



Comhairle Cathrach
& Contae **Luimnigh**

Limerick City
& County Council

Seirbhísí Dearaidh agus Soláthair,
Comhairle Cathrach agus Contae Luimnigh,
Ceanncheathrú Chorpáraídeach,
Cé na gCeannaithe,
Luimneach

Design and Delivery Services,
Limerick City and County Council,
Corporate Headquarters,
Merchants Quay,
Limerick

EIRCODE V94 EH90

t: +353 (0) 61 557 180

11th April 2018

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

Re: Part VIII Planning Report for the conversion of 6 vacant 1 bedroom units into 3 new 2 bedroom units at Chas Flats, Mary Street, Limerick City

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

Encl

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

Re: Permission for the following:

- (a) Conversion of 6 x No. residential 1 bedroom apartments into 3 x No. residential 2 bedroom dwellings;
- (b) New off street entrance doors, with hard landscaping to Mary Street, to include bin stores;
- (c) Construction of and/or remedial works to existing boundaries with adjacent properties;
- (d) New pedestrian entrance gates off Mary Street and Creagh Lane;
- (e) all associated site works

At: Chas Flats, Mary Street, Limerick

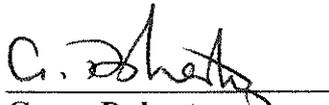
Planning Reference No. 18/8000



**Jennifer Mc Nulty
Executive Planner**



**Donogh O'Donoghue
A/Senior Executive Planner**



**Gerry Doherty
A/Senior Engineer**



**Pat Daly
Deputy Chief Executive
Economic Development 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: 11/4/18

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1.0 Foreword

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

2.0 Description of the nature and extent of the proposed development

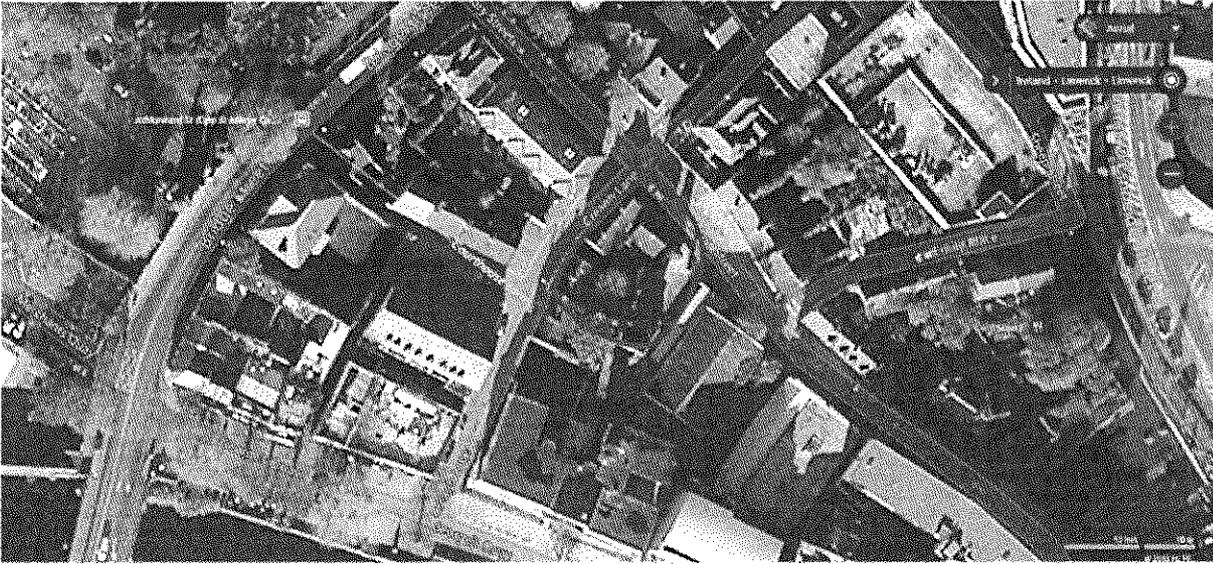
The proposed works will be carried out at Mary Street/Creagh Lane, Limerick. There is an existing two storey building on site that front onto Mary Street and Creagh Lane consisting of 6 x No. 1 bedroom flats. Under this application, it is proposed to convert 6 x No. residential 1 bedroom apartments into 3 x No. residential 2 bedroom dwellings.

