

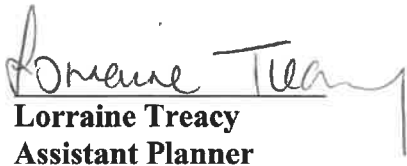
**PLANNING REPORT IN ACCORDANCE WITH
SECTION 179 3(a) OF THE PLANNING & DEVELOPMENT
ACT 2000 (as amended)**

Re: Permission for the following:

- i) The construction of 10no. housing units in 2no. two-storey terraces
- ii) Ancillary site works comprising of an access road, services, footpaths, parking, boundary treatment and landscaping works

At: Radharc Cillín, Kilfinane, Co. Limerick

Planning Reference No. 21/8013


Lorraine Treacy
Assistant Planner


Donogh O Donoghue
Senior Executive Planner


Nuala O'Connell
Senior Planner


Nuala Gallagher
Director of Services

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 7 of this report.


Dr. Pat Daly
Chief Executive
Limerick City & County Council

Date: 9.3.2012

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. Summary of key planning issues:**
- 6. Conclusion**
- 7. 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 development is located within Kilfinane, a tier 4 settlement as set out in the County Development Plan 2010 – 2016 (as extended). The site has an area of 0.42 and adjoins the existing Radharc Cillín residential development to the south. It is a greenfield site, which generally slopes from south to north, sloping down from the existing housing estate. The proposed development provides for 10 residential units comprising 8 dwellings and 2 apartments.

Under this planning application the Applicant, Local Authority Housing and Construction Maintenance, Limerick City & County Council proposes the following:

- i. The construction of 10no. housing units in 2no. two-storey terraces
- ii. Ancillary site works comprising of an access road, services, footpaths, parking, boundary treatment and landscaping works

The plans and particulars went on public display from 10th of December 2021 to the 4th of February 2022. Submissions and observations had to be submitted by the 4th of February 2022.

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

Limerick County Development Plan 2010 – 2016 (as extended).

The County Development Plan sets out the following policies and objectives with respect to acceptable development in the location in question:

Objective SS O1: Scale of development within tiers 2-6

To ensure that the scale of new housing developments both individually and cumulatively shall be in proportion to the pattern and grain of existing development and to ensure that the expansion of towns and villages shall be in the form of a number of well integrated sites within and around the core area rather than focusing on rapid growth driven by one very large site. In this regard, and without prejudice to other development plan policies or development management best practices, there will be a positive presumption for housing developments of the following scale or smaller within each tier, as appropriate:

- Tiers 2– 4: Generally no one proposal for residential development shall increase the existing housing stock by more than 10-15% within the lifetime of the plan.

Objective SS O2: Design of development within tiers 2-6

The design, layout and character of new development shall relate to the local character and heritage of existing towns and villages and shall enhance the existing village character and create or strengthen a sense of identity and distinctiveness of the settlement.

Objective SS O3: Capacity of town/ village to absorb development

Development of towns and villages shall be considered on the basis of its connectivity to the existing town / village core, capacity (infrastructural, social, cultural and economic), good design, community gain and proper planning and sustainable development.

Policy SS P9: It is the policy of the Council to support the sustainable development of tier 4 settlements.

Objective SS O12: Requirements for developments within tier 4 settlements

Within these settlements the Council shall facilitate development subject to compliance with objectives SSO1- SSO6 and the following:

- a) The scale of new residential schemes for development shall be in proportion to the pattern and grain of existing development. In this regard any development shall enhance the existing village character and create or strengthen a sense of identity and distinctiveness for the settlement.
- b) The development of these centres shall provide for serviced sites and a variety of other house types and densities as appropriate.
- c) New commercial developments shall generally be located within the core area and shall contribute positively to the village urban fabric and streetscape.
- d) New community and social facilities shall be provided in conjunction with residential development as required.

Kilfinane Local Area Plan 2012-2018 (as extended).

Zoning: The site is zoned 'Existing Residential' and 'Residential Development Area'.

Specific Objectives: There is a 'potential pedestrian/cycle routes/links' objective which applies to the site.

Objective H2: Residential Density, design, mix and phasing

It is an objective of the Council to:

- a) Ensure that proposals for residential development are planned coherently through the use of design briefs, master plans for larger landholdings, sustainability statements and social infrastructure assessments and any other supplementary documents deemed necessary by the Council.
- b) Promote the concept of a 'compact district' by encouraging appropriate densities in suitable locations and by resisting sporadic isolated developments.
- c) Require an average gross density of 22 units to the hectare on 'New Residential' zoned sites within the plan area.
- d) Ensure that the density of housing in any one location is appropriate to the housing type.
- e) Ensure a wide range of house types, sizes and tenures are provided to meet varying population requirements and needs.
- f) Ensure compliance with the objectives of the County Development Plan SSO1 to SSO7 inclusive.

