Please refer to the **Sunlight and Daylight Analysis Report** that has been included in the application documentation.

While the proposed development is higher than that previously constructed in the area, it is in accordance with planning policies at national, regional and local level. The building heights were agreed with the planning authority as being appropriate for the location.

The design approach / intent is to ensure that the disposal of storm water from the developed site will equate to the disposal of storm water from the existing undeveloped brownfield site. In addition, all rainwater from the roofs of the buildings will be stored.

There are existing storm and foul sewers running through the site. While an earlier proposal was to divert these sewers, in response to consultation with Irish Water it has been decided to leave the existing sewers in place and these have been incorporated within a wide zone of open space near the canal frontage. Please refer to the **Civil Engineering Report** included with the application documentation.

Please refer to the **Confirmation of Feasibility Letter** and **Acceptance of Design Confirmation** from Irish Water that are included in the planning application documentation.

The site is located outside of the CFRAM Flood Maps. Please refer to the **Flood Risk Analysis** report that has been included in the application documentation.

As the site will not be taken in charge by the local authority, waste management will be managed by the management company for the development scheme. Waste collection vehicles can enter the site from Pa Healy Road. Please refer for further details to the **Architectural and Urban Design Statement**, the **Build to Rent Management Plan**, **Private Residents Management Plan**, and **Student Management Plan** documents that have been included in the planning application documentation.

Phasing is proposed generally in four phases as follows:

- Phase 1: Student accommodation, Facilities Building and the proposed Houses;
- Phase 2a: Apartment blocks 4 and 5;

- Phase 2b: Apartment blocks 6 and 7;
- Phase 3: Apartment blocks 2 and 3.

## 5.0 NATIONAL AND REGIONAL POLICY

### *National Planning Framework*

The National Planning Framework (NPF) came into effect in May 2018. Limerick City is one of four cities that form together with Dublin the primary tier of the national settlement strategy.<sup>12</sup> The policy document contains strong support for infill development to achieve population growth within existing built up areas. National Policy Objective 11 states: *...“in meeting urban development requirements, there will be a presumption in favour of development that can encourage more people and generate more jobs and activity within existing cities, towns and villages, subject to development meeting appropriate planning standards and achieving targeted growth.”*<sup>13</sup>

Under the NPF 50% of all new housing within Limerick City is to occur within the existing city and suburbs footprint, through brownfield, infill and regeneration. The proposed development contributes towards achieving this target.

In addition to this policy objective, a number of other National Policy Objectives are relevant to the proposed development. These can be set out as follows.

#### ***National Policy Objective 1b***

*“Southern Region: 340,000 - 380,000 additional people i.e. a population of almost 2 million;”* The proposed development will deliver 363 apartments and 18 houses to cater for the housing needs of the additional population forecasted.

#### ***National Policy Objective 1c***

*Southern Region: around 225,000 additional people in employment i.e. 880,000 (0.875m) in total.* The proposed development will deliver necessary housing to accommodate the increase in the workforce in a central and highly accessible location.

#### ***National Policy Objective 2a***

*“A target of half (50%) of future population and employment growth will be focused in the existing five Cities and their suburbs.”* The development proposal has the potential to deliver 363 No. apartments, 18 houses and 189 student accommodation beds in Limerick City.

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<sup>12</sup> *Project Ireland 2040 - National Planning Framework*, Government of Ireland 2018, p. 22.

<sup>13</sup> *Project Ireland 2040 - National Planning Framework*, Government of Ireland 2018, p. 161.



**National Policy Objective 3a**

*“Deliver at least 40% of all new homes nationally, within the built-up footprint of existing settlements.”*

The proposed development will be developed at a centrally located brownfield site.

**National Policy Objective 4**

*“Ensure the creation of attractive, liveable, well designed, high quality urban places that are home to diverse and integrated communities that enjoy a high quality of life and well-being.”* The proposed development responds to the challenge to redevelop a brownfield site to deliver a scheme with the potential to become a landmark in the city while delivering high quality accommodation and well-designed public open spaces.

**National Policy Objective 5**

*“Develop cities and towns of sufficient scale and quality to compete internationally and to be drivers of national and regional growth, investment and prosperity.”* The proposal follows best international practice for the redevelopment of brownfield sites into neighbourhoods that respond to urban sustainability challenges by contributing to curb sprawl and increases the housing supply in an urban location.

**National Policy Objective 6**

*“Regenerate and rejuvenate cities, towns and villages of all types and scale as environmental assets, that can accommodate changing roles and functions, increased residential population and employment activity and enhanced levels of amenity and design quality, in order to sustainably influence and support their surrounding area.”* The proposed development regenerates a vacant brownfield site in close proximity to the city centre with many job opportunities. The proposed development comprises residential and commercial spaces that achieve the highest ratings in energy efficiency. It is therefore, fully in compliance with best national and international practice in terms of provision of sustainable development.

**National Policy Objective 8**

*“To ensure that the targeted pattern of population growth of Ireland’s cities to 2040 is in accordance with the targets set out in Table 4.1.”* By delivering 381 No. residential units and 189 student accommodation beds in a central location the proposal contributes to achieve the targeted pattern of population growth by 2040 set out in Table 4.1 of the NPF, which forecasts a growth of between 47,000 - 56,000 people in Limerick City and suburbs by 2040.

