

11th December 2015

To the Mayor and each member of the Metropolitan District

RE: Part VIII Planning Report – Castletroy, Co Limerick

A Comhairleoir, a chara,

I enclose herewith report prepared in accordance with Section 179(3) (a) of the Planning and Development Act 2000-2015 and Part VIII of the Planning & Development Regulations 2001-2015 in respect of the above for your consideration.

It is proposed to proceed as indicated in the Planning Report.

Mise le meas



Pat Daly
Director of Services
Planning and Economic Development
Encl.

**PLANNING REPORT IN ACCORDANCE WITH
SECTION 179 3(a) OF THE PLANNING & DEVELOPMENT
ACT 2000 - 2015**

Re: Permission for the following:
Change of use from industrial building to film studio facility with ancillary offices.
The development will also consist of alterations to the existing elevations, new
perimeter security fence, access gates and all associated works above and below
ground.

At: Former Dell Building, Plassey Road, Castletroy, Limerick

Planning Reference No. 15/8009


Jennifer Mc Nulty,
Executive Planner,
Economic Development & Planning


Pat Daly,
Director of Services,
Economic Development & Planning


Stephane Duclot,
Acting Senior Planner,
Economic Development & Planning

Pursuant to Section 179 3(a) of the Planning & Development Act 2000-2015,
this report is submitted to the members of Limerick City & County Council.
In accordance with Section 179(4) (b) of the above Act, it is proposed to
proceed as indicated in Section 5 of this report.



Conn Murray
Chief Executive
Limerick City & County Council

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1.0 Foreword

This planning report has been prepared pursuant to Section 179 of the Planning & Development Act 2000-2015, and Part 8 of the Planning & Development Regulations 2001-2015.

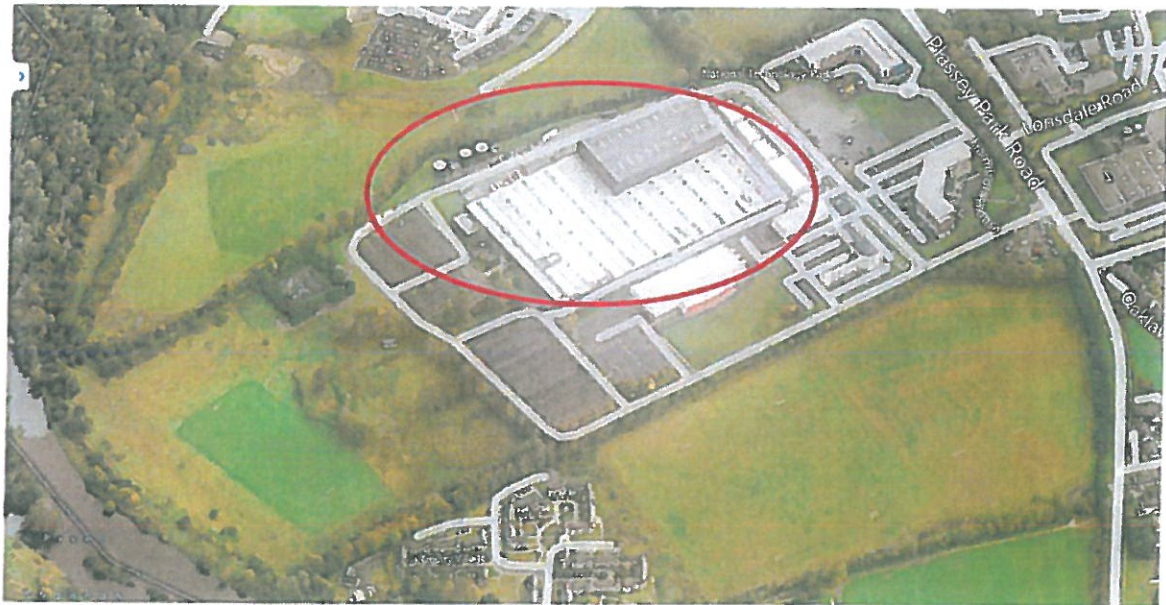
2.0 Description of the nature and extent of the proposed development

The proposed works will be carried out on the Former Dell Building, Plassey Road, Castletroy, Limerick. Under this application the Applicant Mike Cantwell, Administrative Officer, Economic Development & Planning Department, proposes the following:

- Change of use from industrial building to film studio facility with ancillary offices.
- The development will also consist of alterations to the existing elevations, new perimeter security fence, access gates and all associated works above and below ground.

