

13th December 2017

To the Mayor and each member of the Metropolitan District of Limerick

**Re: Part VIII Planning Report for the proposed Residential Refurbishment / Development (12 units)
at 1-12 Bourke Avenue, Limerick.**

A Chomhairleoir, a chara,

I enclose herewith report prepared in accordance with Section 179(3) (a) of the Planning and Development Act 2000 (as amended) and Part VIII of the Planning and Development Regulations 2001 (as amended).

In accordance with Section 179 (4) (b) of the above Act, it is proposed to proceed as indicated in Section 5 of this report.

Mise le meas,



GORDON DALY

DIRECTOR OF SERVICES

SERVICE OPERATIONS DIRECTORATE

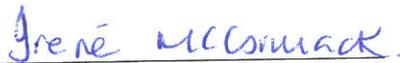
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**PLANNING REPORT IN ACCORDANCE WITH
SECTION 179 3(a) OF THE PLANNING & DEVELOPMENT
ACT 2000 (as amended)**

Re: Permission for (i) provision of a 18 sqm single storey monopitch extension to the front of no.1,4,5,8 and 9 Bourke Avenue ground floor 1 bed units; (ii) a 24 sqm extension to the rear of 12 Bourke Avenue; (iii) refurbishment of 2,3,6,7,10 & 11 Bourke Avenue with minor alterations to position of window openings; (iv) demolition of the existing chimneys and the replacement of the existing roof finish; (v) replacement of all windows and the painting of elevations; (vi) Ground floor entrance canopies being constructed above each unit entrance; (vii) the demolition of the existing boundary walls with Bourke Avenue and adjoining properties; (viii) the demolition of three sheds to the rear of the flats and outbuildings adjoining adjacent properties; (ix) new masonry boundary walls; (x) hard and soft landscaping throughout and resurfacing of the adjoining footpath on Bourke Avenue; (xii) all associated site works.

At: 1-12 Bourke Avenue, Limerick.

Planning Reference No. 17/8014



**Irené McCormack,
Executive Planner,
Planning & Environmental Services**



**Stephane Duclot
A/Senior Planner,
Planning & Environmental Services**



**Donogh O'Donoghue,
A/Senior Executive Planner,
Planning & Environmental Services**



**Gordon Daly,
Director of Services,
Service Operations Directorate**

Pursuant to Section 179 3(a) of the Planning & Development Act 2000 (as amended) 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**

Date: 13 December 2017

TABLE OF CONTENTS

- 1. Foreword**
- 2. Description of the nature and extent of the proposed development**
- 3. Likely implications, if any, with respect to the proper planning and sustainable development of the area**
- 4. Submissions with respect to the proposed development**
- 5. Conclusion**
- 6. Action taken by Local Authority**

1.0 Foreword

This planning report has been prepared pursuant to Section 179 of the Planning and Development Act 2000 (as amended), and Part 8 of the Planning and Development Regulations 2001 (as amended).