### ***National Policy Objective 32***

*“To target the delivery of 550,000 additional households to 2040.”* The proposed scheme can deliver 381 No. residential units and 189 student accommodation beds within Limerick city.

It has been demonstrated that the development proposal is fully aligned with a significant number of National Planning Policy Objectives and that, on that basis, it is submitted that the proposed development is fully compliant with the National Planning Framework.

### ***Regional Economic and Spatial Strategy***

The Regional Spatial and Economic Strategy for the Southern Region<sup>14</sup> identifies a number of objectives that seek to achieve compact growth, increased residential densities and urban regeneration. The proposed development of 381 residential units and 189 student bedspaces contributes to the achievement of these Regional Policy Objectives as identified in the Strategy. In particular, the following regional policy objectives are addressed: RPO 10 (compact growth in the metropolitan areas), RPO 34 (regeneration, brownfield and infill development), and RPO 35 (compact growth).

The proposed development also contributes towards the achievement of the regional policy objective 32 of achieving the Government Policy on housing ‘Rebuilding Ireland’ and regional policy objective 165 to achieve higher densities.

By providing residential development and student accommodation in close proximity to the city centre, local retail facilities and third level colleges, the proposed development contributes towards achieving the regional policy objective 176 to create the ‘10 minute city concept’.

The Regional Spatial and Economic Strategy for the Southern Region identifies Limerick-Shannon as one of three Metropolitan Areas in the Strategy and has prepared the Limerick-Shannon Metropolitan Area Strategic Plan (MASP). The proposed development achieves the MASP Policy Objectives 1 and 2 to achieve compact growth and regeneration and consolidation of development in Limerick city centre and suburbs. Specifically, by removing a vacant site and disused underground tanks that were associated with the previous use, the proposed development achieves the MASP Policy Objective 5 to identify suitable sites for regeneration and development by a quality site selection process that addresses environmental concerns.

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<sup>14</sup> *Regional Spatial and Economic Strategy for the Southern Region*, Southern Assembly, January 2020.

The proposed development addresses the MASP Policy Objective 10 which seeks to support the environmentally sustainable densification of Limerick City Centre, the assembly of brownfield sites for development and the regeneration of suburbs to accommodate residential use.

Furthermore, the proposed student accommodation with associated support services contributes to support the existing educational facilities in the Limerick Shannon Metropolitan Area as critical drivers of economic development as stated in MASP Policy Objective 18.

#### *Limerick 2030 Vision: An Economic and Spatial Plan for Limerick*

The Limerick City Development Plan 2010-2016 incorporates Limerick 2030: An Economic and Spatial Plan for Limerick (Limerick 2030 Plan). A central component of the Plan is to achieve the comprehensive redevelopment of the Opera Site.

## **6.0 PLANNING POLICY GUIDELINES**

A large number of Ministerial Guidelines have been issued under Section 28 of the Planning and Development Act, 2000 (as amended). Under the provisions of the legislation, planning authorities and An Bord Pleanála must have regard to these guidelines not only in setting out planning policy (relevant for planning authorities) but also in interpreting these policies in the light of the Guidelines as well as applying the Guidelines in making decisions on planning applications. In particular planning authorities must comply with Specific Planning Policy Requirements contained in the Guidelines.<sup>15</sup>

The following planning guidelines have been considered relevant in assessing the proposed development consistency with national planning policy.

- Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas (2009), and the accompanying Urban Design Manual
- The Planning System and Flood Risk Management (2009)
- Design Manual for Urban Roads and Streets (2019)
- Design Standards for New Apartments - Guidelines for Planning Authorities (December 2020)
- Part V of the Planning and Development Act 2000 - Guidelines issued by the Minister for Housing, Planning, Community and Local Government under section 28 of the Planning and Development Act 2000 (2017)
- Urban Development and Building Heights Guidelines for Planning Authorities (December 2018)

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<sup>15</sup> Section 28 (1C) of the Planning and Development Act 2000 (as amended)

- Guidelines for Planning Authorities on Childcare Facilities (2001)
- Appropriate Assessment Guidelines for Planning Authorities (2009)
- Retail planning guidelines (2012)
- Childcare Facilities – Guidelines for Planning Authorities (2001)

*Guidelines on Sustainable Residential Development in Urban Areas (2009)*

These guidelines set out the key planning principles for residential development, outlining broad principles for sustainable neighbourhoods, density, conservation and settlement strategies. The Guidelines promote high quality design. The proposed development meets this requirement as it provides a high quality scheme that will integrate well with the surrounding area and significantly enhance the quality of the canal green corridor.

*Urban Design Manual – A Best Practice Guide (2009)*

In addition to the Guidelines document the Urban Design manual provides a checklist of good practice in the design of infill developments. This checklist is considered in relation to the proposed development in Appendix A. The main conclusions from this assessment are as follows:

- The scheme provides an appropriate high density and urban character for a site in close proximity to the city centre;
- The scheme provides maximum permeability and connectivity with the surrounding area facilitating desire lines of pedestrians and cycles to and from Limerick University;
- The scheme provides an attractive high quality urban form including a landmark building, public park and distinctive site layout;
- The mixture of houses, build to rent apartments, student accommodation, creche facility and neighbourhood retail facilities, maximises the opportunities for a social mix by age and income group as well as ensuring that necessary facilities (play areas, childcare, local shop) are provided within walking distance within an attractive public realm that is overlooked.