The plans and particulars went on public display from 21st of September 2015 to 2nd of November 2015. Submissions and observations had to be submitted by 16th of November, 2015.

Site Location:



Site Inspection Photographs:



3.0 Likely implications, if any, with respect to the proper planning and sustainable development of the area

Limerick County Development Plan 2010 – 2016*

Policy ED P9: Facilitation of range of sites for industry

The Council shall facilitate and work pro-actively with development agencies to secure an adequate range of locations for both large scale and small-scale industrial development and for enterprise at key locations throughout the County in accordance with the settlement strategy.

Castletroy Local Area Plan, 2009-2020:

The Local Area Plan sets out the following with respect to acceptable development in the Land Use Zoning Matrix (Figure 15.1 pages 153-156):

The land use zoning in place for the identified site is as follows:

- o Enterprise & Employment – The use as proposed is in line with the Land Use Matrix.

Policy LE1: Employment and Economic Activity

The County Council will actively encourage future employment provision within Castletroy to support the continued development of the area. The Council will seek to:

- a) *Ensure that sufficient land is available to encourage new enterprise to locate within the area;*
- b) *Encourage the development of appropriate light industry and enterprise developments;*
- c) *Ensure that a high standard of design and layout is achieved for new commercial and industrial developments;*
- d) *Continue to co-operate with all concerned development and employment agencies in promoting Castletroy as a location for employment activities;*
- e) *Facilitate the development of local enterprise centres so that local and indigenous industries have the opportunity to develop;*
- f) *Facilitate the continuity and encourage the expansion of existing enterprises, having regard to the protection of the amenity value of neighbouring properties; and*
- g) *Ensure that future development does not compromise the viability of existing facilities and that existing facilities do not compromise the viability of future development.*
- h) *Have regard to the City and County retail strategy to ensure commercial uses such as retail warehousing, car showrooms, garden centres, car and machinery hire premises etc are developed in a planned, orderly and sustainable manner.*
- i) *Support the development of a high technology strategic site at the National Technology Park*

*Please note 'Limerick City Council' is now Limerick City & County Council (LCCC) – this document was prepared before the amalgamation of the Local Authority.

3.2 Habitats Directive Project Screening Assessment

Both construction and operating phases of the proposed development to be considered

<p>Construction Phase: N/A</p> <p>Are effects significant? N/A</p> <p>Are substantial works required: No</p> <p>Are effects significant? No</p> <p>Operating phase effects: Are effects significant? No</p>	<p>Ex-situ effects: Are effects significant? Yes/No</p> <p>Run-off: Are effects significant? Yes/No</p> <p>Abstraction: Are effects significant? Yes/No</p> <p>Displacement: Are effects significant? Yes/No</p>
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Identification of Natura 2000 sites which may be impacted by the proposed development

1	Impacts on designated rivers, streams, lakes and fresh water dependant habitats and species e.g. bogs or otters -see abstraction/run off etc above.	Is the development in the relevant catchment of or immediately up/downstream of a watercourse that has been designated as a Natura 2000 site? Name of sites: Lower river Shannon Sac site.	No
2	Impacts on terrestrial habitats and species.-see area and disturbance/displacement effects above.	Is the development within 1km of a SAC site with terrestrial based habitats or species? Name of site:	No
3	Impacts on designated marine habitats and species.	Is the development located within marine or intertidal areas or within 5 km of a SAC site whose qualifying habitats or species include the following habitats: Salmonid, Lamprey Mudflats, sandflats, saltmarsh, shingle, reefs, sea cliffs Name of site: Lower river Shannon Sac site	No
4	Impacts on birds in SPAs-	Is the development within 1km of a Special Protection Area Name of site: No site	No
5	Cumulative effects	Would consideration of a number of significant projects	No

		nearby such as forested areas, quarries, wind energy together with the proposed development significantly increase the impacts listed above:	
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An Appropriate Assessment Screening Report Prepared by Malachy Walsh & Partners, Engineering & Environmental Consultants. The screening assessment concluded that the project will not have negative impacts or effects on any Natura 2000 sites.