Under this planning application the Applicant, Design & Delivery Services, Limerick City & County Council proposes the following:

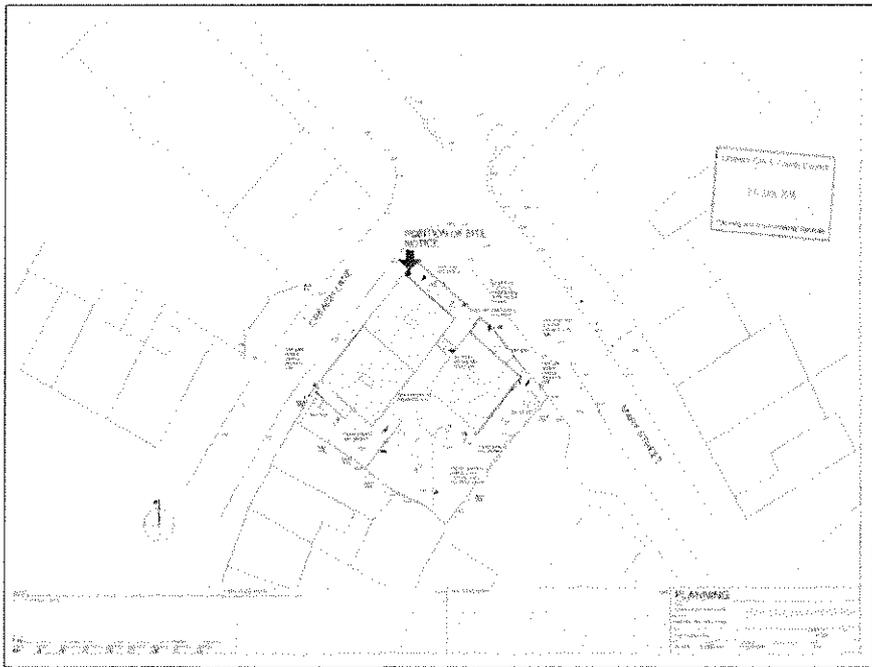
- (a) Conversion of 6 x No. residential 1 bedroom apartments into 3 x No. residential 2 bedroom dwellings;
- (b) New off street entrance doors, with hard landscaping to Mary Street, to include bin stores;
- (c) Construction of and/or remedial works to existing boundaries with adjacent properties;
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- (e) all associated site works