*The Planning System and Flood Risk Management (2009)*

A site-specific flood risk assessment was carried out. Please refer to the report by JBA Consulting. The report recommends a minimum finished floor level across the entire site. This has been applied in the

design. The report has been prepared in accordance with the guidelines and includes the relevant justification tests.

*Design Manual for Urban Roads and Streets (DMURS) (2019)*

The proposed access junctions to the development and internal access roads have been designed in accordance with this design manual.

*Sustainable Urban Housing: Design Standards for New Apartments, Guidelines for Planning Authorities (2020)*

These guidelines provide for specific minimum standards in relation to apartments incl. student accommodation. Please refer to the **Compliance Schedule** by OCA Architects for compliance with the minimum standards. It should be noted that the Guidelines allow flexibility with regard to build-to-rent units. Notwithstanding this flexibility, the proposed scheme of build to rent units complies with Specific Planning Policy Requirement 1 under the Guidelines which states that no more than 20-25% of the total proposed development shall be studio apartments and no more than 50% of the total proposed development shall be one bedroom or studio apartments. The proposed development complies with both requirements.

In terms of car parking provision, the apartment guidelines state that for Build to Rent schemes there shall be: *... "a default of minimal or significantly reduced car parking provision on the basis of BTR development being more suitable for central locations and/or proximity to public transport services. The requirement for a BTR scheme to have a strong central management regime is intended to contribute to the capacity to establish and operate shared mobility measures."*<sup>16</sup> Please refer to the **Mobility Management Plan** contained with the EIAR for further details.<sup>17</sup>

A community facilities building will provide amenities for residents in the build to rent apartments as required under the Guidelines. This building will be managed by the management company. Please note section 7 of the **Build to Rent Management Plan**.<sup>18</sup> The Guidelines also state that for Build-To-Rent accommodation the development must remain owned and operated by an institutional entity and that this status will continue to apply for a minimum period of not less than 15 years and that similarly no

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<sup>16</sup> *Sustainable Urban Housing: Design Standards for New Apartments Guidelines for Planning Authorities, Dept. of Housing, Planning and Local Government, December 2020, SPPR 8, p. 30.*

<sup>17</sup> *Environmental Impact Assessment Report, RW Nowlan & Associates, 2022.*

<sup>18</sup> *Build to Rent Management Plan, Revington Developments Ltd., December 2019.*

individual residential units are sold or rented separately for that period.<sup>19</sup> A legal agreement to this effect has been included with the planning application documentation.

#### *Part V Guidelines (2017)*

For residential development projects, the requirements in relation to social housing provision must be considered at planning application stage. Under legal requirements the applicant must indicate in the planning application what is the proposed option to comply with the Part V requirements, i.e.: either (i) transfer of part of the site, (ii) build and transfer (or lease) a number of dwelling units on the site, or (iii) transfer (or lease) of dwelling units elsewhere. There are no Part V obligations in relation to the student housing accommodation element of the proposed development. To satisfy Part V obligations the applicant has specified 38 units to be allocated as social units. This represents 10% of the total number of dwelling units (381). The units will be spread across the various blocks within the development scheme. Please refer to the **Part V Compliance Letter** received from the Housing Development Directorate in the local authority which has been included in the planning application documentation.

#### *Urban Development and Building Heights Guidelines for Planning Authorities (2018)*

Under these Ministerial Guidelines, there is a presumption in favour of increased height of buildings in city core areas and in other urban locations with good public transport accessibility.<sup>20</sup> The building height of the various blocks in the proposed scheme plus the one tall building at the western boundary is therefore an appropriate response to the location of the site particularly having regard to the lack of existing (residential) development immediately adjoining. Under the Guidelines an applicant proposing a development scheme with increased building height will need to demonstrate that the proposed development satisfies a number of development management criteria set out in section 3.2 of the Ministerial Guidelines. The proposed development meets these criteria in the following manner:

- The proposed apartment blocks help to define the urban design of the existing poorly defined public realm particularly near the western and southern site boundaries;
- The proposed apartment blocks achieve an emphasis of the importance of the canal pedestrian and cycling route;
- The proposed apartment blocks help to define the layout of the proposed development and provide permeability and connectivity with the surrounding area.

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<sup>19</sup> *Sustainable Urban Housing: Design Standards for New Apartments Guidelines for Planning Authorities*, Dept. of Housing, Planning and Local Government, December 2020, p. 29.

<sup>20</sup> *Urban Development and Building Heights, Guidelines for Planning Authorities*, Government of Ireland, December 2018.

Please refer to Appendix B for a detailed assessment of the proposed development under the guidelines.

#### *Childcare Facilities Guidelines (2001)*

For new housing areas, a guideline standard of one childcare facility providing for a minimum 20 childcare places per approximately 75 dwellings is recommended. However, the guidelines state that this is a guideline standard and will depend on the particular circumstances of each individual site.<sup>21</sup> It is noted that although there are a number of childcare facilities in the vicinity of the site, many of these appear to have limited capacity. It is therefore proposed to provide a dedicated childcare building within the proposed scheme.

