



Comhairle Cathrach
& Contae **Luimnigh**

Limerick City
& County Council

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

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

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31st August 2018

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

**Re: Part VIII Planning Report for the construction of 5 residential units at Kileely Road,
Thomondgate, 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,

JOE DELANEY

A/DIRECTOR OF SERVICES

CAPTIAL INVESTMENT 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) demolition of the existing bungalow,
- (b) provision of 5 no. residential units (2 no. 3 bed, 5 person units, 2 no. 2 bed 3 person unit, 1 no. 4 bed 7 person unit, universal access),
- (c) hard landscaping including replacement of existing footpaths, new entranceways, boundary treatments and boundary walls, parallel parking on adjacent road,
- (d) upgrading of foul sewers and surface water drainage
- (e) all associated site works

At: Kileely Road, Thomondgate, Limerick.

Planning Reference No. 18/8009


Irené McCormack
Executive Planner


Donogh O'Donoghue
A/ Senior Executive Planner


Stephane Duclot
A/ Director of Services
Services 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 6 of this report.


Pat Daly
Deputy Chief Executive
Limerick City & County Council

Date: 31. 8. 2018.

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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 Kileely Road, Thomondgate, Limerick. The site is located directly opposite Thomond Park. The development provides for the demolition of the existing detached single storey vacant dwelling on site and the erection of a terrace of 5 no. two storey dwellings and all associated site works. A structural report on the dwelling to be demolished has been carried out. The dwelling is of no architectural merit.

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

- (a) demolition of the existing bungalow,
- (b) provision of 5 no. residential units (2 no. 3 bed, 5 person units, 2 no. 2 bed 3 person unit, 1 no. 4 bed 7 person unit, universal access),
- (c) hard landscaping including replacement of existing footpaths, new entranceways, boundary treatments and boundary walls, parallel parking on adjacent road,
- (d) upgrading of foul sewers and surface water drainage
- (e) all associated site works

The plans and particulars went on public display from 9th July 2018. Submissions and observations had to be submitted by 7th August 2018.

Site location



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 2A Residential Land Use.
- Map 6 – Parking Zone – Zone 3

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.*

3.1 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: Are effects significant? No</p>	<p>Ex-situ effects: Are effects significant? No</p> <p>Run-off: Are effects significant? No</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	<p>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>	<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> Name of sites: Lower river Shannon Sac site.</p>	Yes
2	<p>Impacts on terrestrial habitats and species.-see area and disturbance/displacement effects above.</p>	<p><i>Is the development within 1km of a SAC site with terrestrial based habitats or species?</i> Name of site: Lower river Shannon Sac site</p>	Yes
3	<p>Impacts on designated marine habitats and species.</p>	<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> Name of site: Lower river Shannon Sac site</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	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 prepared by Openfield Ecological Services. The report concludes:

Conclusion and Finding of No Significant Effects

This study has found that the subject lands are not within or directly adjacent to any Natura 2000 area. While they are in the hydrological catchment of the River Shannon there are no impacts that can be considered significant with regard to the conservation objectives of either the Lower River Shannon SAC or the River Shannon and River Fergus Estuaries SPA.

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 3 No. written submissions/observations was received and are listed below:

No.	Name
1	Operations and Maintenance Services, Limerick City & County Council
2	Environment Section, Planning and Environmental Services, Limerick City & County Council
3	Irish Water

SUB (1) Operations and Maintenance Services, Limerick City & County Council

Submission Summary:

1. The Planning Report refers to attenuation tank being situated in the front gardens. The exact details & locations should be submitted to Operations Norths for approval.

Design and Delivery Comments:

2. Item noted.

Planning Authorities Comments:

Appropriate Actions to be attached

SUB (2) Environment Section, Planning and Environmental Services, Limerick City & County Council

Submission Summary:

1. Asbestos Survey to be submitted.
2. Prior to the commencement of works, a waste management plan shall be submitted.

Design and Delivery Comments:

1. Asbestos Report can be viewed in Appendix B
2. Item Noted

Planning Authorities Comments:

Appropriate Actions to be attached to address asbestos present in the roof to be attached.

SUB (3) Irish Water

Submission Summary:

General Observations:

1. Pre-connection query to be submitted.
2. Applicant to comply with all conditions as specified by IW.
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. Irish Water should be contacted for all watermain and foul sewer connections and Limerick City and County Council Operations Department contacted about surface water prior to the commencement of any construction works on site.
9. Limerick City and County Council/Irish Water will require certification from an Engineering Company

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 Digital as-built drawings to be provided.
- 4 IW notes requirements for bulk flow water meter in development with a demand that exceeds 20m³ per day.
- 5 IW notes that all elements of the watermain installed as per IW specification

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 that all elements of the foul installed as per IW specification
- 7 IW notes details in relation to sealed manhole covers
- 8 The applicant's proposal to connect to the Irish Water sewer network is to as per Irish Water Conditions and specifications.

Surface Water

1. No surface water is to enter the Irish Water foul sewer network.

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.

Water Supply:

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

Foul Water Supply:

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

Surface Water:

- 1) Item noted.

Planning Authorities Comments:

Appropriate Actions 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 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 9th July, 2018, 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 9th July 2018 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 it is proposed to connect to a public water/wastewater network operated by Irish Water, a connection agreement with Irish Water shall be signed prior to the commencement of any development on site and adhere to the standards and conditions set out in that agreement.

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

6. Prior to the commencement of any development on site the Applicant shall submit full design details on attenuation on site for the written agreement of the Planning Authority.

Reason: In the interest of orderly development and proper planning

7. 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.

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

8. 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

9. 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

10. 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

11. 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

12. 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

13. 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

14. Footpaths shall be dished at all road junctions. Kerblines shall match on either side of junctions.

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

15. 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

16. 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

17. All footpaths shall be a minimum of 1.8m wide.

Reason: In the interest of traffic and pedestrian safety