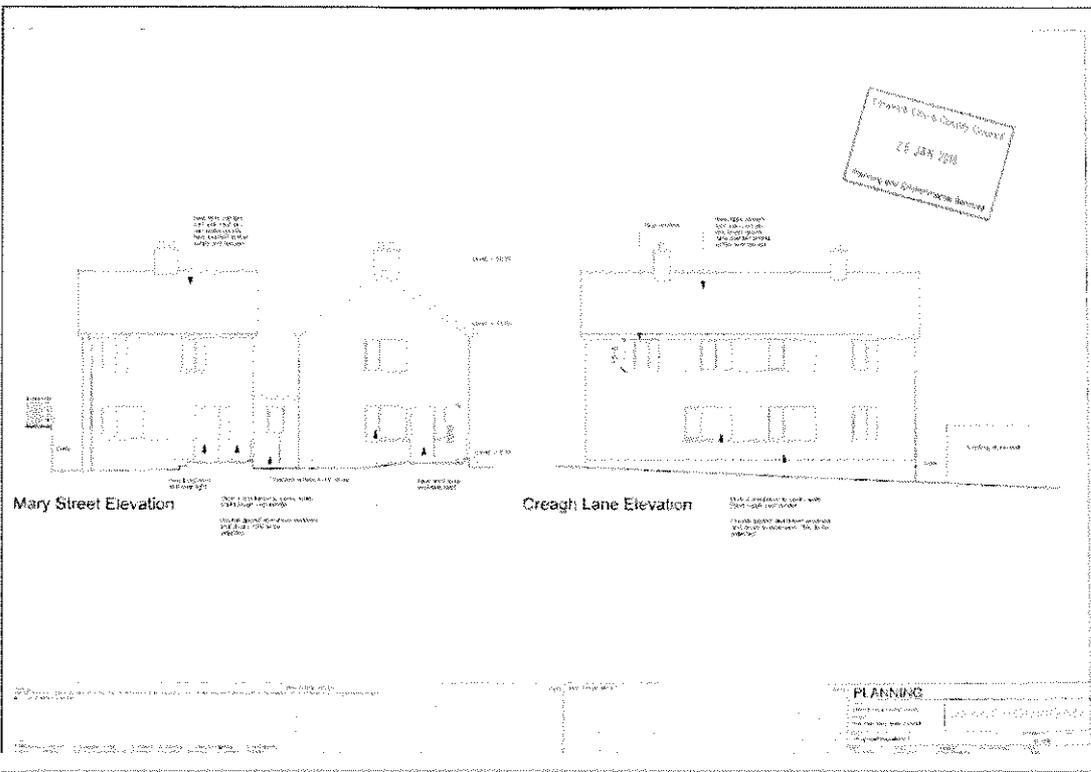
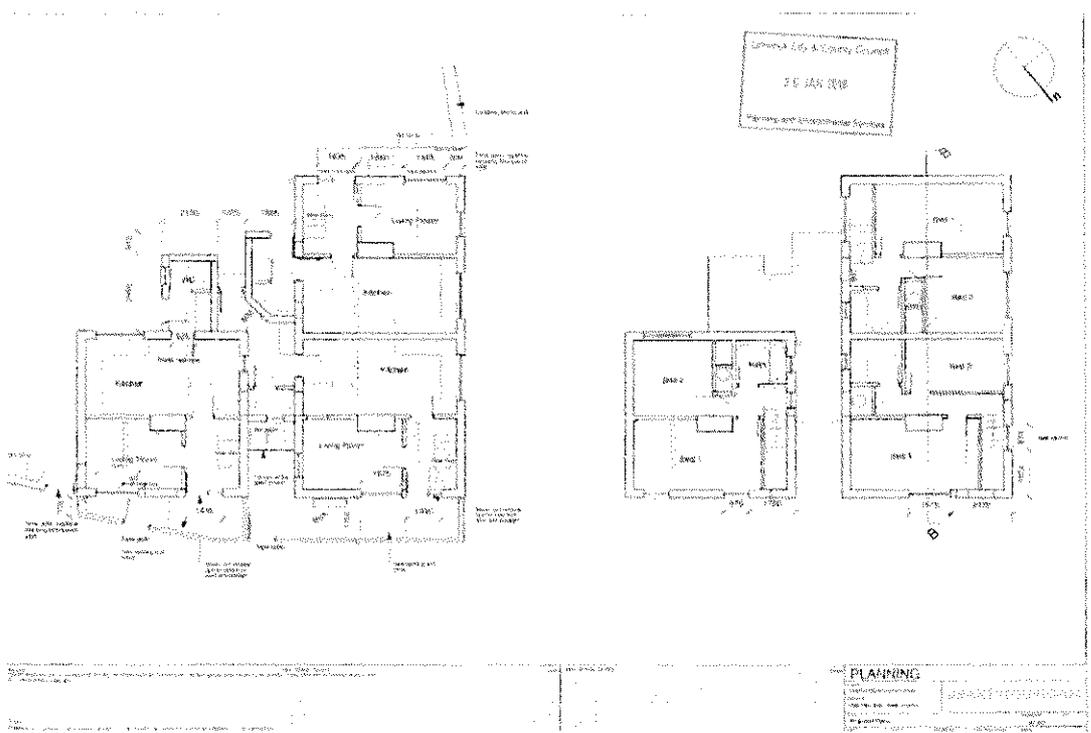
The plans and particulars went on public display from 29th of January, 2018 to 26th of February, 2018. Submissions and observations had to be submitted by 12th of March, 2018.