The Planning Guidelines for Childcare Facilities are currently under review. Pending this review it is relevant to note that the Planning Guidelines for Apartment Developments recommend that the threshold for childcare facilities in apartment schemes should be established having regard to: *...“the scale and unit mix of the proposed development and the existing geographical distribution of childcare facilities and the emerging demographic profile of the area. One-bedroom or studio type units should not generally be considered to contribute to a requirement for any childcare provision and subject to location, this may also apply in part or whole, to units with two or more bedrooms.”*<sup>22</sup>

The capacity of the childcare facility is based on the assumption that for one bed units no spaces are required, that for the two bed units in the development childcare space is required for one in every five units, while for the three bedroom and four bedroom units it is assumed that one childcare place is required for every two dwelling units. Based on these ratios, the total requirement for the proposed childcare facility is estimated to be ca. 56 places. This would result in a staff of between 6 and 10. The actual capacity that is provided is significantly in excess of this number.

#### *Appropriate Assessment Guidelines for Planning Authorities (2009)*

Under these guidelines the applicant is required to undertake an assessment whether the proposed project, *...“alone and in combination with other plans or projects, could have significant effects on a Natura 2000 site in view of the site’s conservation objectives.”*<sup>23</sup> Where significant effects are likely, uncertain or unknown at screening stage, Appropriate Assessment will be required. Please refer to the

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<sup>21</sup> *Childcare Facilities Guidelines for Planning Authorities*, Government of Ireland, June 2001, p. 9.

<sup>22</sup> *Sustainable Urban Housing: Design Standards for New Apartments Guidelines for Planning Authorities*, Dept. of Housing, Planning and Local Government, December 2020, p. 21.

<sup>23</sup> *Appropriate Assessment of Plans and Projects in Ireland - Guidance for Planning Authorities*, Dept. of Environment, Heritage and Local Government, p. 27.

**Natura Impact Statement** prepared by SLR consultants that has been included with the planning application documentation.<sup>24</sup>

*Guidelines for Planning Authorities - Retail Planning (2012).*

These guidelines emphasise the importance for development plans to identify local centres where ...” *shops located in local or neighbourhood centres serving local residential districts perform an important function in urban areas.*”<sup>25</sup> In the case of the proposed development it is concluded that three local neighbourhood shops are sufficient to serve the proposed development bearing in mind that the site is close to higher order retail facilities. The shops are located within the student accommodation block and can serve also the local student population as well as passing traffic along Pa Healy road.

## **7.0 SECTORAL POLICIES**

In addition to the statutory planning hierarchy framework of National, Regional and Local policies with which consistency is demonstrated in this report (see section 5 above and section 8), and the Ministerial Planning Guidelines at national level (see section 6), the proposed development has also been assessed under a number of sectoral policy documents. These include the following:

- Rebuilding Ireland – Action Plan for Housing and Homelessness (2016);
- Delivering Homes, Sustaining Communities (2008) and the accompanying Best Practice Guidelines- Quality Housing for Sustainable Communities;
- Quality Housing for Sustainable Communities (2007);
- Smarter Travel – A New Transport Policy for Ireland (2009-2020);
- National Student Accommodation Strategy – Rebuilding Ireland (2017).

*Rebuilding Ireland – Action Plan for Housing and Homelessness*

Rebuilding Ireland is the Government’s action plan to combat the current housing crisis. The plan seeks to ramp up the delivery of housing, to meet these objectives the plan will target underutilised land for redevelopment and encourage moderate to high density development. The scheme seeks to deliver a variety of much needed housing. It is concluded that the delivery of housing is consistent with the core

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<sup>24</sup> *Natura Impact Statement*, SLR Consulting, October 2021.

<sup>25</sup> *Retail Planning – Guidelines for Planning Authorities*, Dept. of Environment, Community and Local Government, 2012, p. 39.



objectives of the action plan. In addition, the scheme provides for student accommodation, a specific objective in the Rebuilding Ireland plan.

*Delivering Homes, Sustaining Communities (2008) and the accompanying Best Practice Guidelines- Quality Housing for Sustainable Communities*

The document sets out the government's vision to assist the delivery of high quality housing to meet demands for the foreseeable future. The guidelines relate to the provision of sustainable housing, focusing on creating sustainable communities. As indicated by the guidelines essential requirements include safe and secure environments, socially inclusive, and provide services to address the needs of its residents. The conclusion is that the overall scheme will be able to address these requirements and as such deliver long term sustainable communities particularly as a result of the mix of different dwelling types ranging from student bedspaces, to different size apartments to houses thereby encouraging a mix of age and income groups living in close proximity on a site with essential local services within walking distance.

*Quality Housing for Sustainable Communities (2007)*

The policy document seeks to coordinate housing delivery that will generate long term sustainable communities. Actions include – promoting the supply of housing in appropriate locations and co-ordinating development with existing infrastructure.

*Smarter Travel – A New Transport Policy for Ireland (2009-2020)*

These guidelines provide a broad policy agenda to integrate spatial planning and transport, co-ordinating housing and transport networks is the key objective of the plan. The plan sets a general requirement that significant housing development in cities and towns must have good public transport and safe routes for walking and cycling. The plan recommends a minimum housing density for new developments to be between 35 and 50 units per hectare. This minimum is exceeded in the proposed development.

*National Student Accommodation Strategy – Rebuilding Ireland (2017)*

As part of the Rebuilding Ireland programme the Government have set a target to bring on stream an additional 7,000 purpose-built student accommodation bed spaces. The site is strategically located in relation to third level colleges incl. Limerick University. By providing a student accommodation block within the proposed development, the proposed scheme builds on the policy goals set out in Rebuilding Ireland. Please refer to separate student accommodation demand and concentration report. A **Student Accommodation Management Plan** has been included planning application documentation.