The project will not impact on the European Natura 2000 sites. Accordingly, the Planning Authority is of the view that the development will not have any significant impacts on any Natura 2000 sites. Therefore an Appropriate Assessment (AA) is not considered necessary in this case.

The development has been subject of an Appropriate Assessment Screening in accordance with Article 6 (3) of the EU Habitats Directive (Directive 92/43/EEC) and the Planning & Development Acts 2000-2015.

Other Reports Submitted Include:

- o Bat Survey - Prepared by Rory Dalton, Ecologist
- o Bird Survey - Prepared by Rory Dalton, Ecologist
- o Engineering Assessment - Prepared by Malachy Walsh & Partners, Engineering & Environmental Consultants
- o Planning Report - Carr Associates Architects

3.3 Land Acquisition

Limerick City & County Council

3.4 Conclusion

The proposed development is considered to be acceptable in principal and would offer a positive asset to Limerick. It is considered that the proposed development is in accordance with policies of the *Limerick County Development Plan 2010 - 2016* and the *Castletroy Local Area Plan*, and is therefore acceptable as per the requirements of proper planning and sustainable development of the area.

4.0 Submissions with respect to the proposed development

A total of 3 x No. written submissions/observations was received and are listed below:

LIST OF SUBMISSIONS RECEIVED	
SUB REF:	FROM:
1.	Fire Authority – Date received 20/10/15
2.	Health Service Executive – Date received 19/10/15
3.	Irish Water – Date received 16/10/15

Submissions:

SUB (1) Fire Authority

Submission description:

The submission received on the 20th of October, 2015, and the following issues were raised:

- The building subject to Building Control Regulation requirement for Fire Safety Certification and associated Provisions where there is a change of use from Industrial and Warehousing use to Office use. (Film studios are considered "Office" purpose group for Building Control purposes). Works by a Local Authorities in their functional area are included in this requirement since 1st Sept. 2015.
- This building has very long travel distances which may have been based on U.S. fire codes for low occupancy sprinkler warehousing use and industrial use. The building may also pre-date the Building Regulations.
- The FireBuilding Control Authority recommend that adequate fire safety provisions are proposed and provided prior to occupation especially to address changes to occupancy patterns and fire loading and address travel distances in excess of B.S. code recommendations for proposed use.
- These provisions should be set out by a fire safety consultant and may be based on a fire engineering analysis or U.S. fire codes specifically applicable to film studios such as NFPA 140: 2013.
- Achieving a good fire safety standard and certification may involve substantial works including the continued use of sprinklers, optimising travel and final exit locations and appropriate fire compartments.

Planning Authority Comment: Information noted –

SUB (2) Health Service Executive

Submission description:

The submission received on the 19th of October, 2015, and the following issues were raised:

- No objection raised
- Conditions recommended

Planning Authority Comment: Information noted

SUB (3) Irish Water

Submission description:

The submission received on the 16th of October, 2015, and the following issues were raised:

- Where the Applicant proposes to connect to a public water/wastewater network operated by Irish Water the Applicant must sign a connection agreement with Irish Water prior to the commencement of the development and adhere to the standards and conditions set out in that agreement.
- In the interest of public health and environmental sustainability, proposed connections to the water and waste infrastructure will be subject to the constraints of the Irish Water Capital Investment Programme.

Planning Authority Comment: Information noted -

5.0 Action taken by Local Authority

It is proposed to proceed with the development in accordance with the information submitted on file dated the 5th of October, 2015 and the details and specifications contained in this report.

1. The development shall be carried out in accordance with the plans and particulars lodged with the application, on the 05/10/15 and the report received by the Planning Authority on 27/11/15, except as may otherwise be required in order to comply with the following conditions.

Reason - In order to clarify the development to which this permission applies.

2. All aspects of the development shall comply with the requirements of the Fire Authority.

Reason - In the interests of orderly development

3. All aspects of the development shall comply with the requirements of the Health Service Executive.

Reason - In the interests of orderly development

4. All aspects of the development shall comply with the requirements of the Irish Water

Reason - In the interests of orderly development