

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

Re: **Permission for the following:**

- (a) Provision of 14 x No. residential terraced units comprising 11 x No. two storey 2 bedroom housing units and a three storey block comprising 3 x No. 2 bedroom apartment units;
- (b) Provision of new on-street parrallel parking comprises 23 x No. spaces to Ballysimon Road and Greenhill Road and modification of existing footpaths;
- (c) Hard landscaping including; front privacy strip and bin stores to dwellings;
- (d) Soft landscaping including planting and trees;
- (e) Replacement of remedial works to existing boundaries with adjacent properties;
- (f) Provision of a new water connections, a foul sewer connection, and a surface water drainage system;
- (g) All associated site works.

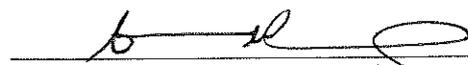
At: The junction of Blackboy Road & Greenhills Road, Limerick

Planning Reference No. 18/8001


Stephane Duclot
A/Senior Planner


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: 16/5/18

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. Action taken by Local Authority**

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

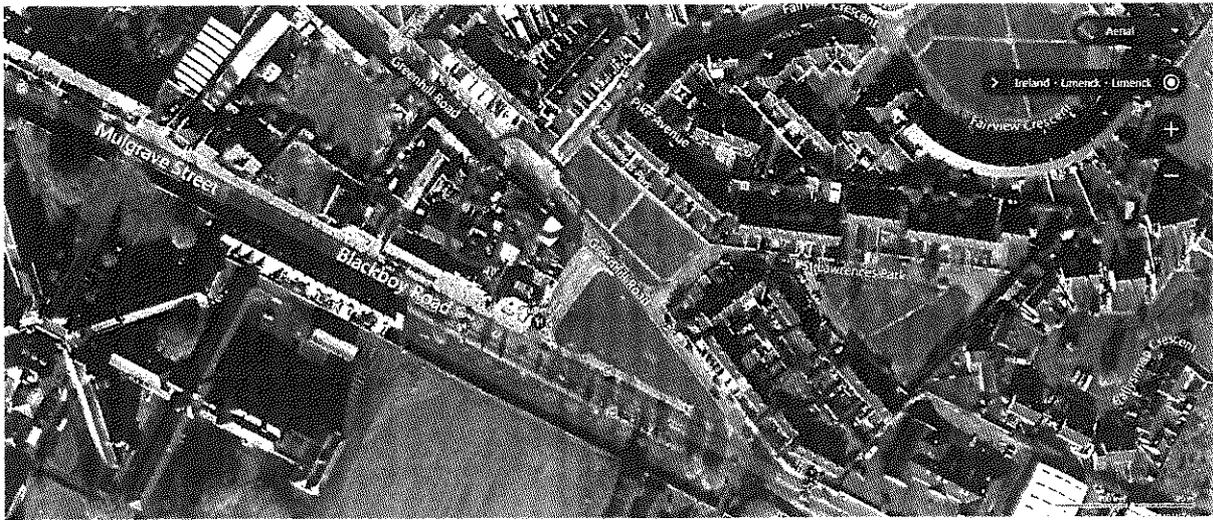
The proposed works will be carried out at the junction of Blackboy Road & Greenhills Road, Limerick. This is an existing fenced off brown field site that was cleared of buildings in 2017.

The proposed development includes the following:

