

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

Re: Permission for the following:

- a) the demolition of 10 one storey single dwellings,
- b) construction of 27 residential units consisting of 2 x 2 bed apartments, 4 x 2 bed duplexes and 3 x 3 bed houses in a three-storey arrangement, and 5 x 2 bed apartments, 3 x 4 bed houses and 10 x 3 bed houses and in two-storey arrangements,
- c) vehicular and pedestrian access, roads, footpaths and
- d) 40 x car parking spaces, open space and soft landscaping to public and private amenity spaces, homezone and landscaped areas,
- e) boundary works including reconstruction and new boundaries, alteration & construction of new infrastructure and all associated site works

At: Dalgaish Park, Moyross, Limerick.

Planning Reference No. 19/8003


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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

Chief Executive

Limerick City & County Council

Date: 10th Sept 2019

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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

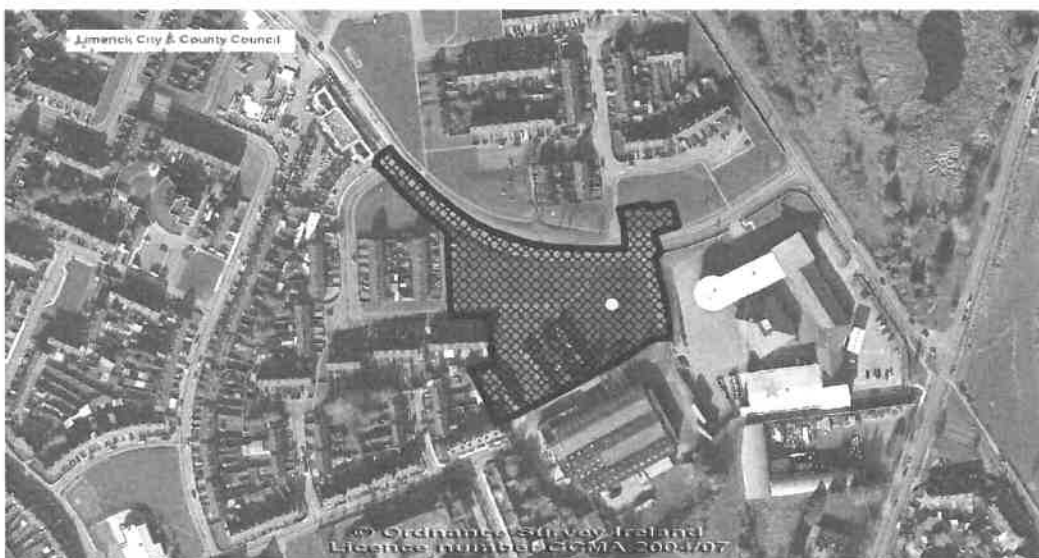
The proposed works will be carried out at Dalgaish Park, Moyross, Limerick. The site is located adjacent to Watch House Cross. The development provides for the demolition of the existing 10 number dwellings on site and the erection of 27 residential dwelling units and all associated site works. The dwellings for demolition are not of architectural merit.