## 8.0 CITY DEVELOPMENT PLAN

### *Zoning Objective*

The current Development Plan is the Limerick City Development Plan 2010-2016 (as extended). The draft Limerick Development Plan 2022-2028 has not yet been adopted.

The site is zoned Objective 5A Mixed Use<sup>26</sup>: *... "To promote the development of mixed uses to ensure the creation of a vibrant urban area, working in tandem with the principles of sustainable development, transportation and self-sufficiency."*<sup>27</sup> According to the written statement *... "this zoning objective facilitates the development of a dynamic mix of uses which will interact with each other creating a vibrant residential and employment area. A vertical and horizontal mix of uses should occur where feasible, including active ground floor uses and a vibrant street frontage on principal streets."*<sup>28</sup> All proposed uses in the development are permitted uses under the zoning matrix of the Development Plan.<sup>29</sup>

The site is located within the area defined as the 'Inner City Residential Neighbourhood' immediately outside the 'City Centre Retail Area'.<sup>30</sup> The plan states that in this area *... "new residential development to compliment the established areas will be supported."*<sup>31</sup> Proposed retail use is for local need only and therefore compatible with this area designation.

### *Bicycle Lanes*

The canal towpath along the northern site boundary is designated as a 'green route' in the Development Plan.<sup>32</sup> This route connects the city centre with the area to the east of the city and the rural hinterland. As such the route performs an important role in terms of walking and cycling route as well as an element of green infrastructure helping to improve biodiversity in the city. The design of the proposed scheme strengthens both functions by integrating the public open space and pedestrian routes through the development scheme to the canal route.

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<sup>26</sup> Limerick City Development Plan 2010-2016, Map 1: Land Use Zoning Map

<sup>27</sup> Limerick City Development Plan 2010-2016, p. 15.3

<sup>28</sup> Limerick City Development Plan 2010-2016, p. 15.4

<sup>29</sup> Limerick City Development Plan 2010-2016 (as extended), Zoning matrix, fig. 15.1.

<sup>30</sup> Limerick City Development Plan 2010-2016, Map 1a: City Centre Zoning Objectives.

<sup>31</sup> Limerick City Development Plan 2010-2016, p. 13.3

<sup>32</sup> Limerick City Development Plan 2010-2016, Map 3a: Green Routes.

In addition to the existing cycle lane along the northern site boundary in the form of the canal cycleway, the development plan includes objectives to achieve cycle ways along both the eastern and southern site boundaries. The proposed development scheme provides for a cycle route along the western side of Park Road along the eastern site boundary.

### *Design Statement*

Under the provisions of the Development Plan, a design statement must be submitted for major development proposals and this design statement needs to be available for ...”*meaningful pre-application discussions with the Planning Authority*”.<sup>33</sup> The design statement must address the following:

- urban design, landscape and building design issues
- clearly explain the development process, design options considered and the adopted development strategy
- concise illustration or series of illustrations accompanied by an explanatory written statement.

Please refer to the attached **Architectural and Urban Design Statement**.<sup>34</sup>

### *Density*

The development plan encourages higher densities: ...” *The standards set out in this Plan will promote the development of higher densities and the consolidation of the urban form of the city. Achieving a high-quality design and layout will be paramount in the acceptability of planning applications for high density schemes.*”<sup>35</sup>

The net density of the proposed development is calculated to be the equivalent of ca. 110 dwelling units per hectare. See for further details the **Compliance Schedule** submitted with the planning application documentation.

### *Building Height*

The Development Plan states: ...” *the issue of appropriate building height in context is relative and relates not only to the prevailing or dominant heights but also to the grain and its consistency or diversity within an existing character area.*”<sup>36</sup> The predominant building height of the proposed development is six to seven storeys for the apartment blocks with one building up to eleven storeys high. Under the Government Guidelines on Building Height, the planning authority and An Bord Pleanála can materially

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<sup>33</sup> *Limerick City Development Plan 2010-2016 (as extended)*, p. 16.6.

<sup>34</sup> *Architectural and Urban Design statement*, OCA Architects, February 2021.

<sup>35</sup> *Limerick City Development Plan 2010-2016 (as extended)*, p. 16.8.

<sup>36</sup> *Limerick City Development Plan 2010-2016 (as extended)*, p. 16.9.

contravene the relevant Development Plan or Local Area Plan if the Development Plan has not taken into account the new policies under the Building Height Guidelines<sup>37</sup>. Please refer to the **Architectural and Urban Design Statement** for a detailed rationale for the location and height of the tall building in the proposed development. Please refer to the **Sunlight and Daylight Analysis Report** for an assessment of the proposed tall building on the surrounding area.