2.0 Description of the nature and extent of the proposed development

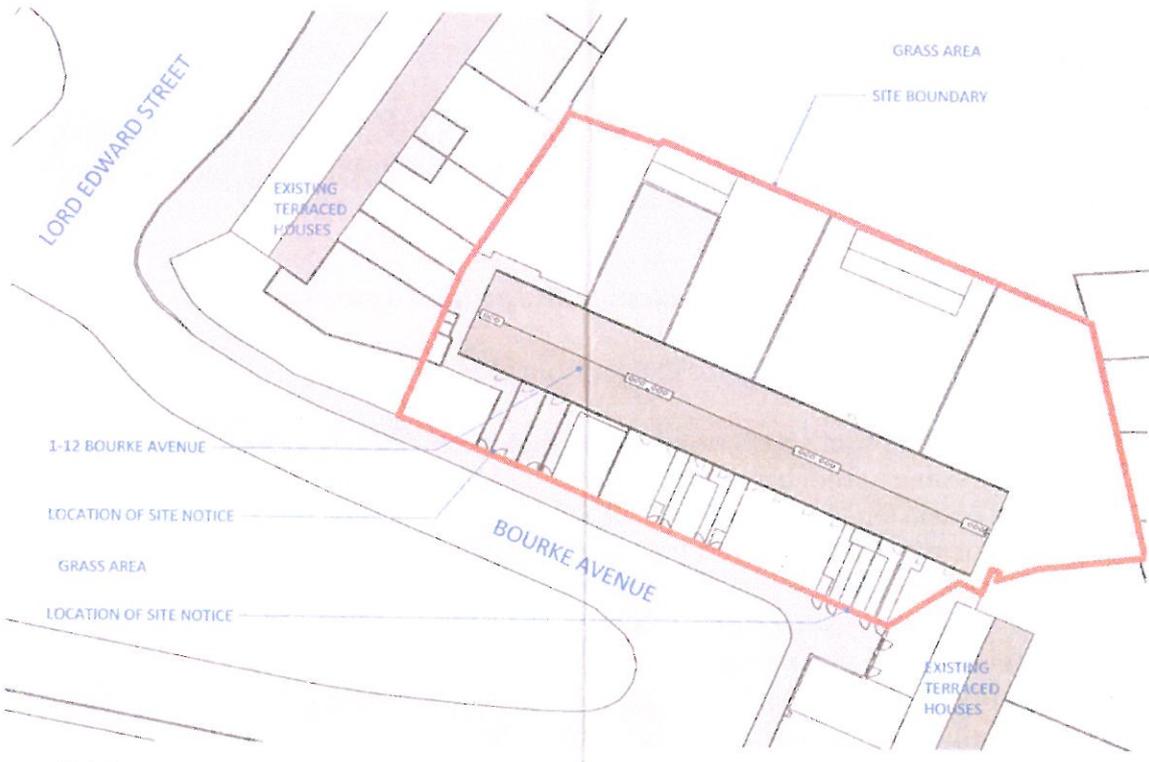
The proposed development includes for the construction of:

- a) provision of a 18 sqm single storey monopitch extension to the front of no.1,4,5,8 and 9 Bourke Avenue ground floor 1 bed units;
- b) a 24 sqm extension to the rear of 12 Bourke Avenue;
- c) refurbishment of 2,3,6,7,10 & 11 Bourke Avenue with minor alterations to position of window openings;
- d) demolition of the existing chimneys and the replacement of the existing roof finish;
- e) replacement of all windows and the painting of elevations;
- f) Ground floor entrance canopies being constructed above each unit entrance
- g) the demolition of the existing boundary walls with Bourke Avenue and adjoining properties;
- h) the demolition of three sheds to the rear of the flats and outbuildings adjoining adjacent properties;
- i) new masonry boundary walls;
- j) hard and soft landscaping throughout and resurfacing of the adjoining footpath on Bourke Avenue;
- k) all associated site works.

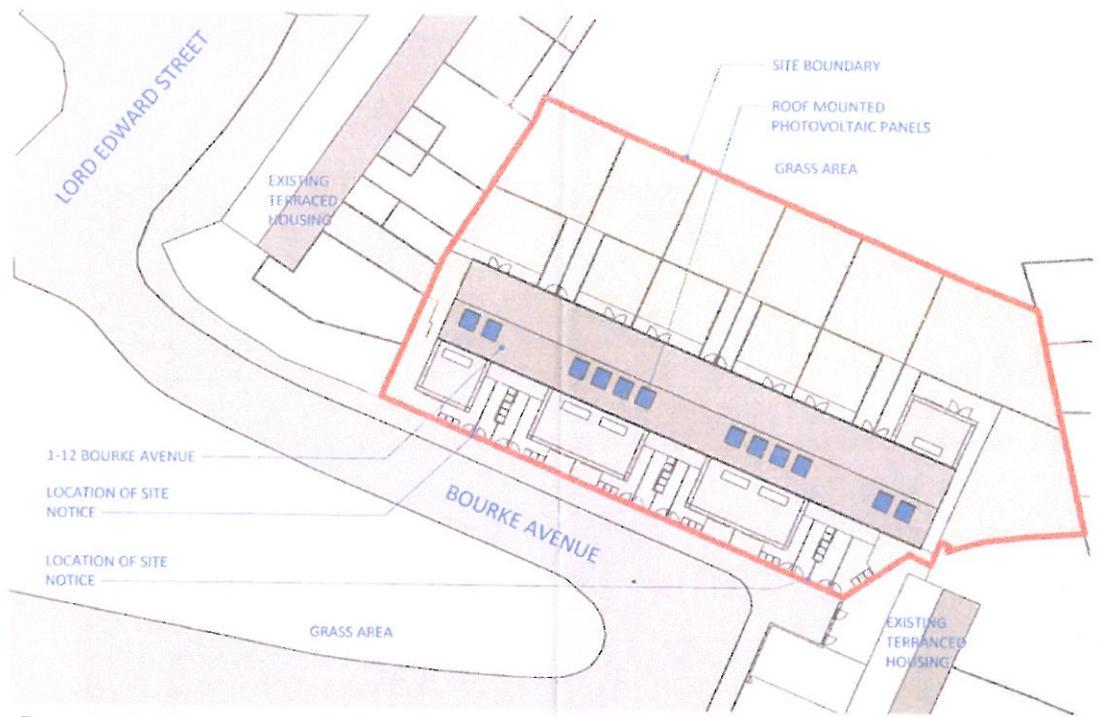
The site measures 0.1445ha. in area.