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

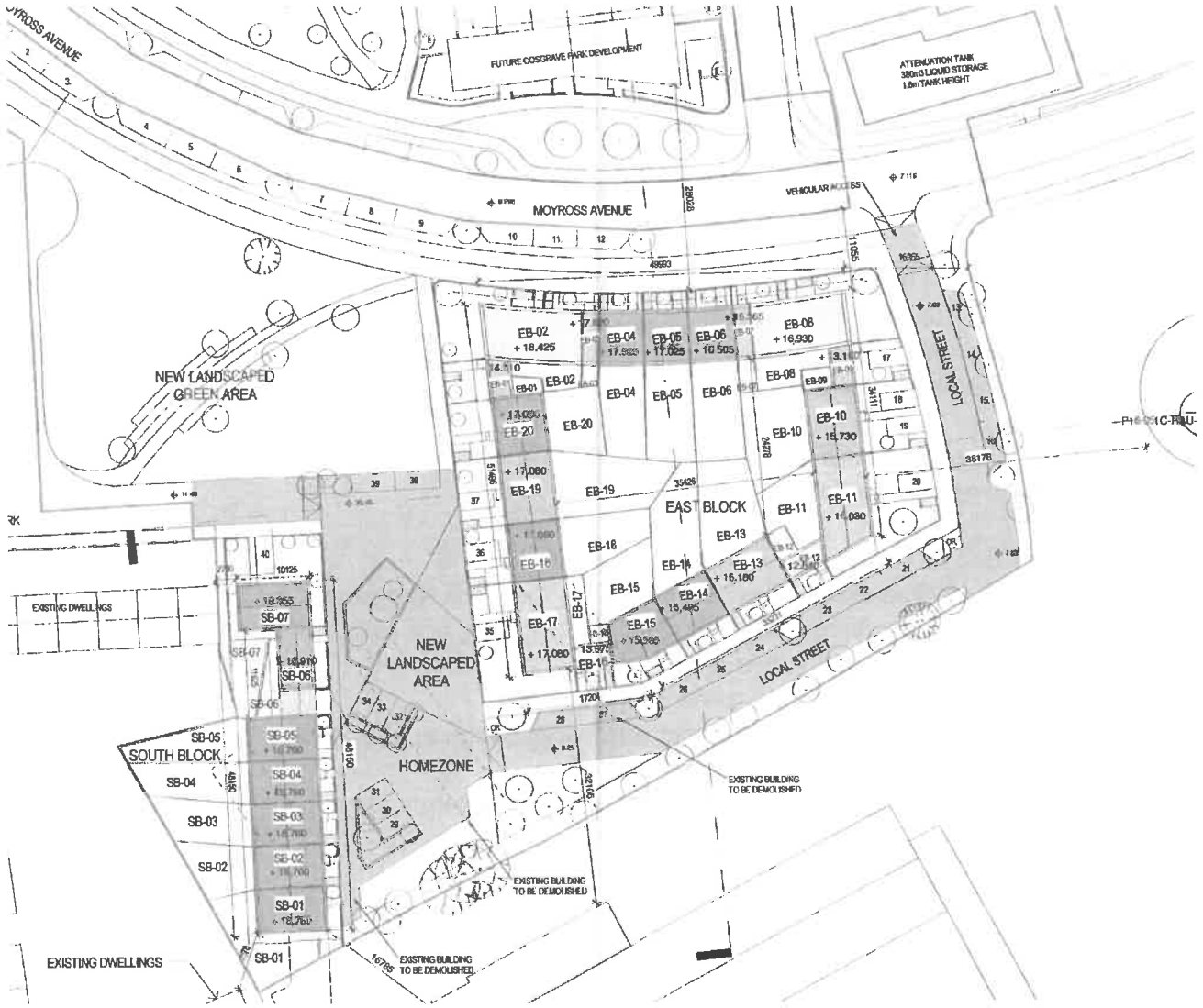
- a) the demolition of 10 one storey single dwellings,
- b) construction of 27 residential units consisting of 2 x 2 bed apartments, 4 x 2 bed duplexes and 3 x 3 bed houses in a three-storey arrangement, and 5 x 2 bed apartments, 3 x 4 bed houses and 10 x 3 bed houses and in two-storey arrangements,
- c) vehicular and pedestrian access, roads, footpaths and
- d) 40 x car parking spaces, open space and soft landscaping to public and private amenity spaces, homezone and landscaped areas,
- e) boundary works including reconstruction and new boundaries, alteration & construction of new infrastructure and all associated site works

The plans and particulars went on public display from 5th June 2019. Submissions and observations had to be submitted by 17th July 2019.

Site 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 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 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:</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.	<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: <i>Lower river Shannon Sac site.</i>	Yes
2	Impacts on terrestrial habitats and species.-see area and disturbance/displacement effects above.	<i>Is the development within 1km of a SAC site with terrestrial based habitats or species?</i> Name of site: <i>Lower river Shannon Sac site</i>	Yes
3	Impacts on designated marine habitats and species.	<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: <i>Lower river Shannon Sac site</i>	Yes
4	Impacts on birds in SPAs-	<i>Is the development within 1km of a Special Protection</i>	Yes

		<i>Area</i> Name of site: No site	
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 JBA Consulting Services. The report concludes: *“there will be no significant impacts on the Natura 2000 sites.”*

3.2 Environmental Impact Assessment Screening Report

An Environmental Impact Assessment Screening Report was submitted as part of this application prepared by JBA Consulting. The report concludes that *“the proposed scheme will not result in significant change in environmental conditions and that an EIAR is not required for this project.”*

