

14<sup>th</sup> October, 2015.

**To the Mayor and each Member of the Metropolitan District**

**Re: Part 8 Procedure – Permission for (1) change of use from Friary to Museum-involving limited internal alterations to ground floor of friary only, (2) external signage to Henry Street and Bedford Row elevations and all associated site works (Franciscan Friary is a protected structure, reference RPS061, and is on the National Inventory of Architectural Heritage Ref. No. 21512058)**

**At: Franciscan Friary, Henry Street, Bedford Row, Limerick.**

A Chomhairleoir, a chara,

I enclose herewith report prepared in accordance with Section 179(3) (a) of the Planning and Development Act 2000-2015 and Part 8 of the Planning and Development Regulations 2001-2015 in relation to the above.

The proposal was put on public display from 13<sup>th</sup> July, 2015 to 24<sup>th</sup> August, 2015 and submissions and observations had to be submitted by 8<sup>th</sup> September, 2015.

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

Mise le meas,



PAT DOWLING,  
DIRECTOR OF SERVICES,  
HOME, COMMUNITY, CULTURE AND SPORT.

Encl.

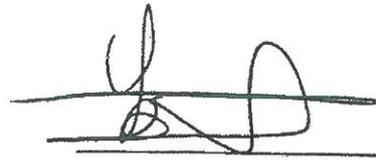
**PLANNING REPORT IN ACCORDANCE WITH  
SECTION 179 3(a) OF THE PLANNING AND DEVELOPMENT ACT 2000 – 2015**

**Re: Permission for (1) change of use from Friary to Museum-involving limited internal alterations to ground floor of friary only, (2) external signage to Henry Street and Bedford Row elevations and all associated site works (Franciscan Friary is a protected structure, reference RPS061, and is on the National inventory of Architectural Heritage Ref. No. 21512058)**

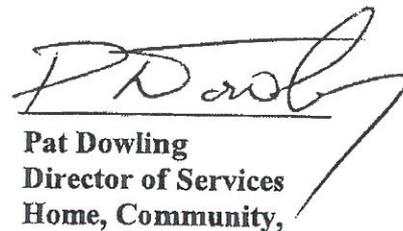
**At: Franciscan Friary,  
Henry Street,  
Bedford Row,  
Limerick.**

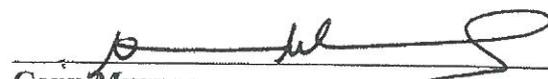
**Planning Reference no. 15-8007**

  
**Donogh O' Donoghue  
Assistant Planner**

  
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**Conn Murray  
Chief Executive  
Limerick City and County Council**

**Date: October 2015**

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### **1.0 - Foreword**

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

### **2.0 - Description of the nature and extent of the proposed development**

The proposal consists of

- (1) Change of use from Friary to Museum-involving limited internal alterations to ground floor of friary only,
- (2) External signage to Henry Street and Bedford Row elevations and all associated site works

The Franciscan Friary is a protected structure, reference RPS061, and is on the National inventory of Architectural Heritage Ref. No. 21512058.

The proposed application includes an Architectural Heritage Impact Assessment Method Statement and Photographic Study (Archival). The site layout plan, floor plans and elevations are set out in Drg. No. 201 – 207.

The plans and particulars went on public display from 13 July 2015 to 24 August 2015. Submissions and observations had to be submitted by 8 September 2015.

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

It is considered that the proposed change of use is compatible with the fabric and character of the Protected Structure and that the proposed development will not have a detrimental impact upon the Protected Structure and is compatible with the structures past use and its new use as a public amenity.

#### **3.1 Relevant Policies and Objectives**

The Limerick City Development Plan 2010-2016 \* sets out the following:

##### **Policy BHA.11 Re-Use & Refurbishment of Structures of Architectural Heritage merit & Protected Structures**

It is the policy of Limerick City Council\* to positively encourage and facilitate the careful refurbishment of the Structures of Architectural Heritage merit and Protected Structures for sustainable and economically viable uses.