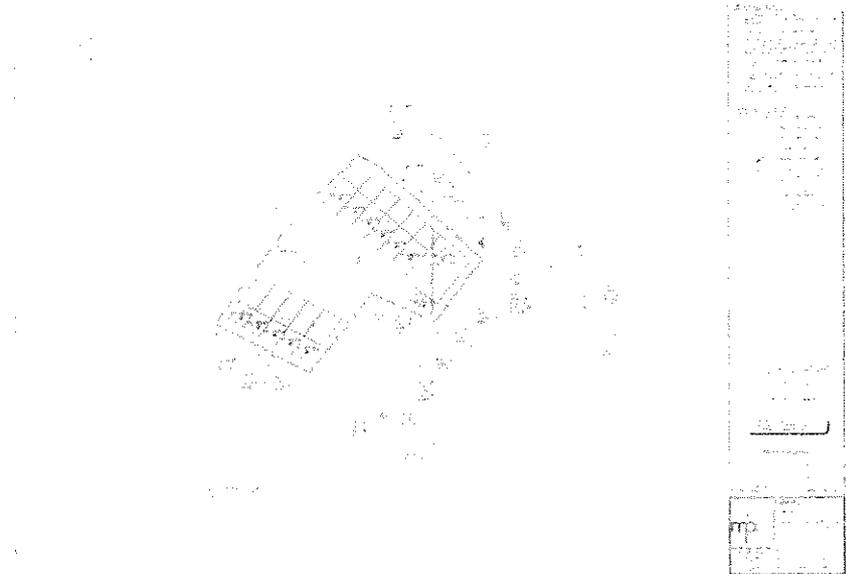
- a) Provision of 14 x No. residential terraced units comprising 11 x No. two storey 2 bedroom housing units and a three storey block comprising 3 x No. 2 bedroom apartment units;
- b) Provision of new on-street parrallel parking comprises 23 x No. spaces to Ballysimon Road and Greenhill Road and modification of existing footpaths;
- c) Hard landscaping including; front privacy strip and bin stores to dwellings;
- d) Soft landscaping including planting and trees;
- e) Replacement of remedial works to existing boundaries with adjacent properties;
- f) Provision of a new water connections, a foul sewer connection, and a surface water drainage system;
- g) All associated site works.

The plans and particulars went on public display from 7th of February, 2018 to 7th of Match, 2018. Submissions and observations had to be submitted by 22nd 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 Limerick City Development Plan sets out the following with respect to acceptable development in the location in question:

- Map 1 - Land Use Zoning – the site is identified for 2A Residential Land Use.
- Map 6 – Parking Zone – Zone 3

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.

**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: 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>	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:	An AA Screening was submitted on file – No cumulative effects identified

An Appropriate Assessment Screening Report was submitted as part of this application prepared by Openfield Ecological Services.

The development therefore 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).

3.3 Land Acquisition

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

4.0 Submissions with respect to the proposed development

A total of 7 x No. written submissions/observations was received and are listed below:

LIST OF SUBMISSIONS RECEIVED	
SUB REF:	FROM:
1.	Archaeological Department (LCCC) – Received 13/03/18
2.	Irish Water – Received 16/03/18
3.	Environmental Services Department (LCCC) – Received 16/04/18
4.	Mr. Don Maher – Received 16/03/18
5.	Ms. Pearl Walsh – Received 20/03/18
6.	Mr. Stephen Walsh – Received 20/03/18
7.	Roads Department, Operations & Maintenance Services (LCCC) – Received 09/05/18

4.1 Submissions:

SUB (1) Archaeological Department, LCCC

Submission Summary:

As the proposed development is on a brownfield site, no further archaeological mitigation is required. (See Appendix A)

Design and Delivery Comments:

No Issues Noted

Planning Authority Comments

Noted

SUB (2) Irish Water (IW)

Submission Summary:

General Observations:

1. Applicant to comply with all conditions as specified by IW;
2. Applicant to sign connection agreement to connect to public water/wastewater network;
3. IW notes proposed connections will be subject to the constraints of IW CAPITAL Investment programme;
4. IW notes requirements of section 104 of 2007 Water Services Act
5. IW notes all works to be in accordance with IW Technical Documentation.

6. IW notes the integrity, operation and access to their network shall not be compromised by the proposed development;

7. IW notes the proposed development should not adversely affect the operation of the sewer & water main system of the neighbouring properties

8. IW notes IW and LCCC require specific Engineering certification with specific PI insurance upon completion and taking in charge.

Water Supply:

1. 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;
2. IW notes requirements of pressure tests and certification of same;
3. IW notes requirements for bulk flow water meter in development with a demand that exceeds 20m³ per day;
4. IW notes no interference with water supply permitted;
5. IW notes that all valves are to be anti-clockwise close;
6. IW notes that sluice valves are to be added to the water main;
7. IW notes that HDPE or ductile iron to be used for the water main;

Foul Sewerage:

1. IW notes that each unit shall have their own 100mm service connection with inspection manhole;
2. IW notes that all gullies are to be trapped;
3. IW notes the Applicants Engineer shall ensure suitable ground conditions;
4. IW notes the details of certification by the Applicants Engineer on completion of the works;
5. IW notes their requirements in relation to CCTV survey and condition reports;
6. IW notes details in relation to sealed manhole covers

(See Appendix B)

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.