Site location



1 Existing Site Plan
1:250



3 Proposed Site Plan
1:250



The current application provides for the redevelopment and modernisation of the existing residential structures. The lands are zoned *Residential* in the Limerick City Development Plan 2010 -2016. The development when completed will provide for 12 residential units - 6 no. one bedroom units and 6 no. three bedroom units. The works will significantly improve the visual amenity of the site and the kerb appeal of the units. Appropriate hard landscaping and boundary treatment is proposed. The site is centrally located with amenities and facilities within close proximity and the proposal will contribute positively to the local environment.

The plans and particulars went on public display from 16th October 2017 to 14th November 2017. Submissions and observations had to be submitted by 29th November 2017.

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

The proposed development provides for residential development on lands zoned for residential use and is consistent with the overall redevelopment of the area. The design and layout respects the existing pattern and grain of the existing and is consistent with the proper planning and sustainable development on the area.

3.1 Policies and Objectives relevant to the Proposed Development

Limerick City Development Plan 2010 – 2016*

Policy H.3

It is the policy of Limerick City Council to encourage the establishment of sustainable residential communities by ensuring that a mix of housing and apartment types, sizes and tenures is provided within the City.

Policy H.4

It is the policy of Limerick City Council to have regard to the policies and objectives of the following Strategies and Plans:

- Sustainable Residential Development in Urban Areas (DEHLG 2008)
- Urban Design Manual – A Best Practice Guide (DEHLG 2008)
- Quality Housing for Sustainable Communities (DEHLG 2007)

Policy H.5

It is the policy of Limerick City Council to promote increased density where appropriate to do so, having regard to the existing or proposed public transport provision and proximity to the City Centre.

Policy H.6

It is the policy of Limerick City Council to ensure a balance between the reasonable protection of existing residential amenities, the established character of the area, and the need to provide for sustainable residential development.

*Please note ‘Limerick City Council’ is now Limerick City & County Council (LCCC) – this development plan was prepared before the amalgamation of the Local Authorities.

3.1 Habitats Directive Project Screening Assessment

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

<p>Construction Phase: Yes – Residential Re-development</p> <p>Are effects significant? Yes</p> <p>Are substantial works required: Yes</p> <p>Are effects significant? No</p> <p>Operating phase effects: Are effects significant? No</p>	<p>Ex-situ effects: Are effects significant? No</p> <p>Run-off: Are effects significant? Yes</p> <p>Abstraction: Are effects significant? No</p> <p>Displacement: Are effects significant? 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.	<p><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></p> <p>Name of sites: <i>Lower river Shannon Sac site.</i></p>	No
2	Impacts on terrestrial habitats and species.-see area and disturbance/displacement effects above.	<p><i>Is the development within 1km of a SAC site with terrestrial based habitats or species?</i></p> <p>Name of site:</p>	No
3	Impacts on designated marine habitats and species.	<p><i>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</i></p> <p>Name of site: <i>Lower river Shannon Sac site</i></p>	Yes

4	Impacts on birds in SPAs-	<i>Is the development within 1km of a Special Protection Area</i> Name of site: No site	No
5	Cumulative effects	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:	No

Conclusion

The site is located on zoned lands and it is considered that the development as proposed should not exercise a significant effect on the conservation status of any SAC or SPA and therefore an Appropriate Assessment is not necessary.