#### *Car and Cycle Parking*

The Development Plan requirement is: 1 space per five students and 1 space per 25 sq m for retail and restaurant units.<sup>38</sup> A total of 189 student bedspaces is included in the proposed scheme. This would result in the requirement for **38** car parking spaces. Having regard to the location of the site close to the city centre and the proximity to third level colleges with good cycle route connections, it is proposed not to provide this number of car parking spaces. For retail units a total number of **10** car parking spaces would be required under the development plan standard. For the crèche facility the standard is one space per employee. This would result in the need for **10** spaces. For the café, the standard is one space per 30 sq m. This would result in the need for ca. **10** spaces. In total, the car parking requirements arising from the non-residential elements in the proposed scheme would therefore be ca. 68 spaces. Having regard to the location of the site in close proximity to the city centre, public transport facilities, employment sources and third level colleges, it is considered that the car parking provision should be limited to discourage the use of private transport. The proposed development includes 149 communal car parking spaces, of which 20 will be designated disabled car parking spaces. Additional space for off-street car parking is provided within the frontages of the 18 dwelling houses. See for further details the **Traffic and Transport Assessment**<sup>39</sup> and the **Mobility Management Plan**.<sup>40</sup>

In terms of bicycle parking requirements, the development plan requirement is: 1 space per ten students and 1 space per 30-50 sq m for retail and restaurant units.<sup>41</sup> A total of 420 bicycle parking spaces will be provided. Please refer to the **Mobility Management Plan** for further details.<sup>42</sup>

#### *Private and Public Open Space*

The development plan does not state a specific standard for student accommodation for public and private open space.

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<sup>37</sup> *Urban Development and Building Heights Guidelines for Planning Authorities*, Government of Ireland, 2018, p. 15.

<sup>38</sup> *Limerick City Development Plan 2014-2016 (as extended)*, Table 16.1, p. 16.13.

<sup>39</sup> *Environmental Impact Assessment Report*, Chapter 11, 2022.

<sup>40</sup> *Environmental Impact Assessment Report*, Chapter 11, 2022.

<sup>41</sup> *Limerick City Development Plan 2014-2016 (as extended)*, Table 16.2, p. 16.15.

<sup>42</sup> *Environmental Impact Assessment Report*, Chapter 11, 2022..

In terms of private open space, the apartments in the apartment blocks contain private open space in accordance with the standards under the Ministerial Guidelines. Please refer to **Compliance Schedule** by OCA Architects and Gleeson McSweeney Architects. All houses have private open space in the form of rear gardens in accordance with the Development Plan standards of a min. of 15 sq m private open space that is not overlooked per bedspace.<sup>43</sup>

A total area of public open space of ca. 26% of the site area is provided in the form of public park and communal open space for the apartments. A public park is provided near the north western corner of the site. This park comprises an area of ca. 0.5 ha. Areas of communal open space to serve the 363 build to rent apartment units are provided adjacent to each of the apartment blocks but form a green corridor alongside the canal and northern site boundary that is integrated with the public park. The areas of communal open space benefit from maximum sunlight penetration as a result of the chosen layout of the blocks within the site. Please refer to the 'open space strategy' in the **Architectural and Urban Design Statement** for further details.

#### *Overlooking*

There are no windows overlooking rear gardens of dwelling houses.

#### *Permeability*

The proposed development will provide significant planning gain in the form of creating pedestrian and cycle routes along clear 'desire lines' where up to now such connections are not available. For example, the following desire lines can be defined:

- From city centre west of the site towards the university along the canal;
- From shopping centre north west of the site to the site and areas to the east;
- From city centre west of the site to the site and areas to the east;
- From O'Brien's public park south west of the site across the site;
- From the residential areas east of Park Road and north of the canal towards city centre

Please refer to the diagram showing 'pedestrian green route integration' in the **Architectural and Urban Design Statement**.<sup>44</sup> This diagram demonstrates the permeability across the site and the pedestrian access points along the site boundaries. In addition, a **Site Context Report** has been included which sets out the detailed rationale in relation to permeability of routes.

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<sup>43</sup> *Limerick City Development Plan 2014-2016 (as extended)*, p. 16.26.

<sup>44</sup> *Architectural and Urban Design statement*, OCA Architects, February 2021.

## **9.0 PRE-APPLICATION MEETINGS**

A section 247 pre-planning meeting was held with the planning authority in preparation for the submission to An Bord Pleanála as part of the pre-application consultation. This meeting was held via video-conferencing on 23/7/20. Please refer to the **Minutes** of this meeting. In addition, a **Statement of Response** to the Board's Opinion that was issued following the pre-application consultation meeting, sets out a detailed response to the views expressed by the planning authority in relation to the proposed development.

## **10.0 SITE AND BUILDING MANAGEMENT**

The site of the proposed development will not be taken in charge by the planning authority and a management company will be set up to deal with the management of all public areas within the scheme. In view of the student accommodation and build to rent accommodation elements in the proposed development, separate accommodation management plans have been prepared and have been included with the planning application documentation. Please refer to these reports for details on the management of all areas and services relating to the student and build to rent accommodation.

It is proposed to offer a public park as part of the proposed development. The location of the park, to the west of the site adjacent the city canal will integrate the development with the route along the towpath of the city canal, and also will form a green infrastructure connection with O'Brien Park to the west accessed under the bridge over the canal. The Park will be maintained and managed by the Management Company. The park will have secure decorative railings to enclose the whole park and strategically positioned access points which reflect the organic passage of pedestrians through the park from east to west, and from the footpath off Pa Healy road and the canal towpath. The access points will be locked at dusk every night and opened at first light on a changing timetable with the seasons. This will ensure no unauthorized or anti-social activity. This approach is consistent with most well managed parks in urban settings. The park contains public facilities -a playground, an area for active ball games(integrated with the swales). Overlooking from Blocks 2 and 3 ensures passive surveillance.