Water Supply:

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

Foul Water Supply:

- 1) Item noted.
- 2) Item noted.
- 3) Item noted.
- 4) Item noted.
- 5) Item noted.
- 6) Item noted.

Planning Authority Comments

Noted. Appropriate action to apply.

SUB (3) Environmental Services, LCCC

Submission Summary:

1. 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.

(See Appendix C)

Design and Delivery Comments:

Waste Management plan will be agreed prior to commencement of the development

Planning Authority Comments

Noted. Appropriate action to apply

SUB (4) Don Maher

Submission Summary:

1. The area of Mulgrave street originally consisted of a mix of private and public residential developments whereby the community worked together to keep control and it was a good area to raise a family.
2. In more recent times that the houses are now either in public ownership or let to tenants and a community co-operation has now disappeared.
3. There are no wardens or local activists to help or support private owners.
4. Facilities in the area are limited and the addition of 14 new units will exacerbate the current behaviour of some people.
5. There are no facilities for children in the area.
6. Antisocial behaviour is continuous in the area.
7. The development is too big and could compound antisocial behaviour.

8. The development will impact on the residential amenity and property values in the area.

(See Appendix D)

Design and Delivery Comments:

1. Comment Noted
2. Comment Noted
3. Comment Noted
4. Comment Noted
5. A number of large open space areas exist within the area. In particular the open space to the South East and North East of the proposed development.
6. Comment Noted
7. The scheme will provide a sense of scale to the street by continuing the existing building line provided by adjoining properties. The scheme will allow for overlooking and passive surveillance of surrounding streets and public areas through the elimination of blank gables and areas for anti-social activity.
8. The proposed scheme layout can be developed with an appropriate architectural treatment to provide a pleasant and secure residential environment. Increased passive surveillance will add to a greater sense of security in the area.

Planning Authority Comments

Noted. Appropriate action to apply.

SUB (5) Pearl Walsh

Submission Summary:

Concerns in relation to building heights, parking, overshadowing and overlooking. (See Appendix E)

Design and Delivery Comments:

Units 1 – 6 and 10 – 14, are 2 storey units. Units 7 - 9 form the 3 storey corner block on Greenhill road to the link arm road. The 3 storey block forms a strong urban edge at an exposed part of the site. Number of parking spaces have been provided. Building design has been carried out in accordance with the Limerick City Development Plan therefore distances in relation to overlooking have been adhered to.

Planning Authority Comments

Noted. Appropriate action to apply

SUB (6) Stephen Walsh

Submission Summary:

1. Concerns in relation to car-parking in the area
2. Concerns in relation to the density of the development
3. Concerns in relation to overshadowing and overlooking
4. There are no details of boundary walls
5. Concerns that the proposal would impact the gas, water, foul and rainwater sewerage.
(See Appendix F)

Design and Delivery Comments:

1. Number of parking spaces have been provided.
2. The development strategy for the site has been formulated in response to its proximity to commercial and community services and the residential nature of the proposed development. The building density achieved is a result of the building edge forming the boundary edge, and in addition all roads and parking are located outside the boundary perimeter.
3. Building design has been carried out in accordance with the Limerick City Development Plan therefore distances in relation to overlooking have been adhered to. The 3 storey unit has been located a sufficient distance from the takeaway to limit overshadowing.
4. Details of boundary walls have been provided in the Civil/Structural report.
5. All service connections will be carried out in accordance with LCCC, Irish Water, Bord Gáis and ESB requirements.

Planning Authority Comments

Noted. Appropriate action to apply.

SUB (6) Roads Section, Operations & Maintenance Services – LCCC

Submission Summary:

New residents would not have any eligibility for Resident Disc Parking Permits for on-street parking. The responsibility lies with the developer/new residents to provide for their car parking in off street car parks.