The development is located also outside of the CFRAM flood maps

3.2 Land Acquisition

The applicant is the owner of the site as indicated in the documents submitted with the proposal

4.0 Submissions with respect to the proposed development

A total of 2 no. written submissions/observations were received and are listed below:

LIST OF SUBMISSIONS RECEIVED		
SUB REF	FROM	
(A)	Irish Water	Received 8/11/2017
(B)	John Cummins – Assistant Chief Fire Officer, Fire and Emergency Services, Limerick City & County Council	Received 9/11/2017

SUB (A)	Irish Water
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Submission description

The applicant proposes to connect to the public water/wastewater network operated by Irish Water, In this regard the applicant shall be required to comply with the recommendations of Irish Water and sign a connection agreement with Irish Water.

Design & Delivery Services Comments

The comments have been noted and it is recommended that proposed conditions are attached to any decision to grant permission in relation to items / requirements (which can be dealt with through detail design) raised by Irish Water.

No Change to Planning Application.

Planning Authority Comments:

Noted and actions to be attached

SUB (B) John Cummins – Assistant Chief Fire Officer, Fire and Emergency Services, Limerick City & County Council

Submission description

The Fire Authority has no objection to the proposed development

Fire & Building Control have no objections in principle to this development.

- A Fire Safety Certificate shall be obtained from the Building Control Authority in advance of works commencing.

- A Disability Access Certificate shall be obtained from the Building Control Authority prior to occupation. The proposed works shall comply with Building Regulations 1997-2017 and Building Control Regulations 1997-2015.

Design & Delivery Services Recommendation:

It is recommended that a proposed condition in relation to the items raised is attached to any decision to grant permission.

No Change to Planning Application.

Planning Authority Comments:

Noted.

5.0 Conclusion

The proposed development is considered to be acceptable in principal and shall be carried out in accordance with the actions for the Local Authority hereby attached. It is considered that the proposed development is in accordance with policies of the *Limerick City Development Plan 2010 -2016* and is therefore acceptable and in accordance with the proper planning and sustainable development of the area.

6.0 Action taken by Local Authority

It is proposed to proceed with the development in accordance with the information submitted on file dated the 16th October 2017, 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 16/10/2017 except as may otherwise be required in order to comply with the following actions.

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

2. A final palette of materials including all types, finishes and colours shall be submitted to the Planning Authority for written agreement, these shall be appropriate to the setting.

Reason: In the interest of orderly development and visual amenity

3. All site works shall be carried out to the satisfaction of the Planning Authority in accordance with the Department of the Environment 1998 publication "Recommendations for Site Development Works for Housing Areas", except in the case of the road surfacing where only paragraph 2.23 of these recommendations shall apply.

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

4. Under no circumstances shall any construction materials such as cement, lime, or other aggregates etc. be rinsed down into surface water drains or any other water courses.

Reason: In order to minimise the risk of contamination of any surface water or drainage channels

5. 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 any development on site and adhere to the standards and conditions set out in that agreement. All aspects of the development shall comply with the details set out in the Irish Water Report on file dated 8/11/2017.

Reason: In the interest of proper planning and public health and safety

6. Prior to commencement of development, the developer shall submit for the written agreement with the Planning Authority details relating to bin storage for the development.

Reason: In the interest of traffic and pedestrian safety

7. During construction of the proposed development, the following shall apply-
- a. 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, or on Sundays or public holidays, unless otherwise agreed in writing by the Planning Authority.
 - b. No surface water run-off shall be discharged onto public roads, foul sewers or adjacent property.
 - c. Adequate car parking facilities shall be provided on site for all workers and visitors.

Reason: To protect the residential amenities of the area in the interest of proper planning and sustainable development

8. The wheels and underside of all construction traffic leaving the site shall be cleaned, as required, to prevent soiling of public roads. A wheel washing facility, including water jets or other approved cleansing method shall be provided close to the site exit. In the event that any public roads become soiled by construction traffic from the site, these roads shall be cleaned immediately.