Location:



Site Layout:





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

Limerick City Development Plan 2010 – 2016*

The CDP sets out the following with respect to acceptable development in the location in question:

- Map 1 - Land Use Zoning – the site is identified for 1. City Centre Area land use;
- Map 1A – City Centre Zoning Objectives - the site is identified for City Centre Commercial Area;

Policy EDS.4

It is the policy of Limerick City Council to facilitate the regeneration agency in accordance with an approved master plan.

Policy EDS.6

It is the policy of Limerick City Council* to facilitate the regeneration agency in accordance with an approved master plan.

Policy H.2

It is the policy of Limerick City Council* to ensure that sufficient land is zoned to meet the housing requirements of the City over the lifetime of the Plan.

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.

Objective ZO.1 City Centre Area (CCA)

To support the retention and expansion of a wide range of commercial, cultural, leisure and residential uses in the City Centre as defined in the 2030 Economic and Spatial Plan.

Objective ZO.1 (B) City Centre Commercial Area (CCCA)

To support the retention and expansion of a wide range of commercial, cultural, leisure and residential uses in the commercial core area, (apart from comparison retail uses).

The Commercial Area reflects the commercial and employment zone of the City Centre extending from the City Centre Retail Area. All uses are permitted throughout the CCCA, except comparison retail uses, which are restricted to the City Centre Retail Area unless they serve a local need only.

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

3.1 Habitats Directive Project Screening Assessment

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

<p>Construction Phase: Yes</p> <p>Are effects significant? Yes</p> <p>Are substantial works required: Yes</p> <p>Are effects significant? No</p> <p>Operating phase effects:</p> <p>Are effects significant? No</p>	<p>Ex-situ effects:</p> <p>Are effects significant? No</p> <p>Run-off:</p> <p>Are effects significant? No</p> <p>Abstraction:</p> <p>Are effects significant? No</p> <p>Displacement:</p> <p>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>	Yes
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: <i>Lower river Shannon Sac site</i></p>	Yes
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</i></p>	Yes

		<i>Shannon Sac site</i>	
4	Impacts on birds in SPAs-	<i>Is the development within 1km of a Special Protection Area Name of site: River Shannon and River Fergus Estuaries</i>	Yes
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:	An AA Screening was submitted on file – No cumulative effects identified

An Appropriate Assessment Screening Report was submitted as part of this application.

The development has been subject to 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 (as amended). 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.

3.2 Land Acquisition

Limerick City & County Council is the owner of the site.

4.0 Submissions with respect to the proposed development

A total of 4 x No. written submissions/observations was received and are listed below:

LIST OF SUBMISSIONS RECEIVED	
SUB REF:	FROM:
1.	Environment Section, Planning and Environmental Services, LCCC – Received 12/03/18
2.	Irish Water – Received 26/01/18
3.	Roads Section, LCCC – Received 12/03/18
4.	Fire Authority, LCCC – Received 21/02/18

4.1 Submissions:

SUB (1) Environment Section, Planning and Environmental Services, LCCC

Submission Summary:

1. Environment Section requires a Refurbishment Demolition Asbestos Survey.
2. Site specific waste management plan from developer to include:
 - a) Authorised waste collection permit holders.
 - b) Authorised waste facilities.
 - c) Estimate of tonnages of wastes & types.

Design and Delivery Comments:

1. Asbestos Refurbishment Report attached.
2. A waste management plan will be submitted prior to commencement of the development.

Planning Authority Comments:

Noted and appropriate action to be attached.

SUB (2) Irish Water

Submission Summary:

1. Applicant to sign connection agreement to connect to public water/wastewater network
2. IW notes proposed connections will be subject to the constraints of IW CAPITAL Investment programme.
3. IW notes requirements of section 104 of 2007 Water Services Act
4. IW notes specifics in relation to individual connections and meters to individual dwellings, and notes access to water meter to be accessed in public areas.
5. IW notes specifics in relation to individual commercial premises are to have their own commercial meter.
6. IW notes their requirements for existing sewer connections.
7. IW notes the integrity, operation and access to their network shall not be compromised by the proposed development

- 8 IW notes the proposed development should not adversely affect the operation of the sewer & water main system of the neighbouring properties
- 9 IW notes all works to be in accordance with IW Technical Documentation.