This condition also applies to infill development similar to the scheme at Mulgrave Street and whilst some on-street parking will be created as part of this development future road upgrade needs may result in the removal of this car parking to facilitate improved bus services or cycle lanes. Therefore there is no guarantee this parking will be available in a few years. Therefore it is recommended that the following conditions be attached to any planning consent on this site.

The residents of the new housing units granted as part of their planning permission (Insert Ref No) at Mulgrave Street/Greenhills road will have no eligibility to apply for Residents Disc Parking Permits for on street residents parking on any of the adjoining roads and therefore will be responsible for providing their own car parking.

Public Lighting - Any changes to the public lighting should be agreed with Derek Stundon in the Public Lighting Section. - Details to be submitted to the Roads Section prior to construction for agreement- **Condition**

Surface Water Disposal - The discharge rates must be designed for 4l/s as per the City Development Plan. - Details to be submitted to the Roads Section prior to construction for agreement- **Condition**

Revised surface water calculations are required that clearly demonstrates the storm water drainage pipe network are sized using the 1 in 5 year return period and for attenuation are designed to cater for a storm return period of a 1:30 year storm without surcharge and to cater for a 1:100 year storm without flooding. Water level results for the storm design should be submitted so that we can establish that sufficient freeboard on the finished floor levels to prevent flooding of the housing units. - Details to be submitted to the Roads Section prior to construction for agreement - **Condition**

ii. All surface water drainage pipes should have a minimum diameter of 225mm with the exception of road gully connections which can be 150mm in diameter. - Details to be submitted to the Roads Section prior to construction for agreement - **Condition**

iii. Each house shall have its own 100mm connection with inspection manhole to the public storm sewer on the public road. - Details to be submitted to the Roads Section prior to construction for agreement - **Condition**

iv. Pipe gradients between S1.1 to S1.2 has been indicated as 1/17 and S1.2 to S1.3 has been indicated as 1/17 which are outside normal parameters. -Revised details to be submitted to the Roads Section prior to construction for agreement - **Condition**

v. The longitudinal section indicates the storm water disposal system discharging into F1.4, this will require approval from Irish Water. – **Condition**

Design and Delivery Comments:

Comments noted.

Planning Authority Comments

Noted. Appropriate action to apply.

5.0 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 07/02/18 and the report received by the Planning Authority on 04/04/18, 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.

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_{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

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

13. The residents of this development will have no eligibility to apply for Residents Disc Parking Permits for on street residents parking on any of the roads adjoining this site.
Reason – In the interest of traffic safety

14. Any changes to the public lighting shall be agreed with Limerick City and County Council Roads Section – Maintenance & Operations Services in writing prior to construction.

Reason - In the interests of public safety and residential amenity

15. Surface Water Disposal –

- (i) The discharge rates shall be designed for 4l/s. Details to be submitted to the Limerick City & County Council Roads Section – Operation & Maintenance Services prior to construction for written agreement;
- (ii) Revised surface water calculations are required that clearly demonstrates the storm water drainage pipe network are sized using the 1 in 5 year return period and for attenuation are designed to cater for a storm return period of a 1:30 year storm without surcharge and to cater for a 1:100 year storm without flooding. Water level results for the storm design shall be submitted to provide sufficient freeboard on the finished floor levels to prevent flooding of the housing units;
- (iii) All surface water drainage pipes shall have a minimum diameter of 225mm with the exception of road gully connections which can be 150mm in diameter;
- (iv) Each house shall have its own 100mm connection with inspection manhole to the public storm sewer on the public road;
- (v) Pipe gradients between S1.1 to S1.2 has been indicated as 1/17 and S1.2 to S1.3 has been indicated as 1/17 which are outside normal parameters. Revised parameters shall be submitted accordingly for the written agreement of the Limerick City & County Council Roads Section – Operation & Maintenance Services.
- (vi) Storm water disposal system discharging into F1.4 will require approval from Irish Water.

Reason - In the interests of proper planning and development

16. 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

17. A 2 metre high privacy wall shall be constructed along the rear of the site and a 2 metre side dividing wall boundary shall be constructed between houses. The walls 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. Prior to commencement of development full details shall be submitted for the written agreement of the Planning Authority.

Reason - In the interest of privacy and residential amenity