Draft Limerick Development Plan 2022-2028

Zoning: The site is zoned 'New Residential'.

Objective KI O4 – Pedestrian/Cycling Connectivity

It is an objective of the Council to improve and create additional facilities for pedestrians and cyclists as opportunities arise as part of new developments, including the provision of a pedestrian link from Radharc Cillin housing estate to the secondary school.

3.1 Habitats Directive Project Screening Assessment

An Appropriate Assessment Screening Report was submitted as part of this application prepared by JBA Consulting. The report concludes: *"it can be concluded that the possibility of any significant impacts on the European Sites listed below, whether arising from the project itself or in combination with other plans and projects, can be excluded beyond a reasonable scientific doubt on the basis of the best scientific knowledge available."* Overall the planning authority is satisfied 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 EIA Screening

The proposed development is for the construction of 10 residential units and is the type of development included for under Schedule 5 of the Planning and Development Regulations 2001, as amended but is less than the threshold. The applicant has submitted an Environmental Impact Assessment Screening Report which examines whether a sub-threshold EIAR is required. It is determined the proposed development does not require an EIAR.

3.3 Land Acquisition

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

4.0 Submissions with respect to the proposed development

1 no. submission received.

Sub 1 : William Jacob, Martinstown, Kilmallock

Submission Summary:

- Advises of interest in respect of a proposed transaction relating to the project.

Housing and Construction Maintenance Comments:

The submission addresses a proposed transaction relating to the project. With respect to the response in the context of the planning process, the submission is noted and it is considered appropriate to proceed with the planning process presently.

Planning Authority comments:

Noted.

5.0 Summary of key planning issues:

Principle of Development

The proposed development is located on residential zoned land in Kilfinane (a Tier 4 settlement) as set out in the County Development Plan and Kilfinane LAP. The proposal provides for an extension to the existing Radharc Cillín housing estate. The proposal to construct 10 dwellings at this location is consistent with the policies and objectives of the County Development Plan 2016 – 2016 (as extended) and the Kilfinane Local Area Plan 2012-2018 (as extended).

Planning History

There are no previous planning applications on this site.

Topography

The subject site generally slopes from south to north, sloping down from the existing Radharc Cillín housing estate. From the most up to date flood map information, the site is not considered in an area at risk of flooding.

Layout

The proposed development is an extension of the existing Radharc Cillín housing estate, with a continuation of the access road being provided. The proposed units, open space area and car parking front this new road. The site is sloping and the proposed layout responds to the site contours and provides for permeability and surveillance. The proposed development has a density of c. 23.8 units / ha in accordance with the Kilfinane LAP.

The Kilfinane LAP and Draft Limerick Development Plan 2022-2028 contain specific objectives for a pedestrian / cycle route through the site, connecting to the secondary school. The proposed layout provides for links with adjacent land to support these objectives.

The proposal provides a good mix of units. The dwelling sizes and room sizes comply with the DoEHLG publication Quality Housing for Sustainable Communities (2007). Each unit is provided with a private garden / terrace and car parking. The proposed units are of high quality design and the corner units have a dual frontage for animation and surveillance. The dwellings are finished in painted render with a blue/black slate. Feature brick will be used on the front elevations for visual interest. Front boundary walls will consist of metal railings on low stub base brick walls. The existing mature hedgerow along the western site boundary is being retained as a rear boundary. Rear garden separating walls will consist of concrete posts with concrete/timber infill panels.

The proposed units will be served by the existing public open space area in Radharc Cillín and by the pockets of public open space within the proposed development.

Internal correspondence has been received from Central Services Section, Limerick City & County Council detailing specifications with respect to traffic and pedestrian layout, public lighting and surface water disposal. The applicant shall address same prior to construction. Appropriate action to apply.

6.0 Conclusion

The proposed development is considered to be acceptable in principle 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 and objectives of the *Limerick County Development Plan 2010- 2016 (as extended)* and the *Kilfinane Local Area Plan 2012-2018 (as extended)* and is therefore acceptable and in accordance with the proper planning and sustainable development of the area.

7.0 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 10th of December 2021, 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. Prior to commencement of development the applicant shall submit final specifications with regard to traffic and pedestrian layout, public lighting and surface water disposal layout for written agreement with the Planning Authority.

Reason: In the interest of orderly and sustainable development.

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. 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

5. The wheels and underside of all construction traffic leaving the site shall be cleaned, as required, to prevent soiling of public roads. 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

6. 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

7. 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