Design and Delivery Comments:

General:

- 1) Item noted.
- 2) Item noted.
- 3) Item noted.
- 4) Item noted.
- 5) Item noted.
- 6) Item noted.
- 7) Item noted.
- 8) Item noted.
- 9) Item noted.

Planning Authority Comments:

Noted and an appropriate action to be attached.

SUB (3) Roads Section, LCCC

Submission Summary:

1. Roads requires a construction management and delivery plan prior to commencement of the works.
2. Roads require that all surface water run-off from the public road continue to be managed within the site boundary.
3. Road require that no surface water be allowed to discharge onto adjoining properties
4. Roads note that a road opening license will be required for any works on the public road.
5. Roads require Cycle parking in accordance with the City Development Plan.

Design and Delivery Comments:

1. Construction Management plan will be agreed prior to commencement of the development
2. Noted.
3. Noted.
4. Noted.
5. Noted.

Planning Authority Comments:

Noted and appropriate actions to be attached.

SUB (4) Fire Authority, LCCC

Submission Summary:

1. The fire Department note no objection to the application
2. The Fire Department note the requirement for separating compartment walls continued to the underside of the roof and fire stopped.

Design and Delivery Comments:

1. No Comments
2. Separating fire walls will be provided and will continue to the roof as required.

Planning Authority Comments:

Noted and appropriate action to be attached.