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

**Policy BHA.12 Record of Protected Structures (RPS)**

It is the policy of Limerick City Council\* to protect all structures indicated on the Record of Protected Structure which shall include structures or parts of structures which are of special social architectural, historical, archaeological, artistic, cultural, scientific social or technical interest and continually review the Record where necessary.

**Policy BHA.13 Facilitating Development of a Protected Structure & Curtilage**

It is the policy of Limerick City Council\* to facilitate developments to protected structures that do not materially affect the architectural character employing conservation best practice standards for any purpose compatible with the character of the building and to make available financial assistance where possible.

**Policy BHA.15 Record of Protected Structures**

It is the policy of Limerick City Council\* that when it is proposed to alter or demolish a Protected Structure, either partially or totally, a full record of the structure and significant elements shall be prepared to the International Council on Monuments & Sites (ICOMOS) standard which shall be forwarded to the National Archive and the Architectural Archives for record purposes.

**Alterations & Extensions**

Any proposals for alterations or extensions to a Protected Structure should ensure that there is no damage to the special character of the Protected Structure having regard to the Architectural Heritage Protection Guidelines for Planning Authorities, 2004. Any extensions should be appropriate in terms of architectural design, treatment, character, scale and form to the existing protected structure.

**Curtilage & Attendant Grounds**

Curtilage is normally taken to be the parcel of grounds associated with the protected structure. Attendant grounds are those areas that may not be immediate to the protected structure but are associated with them. Both the curtilage and attendant grounds of a Protected Structure are included for their protection within the definition of a Protected Structure as they are defining elements of the building/structure. The definition of the curtilage of the Protected Structure should be determined on a case by case basis through any Section 57 Declaration undertaken as outlined above.

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

### 3.2 Habitats Directive Project Screening Assessment

#### Habitats Directive Project Screening Assessment Screening for Appropriate Assessment

|  |  |
|--|--|
| <b>Construction Phase:</b> Change of Use<br><br><b>Are effects significant:</b> No<br><br><b>Are substantial works required:</b> No<br><br><b>Operating phase effects:</b> Limited and localised<br><br><b>Are effects significant:</b> No | <b>Ex-situ effects:</b> n/a<br><b>Are effects significant:</b> n/a<br><br><b>Run-off:</b> n/a<br><br><b>Are effects significant:</b> No<br><br><b>Abstraction:</b> None<br><br><b>Displacement:</b> None |
|--|--|

Identification of Natura 2000 sites which may be impacted by the proposed development

|   |  |  |     |
|---|--|--|-----|
| 1 | <b>Impacts on designated rivers, streams, lakes and fresh water dependant habitats and species e.g. bogs or otters -see abstraction/run off etc above.</b> | <i>Is the development in the relevant catchment of or immediately up/downstream of a watercourse that has been designated as a Natura 2000 site?</i><br><br>Name of sites: Name of sites:<br>Lower Shannon SAC   | Yes |
| 2 | <b>Impacts on terrestrial habitats and species.-see area and disturbance/displacement effects above.</b>   | <i>Is the development within 1km of a SAC site with terrestrial based habitats or species?</i><br><br>Lower River Shannon SAC  | Yes |
| 3 | <b>Impacts on designated marine habitats and species.</b>  | <i>Is the development located within marine or intertidal areas or within 5 km of an SAC site whose qualifying habitats or species include the following habitats:<br/>         Salmonid, Lamprey Mudflats, Sandflats, Saltmarsh, Shingle, Reefs, Sea Cliffs</i><br><br>Lower Shannon SAC. | Yes |

|   |                                  |  |                 |
|---|----------------------------------|--|-----------------|
| 4 | <b>Impacts on birds in SPAs-</b> | <i>Is the development within 1km of a Special Protection Area</i><br><br>River Shannon and River Fergus Estuaries SPA  | Yes             |
| 5 | <b>Cumulative effects</b>        | Would consideration of a number of significant projects nearby such as forested areas, quarries, wind energy together with the proposed development significantly increase the impacts listed above: | Refer to below. |

### Conclusion

Overall it is considered that the development as proposed should not exercise a significant effect on the conservation status of any SAC and SPA. On the basis of the findings it is considered that the proposed development will not have a significant effect on the Natura 2000 sites.