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	Environment Section, Planning and Environmental Services, Limerick City & County Council
2	Central Services, Limerick City & County Council
3	Irish Water

Submissions: Pl Ref. 19/8003

SUB (1) Environment Section, Planning and Environmental Services, Limerick City & County Council

Submission Summary:

1. Requirement for a Refurbishment / Demolition Asbestos Survey to be completed in accordance with Section 8 of the HSA Asbestos Guidelines and issued to the Planning Authority,
2. Requirement for prior-to-commencement submission of a site-specific construction stage waste management plan to Planning and Environmental Services,
3. Proposals for storage and segregation of domestic waste provisions to be made to Planning & Environmental Services.

Design and Delivery Comments:

1. Refurbishment / Demolition Asbestos Surveys will be undertaken as a precursor to demolition works and can be copied to the Planning Authority if required.
2. The requirement for prior-to-commencement submission of a site-specific construction stage waste management plan to Planning and Environmental Services is noted.
3. Provisions are made within the front curtilage of each individual dwelling unit for secure and segregated waste storage facilities.

Planning Authorities Comments:

Noted. Appropriate Actions to be attached

SUB (2) Central Services, Limerick City & County Council

Submission Summary:

Submission in respect of the proposed raising the following matters to be taken account of:
Car Parking:

1. Noted that 40 spaces are proposed. Noted that parking spaces 1-9 are remote from the main body of the development while spaces 29 – 34 are difficult to access. Spaces could be repositioned.
2. Cross-section details of the homezone to be provided,
3. HGV reversing movements within the homezone area should be avoided,
4. Noted that car parking spaces should be in accordance with 'Traffic Signs Manual' and accessible car parking spaces in accordance with the 'Irish Wheelchair Association Best Practice Access Guidelines',
5. Sightlines at Moyross Avenue junction should be increased from 33m to 70m.

Roads & Footpaths:

1. Footpaths to be minimum 1.8m wide, continuous, finished in concrete, dished at junctions, crossing points, vehicular accesses (tactile paving required at crossing points) and be designed in accordance with 'TII Publications Footway Design' and 'Road Works Series 1100 Kerbs, Footways and Paved Areas'.
2. Junction radii to be in accordance with DMURS. Details of ramped junction with Moyross Avenue to be provided.
3. Ramps to be constructed of flexible material and not compromise access.
4. Requirement noted for road construction to be in accordance with 'Recommendations for Site Development Works for Housing Areas' and TII publication 'NRA Specification for Road Works Series 900 Road Pavement-Bituminous Materials'.
5. Requirement noted for new road surface to be tied in with existing road and any damage to existing road to be repaired in agreement with Limerick City & County Council.
6. Advance notification required for Limerick City & County Council supervision of any blacktop installations.
7. Gradients at proposed junctions to comply with 'Recommendations for Site Development Works for Housing Areas'.
8. Turning Areas and junction radii should be in accordance with 'Recommendations for Site Development Works for Housing Areas'.
9. All Road Markings to be in accordance with 'IS EN 1436 European Standard for Road Markings' and the 'Traffic Signs Manual'.
10. All Road Signs to be in accordance with 'IS EN 1436 European Standard for Road Markings' and the 'Traffic Signs Manual'.

11. All public interface works within the public domain will necessitate a Road Opening License being granted by Limerick City & County Council.

Public Lighting:

1. A Lighting Design layout for the proposed development is required and shall be designed (and signed) by a competent Lighting Design Engineer, in accordance with BS 5489:2013 and BS EN 13201:2003 and the specified detailed requirements of Limerick City & County Council's Central Services - Roads Department demonstrating a plot of light levels superimposed on the site layout, and supporting calculations, all to be submitted for agreement with the Planning Authority.

Surface Water Disposal:

1. Irish Water confirmations should be sought in respect of the proposed disposal of surface water into a combined sewer.
2. Irish Water to be contacted in respect of the proposed removal of existing combined sewers within the site.

General:

1. Requirement noted for as-built drawings to be provided upon completion of the development.

Construction Management & Delivery Plan:

1. Requirement noted for a Construction Management & Delivery Plan to be submitted and agreed with Limerick City and County Council's Road Area Engineer prior to construction of the development commencing.