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

1. The development shall be carried out in accordance with the plans and particulars lodged with the application, on the 26/01/18, 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 interest of proper planning and public health and safety

3. Any galvanised metal railings, gates or fire escapes shall be finished in an appropriate colour and not left in a raw state.

Reason – In the interest of proper planning and visual amenity.

4. 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 26/01/18.

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

5. 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

6. 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

7. 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) $L_{A,T}$ (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) $L_{A,T}$ (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

- 8. 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

- 9. 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

- 10. 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

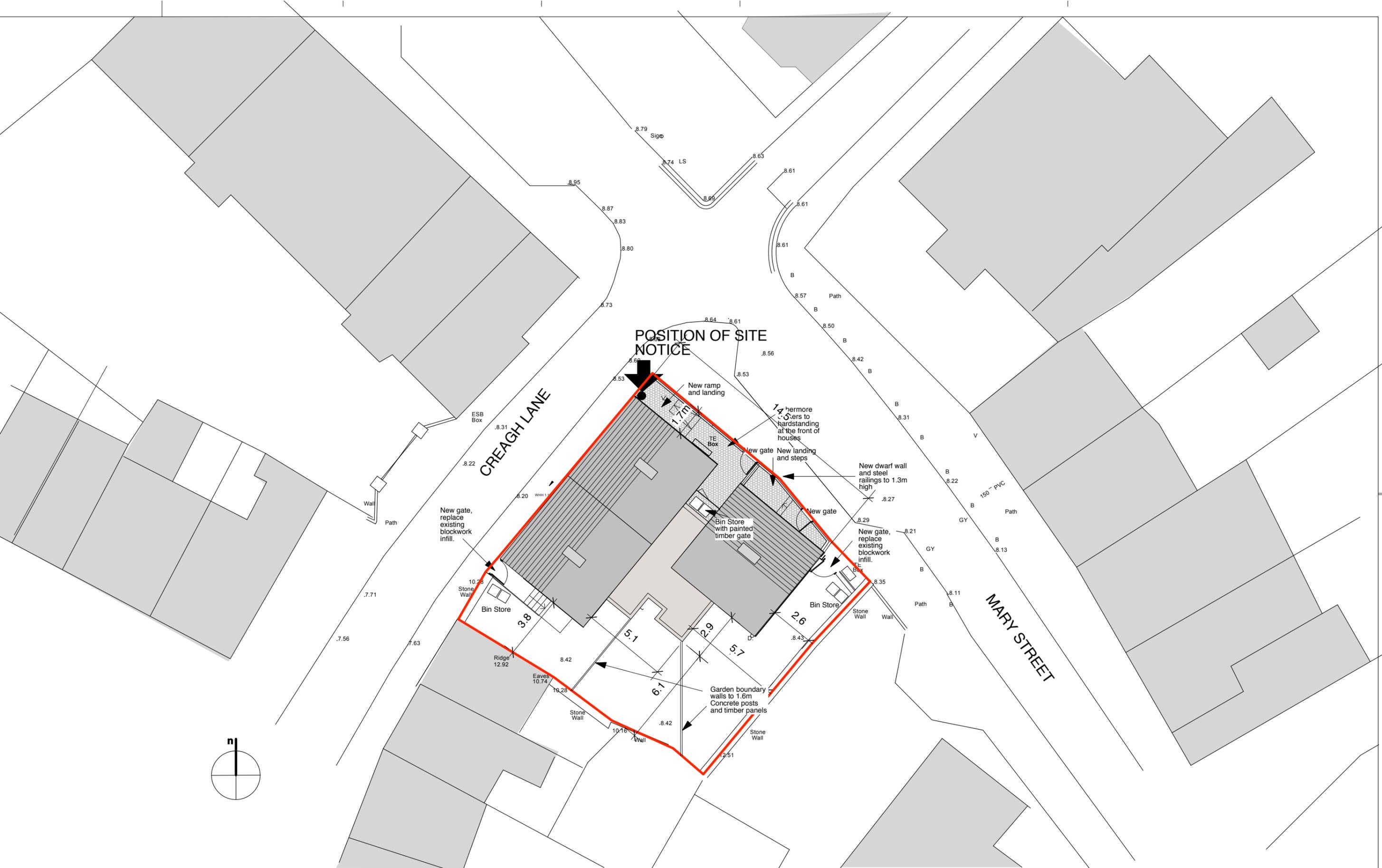
- 11. Prior to the commencement of this development the site developer or appointed contractor shall submit to Planning & Environmental Services for agreement in writing a site specific waste management plan for the recovery/disposal of all wastes arising from the demolition, refurbishment and/or construction 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