### 4.0 - Submissions with respect to the proposed development

| LIST OF SUBMISSIONS RECEIVED |  |               |
|------------------------------|--|---------------|
| SUB REF                      | FROM   | Date received |
| (A)                          | Health Service Executive                             | 11/08/15      |
| (B)                          | Fire Authority                                       | 07/08/15      |
| (C)                          | Environment Section, Limerick City & County Council  | 19/08/15      |
| (D)                          | Conservation Officer, Limerick City & County Council | 24/08/15      |

#### SUB (A) Health Service Executive

##### Submission description:

- Health Service Executive has no comment to make.

##### Planning Departments Comments

- Acknowledgement of submission.

**SUB (B) Fire Authority, Limerick City & County Council**

**Submission description:**

- The Fire Authority has no comment or conditions.

**Planning Departments Comments**

- Acknowledgement of submission.

**SUB (C) Environment Section, Limerick City & County Council**

**Submission description:**

- No objection to proposal subject to conditions to be attached to any grant of permission.

**Planning Departments Comments**

- Acknowledgement of submission.

**SUB (D) Conservation Officer, Limerick City & County Council**

**Submission description:**

- No objection to proposal subject to conditions to be attached to any grant of permission.

**Planning Departments Comments**

- Acknowledgement of submission.

**5.0 - Action taken by Local Authority**

It is proposed to proceed with the development in accordance with the details and drawings dated the 13/07/15 and the details and specifications contained in this report.

1. All works on the Protected Structure, its curtilage, and within its setting, shall be supervised on an ongoing basis by a Conservation Architect accredited to the appropriate grade by the Royal Institute of the Architects of Ireland. The supervising conservation architect shall be responsible for ensuring that all interventions made accord with the statutory and regulatory provisions allowed for in respect of protected structures, and that materials and methodologies utilised are compatible with historic and traditionally built fabric and are not harmful to sites of ecological significance.

Reason- To protect the architectural heritage in the interests of the common good and the proper planning and sustainable development of the area.

2. A Full Archival Standard Photographic Study of the Friary, on a room-by-room and feature-by-feature basis, shall be prepared in advance of works commencing, and maintained during the course of the project. These records should include: photographs taken before, during, and after the completion of each stage of the works programme. Copies of the final report, including photographs and all other relevant records, are to be retained on the protected structure's file.

Reason – To protect the architectural heritage in the interests of the common good and the proper planning and sustainable development of the area.

3. Four weeks prior to the commencement of works a Construction Management Plan, which shall deal comprehensively with all relevant matters including the provision of a contractor's compound - information shall be provided on the nature of the finishes for the boundary fence envisaged. There shall be an assessment of any implications for the built heritage that this may have, and put forward mitigations. The removal of the compound and the clean-up of its location after the project is completed shall also be dealt with.

Reason – To protect the architectural heritage in the interests of the common good and the proper planning and sustainable development of the area.

4. All elements of significance of the fabric, fixtures and features of the Protected Structure complex shall be protected against damage during the course of the works. Any shields or protective barriers erected or installed must be wholly reversible without loss of material, or damage to the structure, in accordance with the Principles of Conservation.

Reason – To protect the architectural heritage in the interests of the proper planning and sustainable development of the area.

5. During construction of the proposed development, the following shall apply:

- No work shall take place on site outside the hours of 8.00 a.m. to 8.00 p.m. Monday to Friday and 8.00 a.m. to 4.00 p.m. Saturday, unless otherwise agreed in writing by the Planning Authority.
- No construction material such as cement, lime or other aggregates shall be rinsed down into surface water drains or any other watercourse.

Reason – To protect the residential amenities of the area in the interests of proper planning and sustainable development.