## **11.0 CONCLUSIONS**

- **The proposed development is a repeat application of a previous proposal that was refused planning permission. The single reason for refusal related to deficiencies in the Natura Impact Statement. These deficiencies have been addressed in the revised Natura Impact Statement that is included in the planning application documentation.**

- **The proposed development is a brownfield regeneration project which provides for a mixed use development project providing a significant amount of residential accommodation. As such it will contribute to the development of a number of planning objectives and policies which have been stated at national, regional and local levels to provide for the proper planning and sustainable development of the area. These can be listed as follows.**
- **The objective of the National Planning Framework to achieve more compact urban development.**
- **Objectives formulated at national level to achieve the delivery of new dwelling units and student accommodation.**
- **Objectives formulated at national level to achieve attractive urban developments which enhance a sense of place and improve the public realm while providing for development that is accessible by public transport and walking and cycling modes of transport.**
- **National standards relating to apartment accommodation incl. floor area, amenity standards and private and communal open space.**
- **Ability to deliver social and affordable housing in accordance with national and local policies.**
- **Compliance with environmental protection policies in the areas of flood risk and avoidance of impacts on European designated sites.**
- **Compliance with national and local policy objectives for density and building height.**

## Appendix A – Assessment under Urban Design Manual

<b>01 CONTEXT</b>	
<b>Indicators</b>	<ul style="list-style-type: none"> <li>• Evolved naturally as part of the surroundings</li> <li>• Appropriate increase in density</li> <li>• Positively contributes to the character and identity of the area</li> <li>• Appropriate response to boundary conditions</li> </ul>
<b>Assessment</b>	<p>The design and layout of the scheme evolved as a response to the proximity of the site to the city centre justifying high density development combined with the surrounding linear features of the Pa Healy road and the Canal. The underutilised brownfield site occupies a prominent location. The scheme avoids too much commercial development recognising the proximity of existing retail centres and creates a feature building appropriate for the triangular shape of the site.</p>
<b>02 CONNECTIONS</b>	
<b>Indicators</b>	<ul style="list-style-type: none"> <li>• Attractive routes in and out for pedestrians and cyclists</li> <li>• Located in a in/near a mixed-use centre</li> <li>• Site layout allows for buses to service the scheme</li> <li>• Links to existing movement routes</li> <li>• Appropriate density to support efficient public transport</li> </ul>
<b>Assessment</b>	<p>The scheme allows for maximum permeability and connectivity with the surrounding road network particularly addressing the desire lines through the site to and from the canal bank pedestrian/cycle route which links the city centre with Limerick University. The site is close to existing retail development and the city centre as well as emerging employment opportunities. The site can be served by a (future) bus route along Pa Healy road.</p>
<b>03 INCLUSIVITY</b>	
<b>Indicators</b>	<ul style="list-style-type: none"> <li>• Provide a range of public and private amenity spaces</li> <li>• Design and layout enable access by all</li> <li>• New buildings present a positive aspect to passers by</li> </ul>
<b>Assessment</b>	<p>The apartment blocks provide welcome passive overlooking of the canal bank pedestrian/cycle route. The scheme provides a number of public open spaces incl. a public park (at the western end) and public playground which will serve the surrounding area as well as the population in the proposed scheme. Communal open space areas to serve the apartments are visually and ecologically integrated with the park to form a green corridor alongside the canal. Private rear gardens of the houses and duplex units are not overlooked. The new access road in the centre of the scheme can provide an alternative route to the existing canal bank route, which is overlooked by the adjoining houses.</p>
<b>04 VARIETY</b>	



<b>Indicators</b>	<ul style="list-style-type: none"> <li>• Activities generated by development contribute to the quality of life in its locality</li> <li>• Uses are compatible with the area</li> <li>• Housing types and tenure increase choice available in the area</li> <li>• Opportunities to provide shops and services complementary to the area</li> </ul>
<b>Assessment</b>	<p>The proposed scheme provides a mixture of student and private accommodation and includes three small retail units as well as a childcare facility, café and support amenities for the build to rent apartment units. The mixture of uses on site ensures variety. Retail development is of a local scale avoiding competition with nearby existing retail facilities. The area is currently underused and the proposed scheme is compatible with the area by providing needed activity on a large site where such activity is currently lacking. The scheme provides a good range of different size apartments and good size houses. This mix is likely to contribute to available units for sale as well as for rent.</p>
<b>05 EFFICIENCY</b>	
<b>Indicators</b>	<ul style="list-style-type: none"> <li>• The proposal looks at the potential for high density</li> <li>• Landscaped areas are designed to provide amenity, biodiversity and sustainable drainage</li> <li>• Scheme layout to exploit solar gain</li> <li>• Design ensure productive use of the land</li> </ul>
<b>Assessment</b>	<p>The proposed scheme has a high density which is appropriate given the size of the site and proximity to the city centre. The scheme contains a large proportion (ca. 26%) of potentially unpaved open space thereby contributing to sustainable drainage. East-west orientation of the apartment blocks maximise passive solar energy to each unit. The public open space areas incl. park and play area are well linked thereby maximising potential for biodiversity links throughout the site and with the canal and nearby SAC. The proposed development maximises the economic use of brownfield land that is currently underused.</p>
<b>06 DISTINCTIVENESS</b>	
<b>Indicators</b>	<ul style="list-style-type: none"> <li>• Recognisable features, enabling place attachment</li> <li>• Positive addition to the locality</li> <li>• Discernible focal point to the scheme</li> </ul>
<b>Assessment</b>	<p>The scheme has been carefully designed by responding to the triangular shape of the site with appropriately scaled buildings. The rhythm of apartment blocks along the canal bank boundary creates a highly distinctive scheme both from the ground and from the air. The re-development of this piece of vacant land will provide a positive addition to the locality.</p>
<b>07 LAYOUT</b>	
<b>Indicators</b>	<ul style="list-style-type: none"> <li>• Layout aligns routes, creates permeable scheme that's easy to navigate</li> <li>• Block layout provides public space to the front of building and semi-private open space to the back</li> </ul>