Design and Delivery Comments:

Car Parking:

1. It is anticipated that 40 spaces represent more than adequate provision. It is noted that parking spaces 1-9 have the capacity to service demand within the adjoining proposed Cosgrave Park development and any extra over demand within Dalgaish Park. It is noted that parking spaces 29-34 are located within the homezone area and are accessible from alternative approaches.
2. Cross-section details of the homezone can be provided through the ensuing detail design process.
3. The homezone has been design to accommodate through passage of larger vehicles such as bin trucks and fire tenders.
4. Requirements noted for car parking spaces to be in accordance with 'Traffic Signs Manual' and accessible parking spaces to be in accordance with the 'Irish Wheelchair Association Best Practice Access Guidelines',
5. Sightlines at Moyross Avenue junction are designed at 33m. It is noted that the speed limit as defined in the Moyross / Ballynanty, *Road Traffic Bye-Laws Schedule 2016* is proposed to be restricted to 30 kilometres per hour. From the Design Manual for Urban Roads and Streets, 30 kilometres per hour equates to a design speed of 40 kilometres per hour, which requires a forward sight distance of 33m.

Roads & Footpaths:

1. Requirement noted for all footpaths to be minimum 1.8m wide, continuous, finished in concrete, dished at junctions, crossing points, vehicular accesses (tactile paving required at crossing points) and be designed in accordance with 'TII Publications Footway Design' and 'Road Works Series 1100 Kerbs, Footways and

Paved Areas’.

2. Requirement noted for junction radii to be in accordance with DMURS. Details of ramped junction with Moyross Avenue will be provided as part of a subsequent detail design submission.
3. Requirement noted for ramps to be constructed of flexible material and not compromise access.
4. Requirement noted for road construction to be in accordance with ‘Recommendations for Site Development Works for Housing Areas’ and TII publication ‘NRA Specification for Road Works Series 900 Road Pavement-Bituminous Materials’.
5. Requirement noted for new road surface to be tied in with existing road and any damage to existing road to be repaired in agreement with Limerick City & County Council.
6. Requirement noted for advance notification to be given to Limerick City & County Council to facilitate supervision of all blacktop installations.
7. Requirement noted for gradients at proposed junctions to comply with ‘Recommendations for Site Development Works for Housing Areas’.
8. Requirement noted for turning areas and junction radii to be in accordance with ‘Recommendations for Site Development Works for Housing Areas’.
9. Requirement noted for all Road Markings to be in accordance with ‘IS EN 1436 European Standard for Road Markings’ and the ‘Traffic Signs Manual’.
10. Requirement noted for all Road Signs to be in accordance with ‘IS EN 1436 European Standard for Road Markings’ and the ‘Traffic Signs Manual’.
11. Road Opening License requirement noted in respect of all interface works within the public domain.

Public Lighting:

1. The requirements of Operations Central are noted and further detail will be provided for approval by Operations Central through the detail design process.

Surface Water Disposal:

1. Refer to Design and Delivery comment at Item S.02 above regarding the disposal of surface water into an existing combined Irish Water sewer.
2. Noted that proposals have been furnished to Irish Water as part of a separate pre-connection enquiry. Further detail will be provided for Irish Water review as part of a further subsequent Connection Agreement application process.

General:

1. Requirement noted for as-built drawings to be provided upon completion of the development.

Construction Management & Delivery Plan:

1. Requirement noted for a Construction Management & Delivery Plan to be submitted and agreed with Limerick City and County Council’s Road Area Engineer prior to construction of the development commencing.

Planning Authorities Comments:

Noted. Appropriate Actions to be attached

SUB (3) Irish Water (IW)

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. IW 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:

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

Surface Water:

- 1) Item noted.

Planning Authorities Comments:

Noted. 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 2010-2016 (as extended)* 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 5th June, 2019, 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 5th June 2019 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. All aspects of the development shall comply with the details set out within the Irish Water Report on file dated 17/07/19.

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. 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. 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

12. 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

13. 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

14. 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

15. 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

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

Reason: In the interest of traffic and pedestrian safety

17. Prior to the commencement of any construction works the applicant to locate and protect any Irish Water services within the red-line boundary of the site. There shall be no building over water mains, common pipes, or sewers, and if found the applicant shall contact Irish Water with a proposal for altering at the cost of the applicant.

Reason: In the interest of orderly and sustainable development.