Reason: In the interest of the proper planning and sustainable development of the area, road safety and to protect the amenity of the area

9. a. Equivalent sound levels arising from all sources within the proposed development, when measured at the boundary of noise sensitive locations (i.e. dwelling houses) shall not exceed a level of 55 dB (A) L_{Ar} (60 minutes) between 0800 hours and 2000 hours Monday to Friday and 0800 hours and 1400 hours on Saturday. Noise levels shall not exceed 45dB (A) L_{Ar} (15 minutes) at any other time.
- b. Mechanical machinery systems shall not produce clearly audible tonal noises at night-time (22:00 to 08:00hrs) when assessed from the nearest noise sensitive location.

Reason: To protect the residential amenities of the area in the interest of proper planning and sustainable development of the area

10. All service cables associated with the proposed development including electrical, communal television, telephone and street lighting cables shall be laid underground within the site.

Reason: In the interest of orderly development and the visual amenities of the area

11. (a) Prior to the commencement of any development on site the Applicant shall submit plans and elevations for all boundary treatments proposed on site to include front of dwelling and rear divisional boundaries for written agreement of the Planning Authority. Details to include materials and finishes.

(b) A 2-metre high privacy wall shall be constructed along the rear, side and rear section of the dividing boundary between houses. The wall shall be solid block, capped and rendered. Where there is a difference in ground levels between this site

and adjoining properties, the level shall be taken as their average level. Screen walls abutting open space or estate roads shall be plastered and capped with piers.

Reason - In the interest orderly development and of privacy and residential amenity

12. Prior to the commencement of any development on site the Applicant shall submit a Landscaping Plan for written agreement of the Planning Authority. The agreed work shall be completed before any of the dwellings are made available for occupation.

Reason: In order to ensure the satisfactory development of the public open space areas and their continued use for this purpose

13. (a) The water main service connection to each residential unit shall be fitted with an individual boundary box including a stopcock and provision for a water meter in accordance with Irish Water/Uisce Eireann requirements.

(b) Each house shall have its own independent foul and surface water sewer connections to the main foul and surface water sewers.

Reason: In the interest of proper planning and orderly development

14. Prior to commencement of development on site the Applicant shall submit a detailed public lighting scheme for written agreement of the Planning Authority to include the following information:
 - (i) The public lighting shall be erected and operational prior to the making available for occupation of any house;
 - (ii) Light stands shall not be located near tree stands;
 - (iii) Energy efficient LEDs shall be used and light and switch types shall be agreed.

Reason: In the interest of public safety

15. Footpaths shall be dished at all road junctions.

Reason: To facilitate access for all in the interest of proper planning and development of the area

16. Prior to commencement of development, the developer shall submit for the written agreement with the Planning Authority details/proposals for traffic calming measures to be implemented on the roads throughout the estate.

Reason: In the interest of traffic and pedestrian safety

17. The Construction Management Plan shall be submitted to and agreed in writing with the Planning Authority prior to commencement of development. This plan shall provide details of intended construction practice for the development, including hours of working, noise/vibration and traffic management measures and off-site disposal of construction/demolition waste.

Reason- In the interests of public safety and residential amenity

18. Prior to the commencement of this development the site developer or appointed contractor shall submit to Planning & Environmental Services for agreement in writing a site specific waste management plan for the recovery/disposal of all wastes arising from the demolition, refurbishment and/or construction related activities of this development. The waste management plan shall include:
- a. A list of proposed authorised waste collection permit holders to be employed
 - b. A list of the proposed waste facility permitted sites at which the wastes may be recovered or disposed of.
 - c. Estimates of the proposed tonnages of construction and demolition (C&D) wastes by type e.g. soil and stone, rubble, wood, metal and plastic. A template waste management plan can be found at:<https://www.limerick.ie/council/construction-and-demolition-waste>.
 - d. If asbestos containing materials have been identified as present, they shall be included in items a, b and c above.

Reason: In the interests of public safety and residential amenity

19. Appropriate road markings and traffic signage shall be provided on all newly constructed roads and maintained until formally taken-over by Limerick City & County Council.

Reason: In the interest of traffic safety