<b>Assessment</b>	The layout of the scheme provides full public access through the site from east-west to provide an urban layout, and also to allow option of pedestrian or cyclists divert their route from UL to the city at unsocial hours with passive building protection along open space/green space.
<b>08 PUBLIC REALM</b>	
<b>Indicators</b>	<ul style="list-style-type: none"> <li>• Is overlooked by dwellings</li> <li>• Is a usable integrated part of the scheme</li> <li>• Roads and parking are considered as part of the public realm strategy</li> </ul>
<b>Assessment</b>	All areas of open space are overlooked by dwellings and apartments. The public road combined with public open space areas provides for a public realm that is fully accessible and integrated throughout the scheme. Roads and parking are integrated with the adjoining houses. Car parking facilities are situated between the apartment blocks and adjoining the public road thereby minimising visual impact of surface car parking.
<b>09 ADAPTABILITY</b>	
<b>Indicators</b>	<ul style="list-style-type: none"> <li>• Homes are energy efficient</li> <li>• Design exploit good practice lessons so that house types can be adapted</li> </ul>
<b>Assessment</b>	The units are designed to highest design standard to ensure their energy performance. All houses have private rear gardens allowing for future extensions. Attic space is designed so that it can be converted at a later stage if required.
<b>10 PRIVACY AND AMENITY</b>	
<b>Indicators</b>	<ul style="list-style-type: none"> <li>• Each home has access to useable private outdoor space</li> <li>• Design maximises dual aspect potential</li> <li>• Designed to mitigate sound transmission</li> <li>• Windows sited to mitigate overlooking and afford privacy</li> <li>• Homes are designed to include adequate storage</li> </ul>
<b>Assessment</b>	The student accommodation has an internal courtyard open area from which individual clusters are accessed. Each of the houses has a private rear garden. All apartments have private balconies and communal open space in accordance with minimum standards. Houses and apartments are at adequate separation distances to avoid overlooking. Storage provision is in accordance with minimum requirements.
<b>11 PARKING</b>	
<b>Indicators</b>	<ul style="list-style-type: none"> <li>• Secure, safe parking is provided</li> <li>• Parking is provided communally and can accommodate visitors</li> <li>• Materials used for parking are of similar quality to rest of scheme</li> <li>• Adequate, secure bicycle parking</li> </ul>

<p><b>Assessment</b></p>	<p>Car parking for apartments in the apartment blocks is provided at ground level. Car parking for houses is provided either in front gardens or on the street. Car parking for the retail units is provided to the rear of the student accommodation block accessible from Pa Healy Road to facilitate short term car parking.</p> <p>Adequate visitor parking is provided in the form of clusters of parking spaces near the entrances to the apartment blocks, on-street car parking near the houses. Bicycle parking is provided within the student accommodation building for the student bedspaces as well as within the apartment blocks, and throughout the site for visitors.</p>
	<p><b>12 DETAILED DESIGN</b></p>
<p><b>Indicators</b></p>	<ul style="list-style-type: none"> <li>• Material and design contribute positively to the locality</li> <li>• Landscape design facilitates use of open spaces</li> <li>• Building design will facilitate easy maintenance</li> </ul>
<p><b>Assessment</b></p>	<p>The overall scheme will contribute positively to the area providing a new use to the under utilised site, provide high quality housing units and quality public realm.</p>

## Appendix B – Assessment under Urban Development and Building Heights Guidelines

Criterion	Manner in which the proposed development meets the criterion
Access to public transport	Yes – close to city centre with numerous bus and rail services.
Integrate/ enhance the visual character of the area and public realm – undertake a landscape and visual assessment	Yes- the proposed development provides a landmark scheme in a location adjacent to a raised road and outside a sensitive urban environment. See design statement.
Positive contribution to place-making	Yes – proposed building heights incl. a feature building will help define the local environment adjacent to the bridge over the canal and within the proposed development scheme in combination with the central axis. See design statement.
Enhance the urban design of an area	Yes – proposed building blocks along the canal will help define the local environment adjacent to the bridge over the canal. See design statement.
Positive contribution to legibility of the area	Yes – the location of the six storey building blocks define the layout of the new development scheme on a triangular shaped site. See design statement.
Height and mass carefully designed to maximise natural daylight and minimise overshadowing.	Yes – See design statement and daylight and sunlight analysis report.
The proposal is not monolithic.	Yes – Apartment blocks have been stepped down in height in accordance with the capacity of the surrounding area to accommodate building height.
Positive contribution to mix of uses and/or dwelling typology	Yes – the buildings add to the type of residential units available in the scheme.