12. Any intruder alarms fitted on all dwellings in this development shall comply with European Standard EN51031. When an alarm is activated, it must sound for no more than 15 minutes

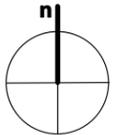
Reason – to minimise the perception of noise nuisance by the occupants of neighbouring properties and passers-by



POSITION OF SITE NOTICE

CREAGH LANE

MARY STREET



NOTES
 Figured dimensions only to be taken from this drg. All dimensions to be checked on site. All discrepancies to be brought to the attention of this office prior to commencement of work.
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REV. STAGE	NOTES	DATE	REV. STAGE	NOTES	DATE

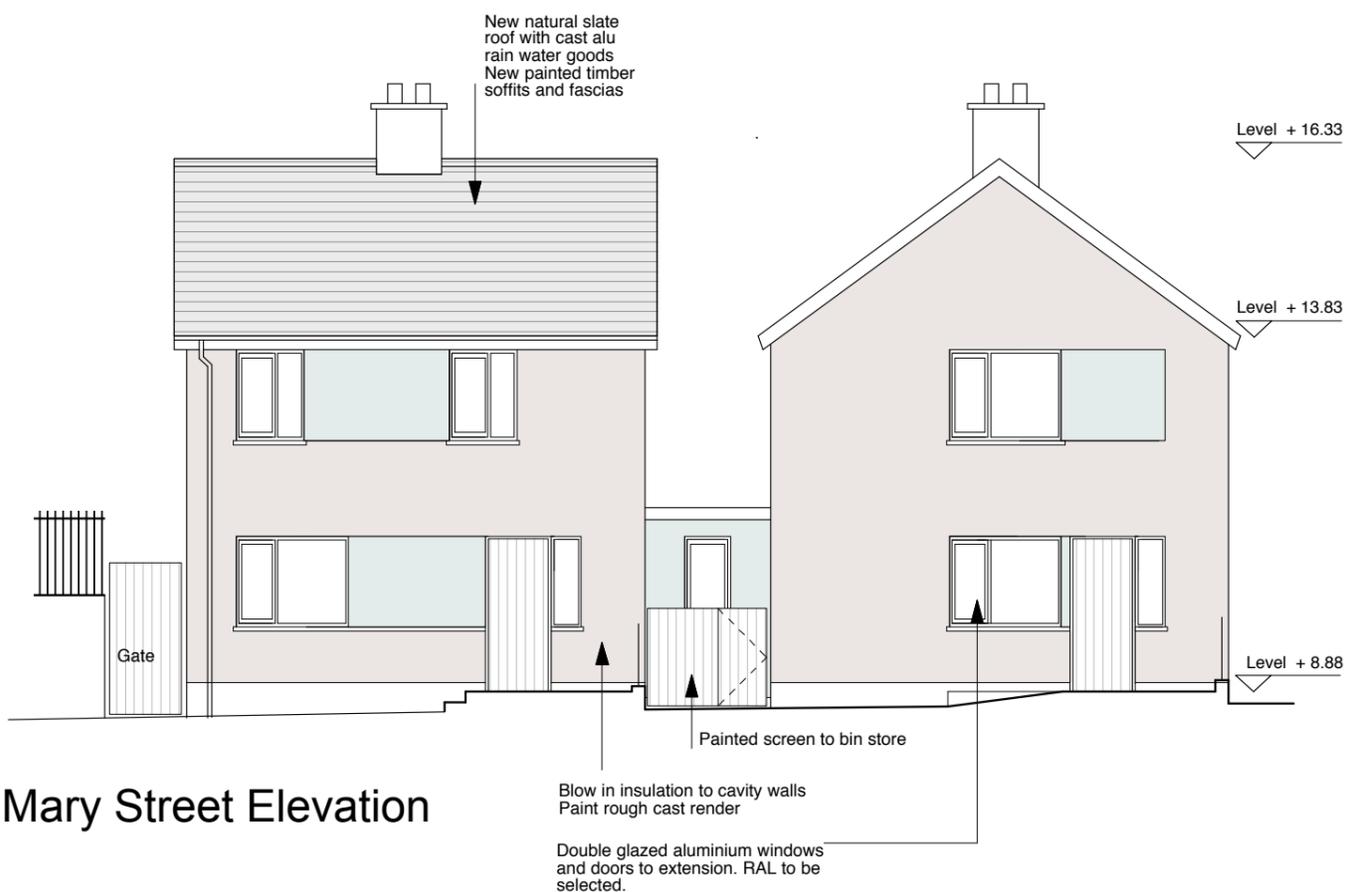
PLANNING

CLIENT:
Limerick City & County Council
 PROJECT:
Chas Flats, Mary Street, Limerick

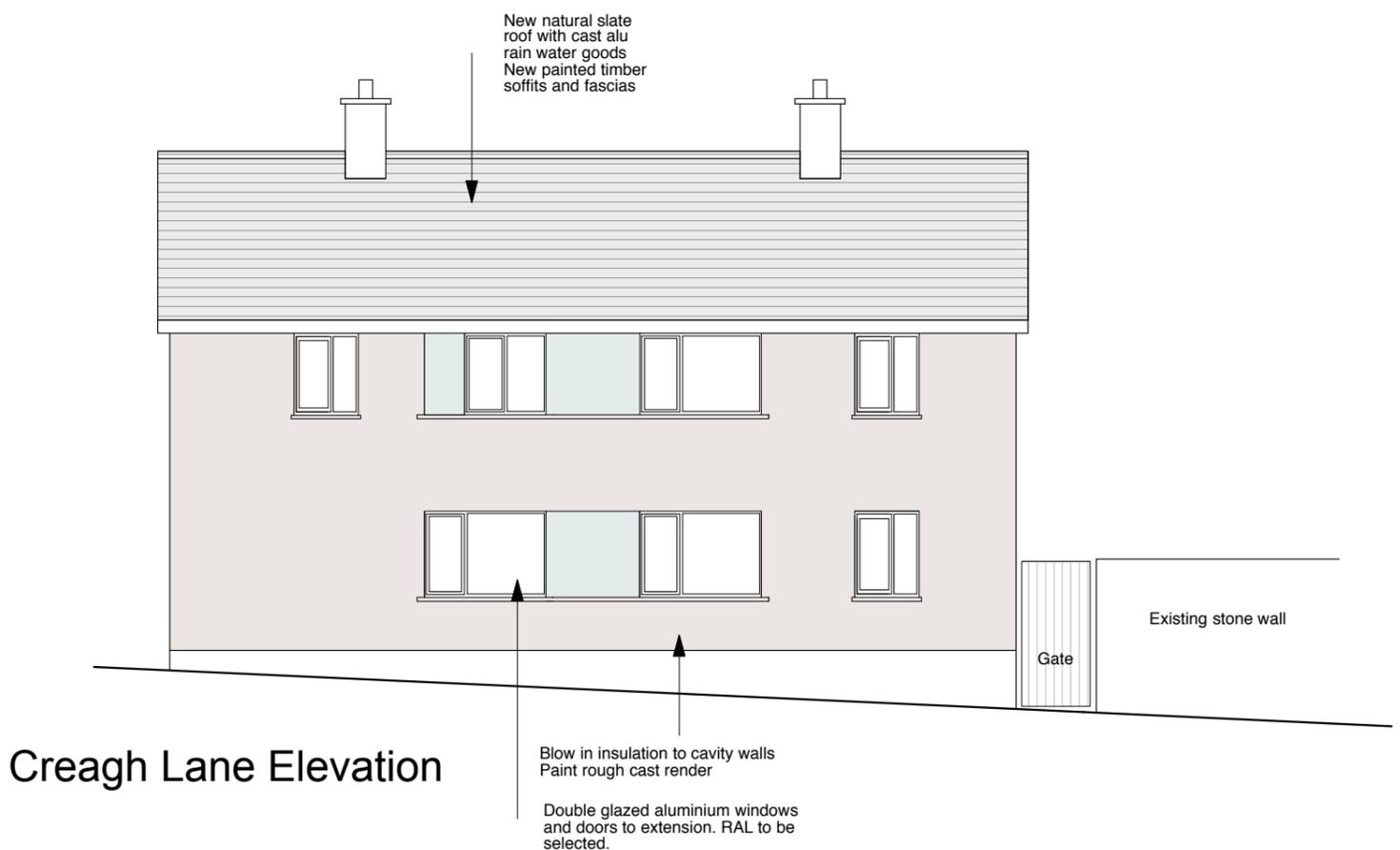


TITLE:
Site Location Plan
 DRAWING No.: 00-001
 Rev.:
 DATE: Jan 2018
 SCALE: 1:200 @A3
 DRAWN BY: Conor Hourigan
 PROJECT STAGE:
 JOB No.: 1618

Project Stage	1. SURVEY	2. SKETCH DESIGN	3. PLANNING APPLICATION	4. FIRE CERTIFICATE	5. TENDER DRAWINGS	6. CONTRACT DOCUMENT	7. CONSTRUCTION DRAWINGS	8. FINAL DRAWINGS	9. SUPERSEDED DRAWINGS
AP	SK	PP	FC	TR	CT	CN	FL	SS	



Mary Street Elevation



Creagh Lane Elevation

NOTES
 Figured dimensions only to be taken from this drg. All dimensions to be checked on site. All discrepancies to be brought to the attention of this office prior to commencement of work.
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REV. STAGE. NOTES	DATE

REV. STAGE. NOTES	DATE

PLANNING

CLIENT:
Limerick City & County Council

PROJECT:
Chas Flats, Mary Street, Limerick

TITLE:
Proposed Elevations 1

DRAWING No.: 00-008 Rev.:

DATE: Jan 2018 SCALE: 1:100 @A3 DRAWN BY: Conor Hourigan PROJECT STAGE: JOB No.: 1618



Project	1. APPRAISAL	2. SKETCH DESIGN	3. PLANNING APPLICATION	4. FIRE CERTIFICATE	5. TENDER DRAWINGS	6. CONTRACT DOCUMENT	7. CONSTRUCTION DRAWINGS	8. FINAL DRAWINGS	9. SUPERSEDED DRAWINGS
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