

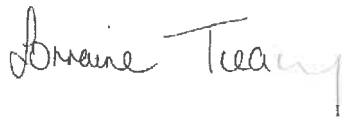
**PLANNING REPORT IN ACCORDANCE WITH
SECTION 179 3(a) OF THE PLANNING & DEVELOPMENT
ACT 2000 (as amended)**

Re: Permission for the following:

- i) The construction of 9no. housing units
- ii) Ancillary site works comprising of an access road, services, footpaths, parking, boundary treatment and landscaping works

At: Churchglen, Glennahaglish, Ballylanders, Co. Limerick

Planning Reference No. 22/8000



Lorraine Treacy
Assistant Planner



Nuala O'Connell
Senior Planner



Donogh O Donoghue
Senior Executive 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: 7. April. 2022.

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 Ballylanders, a tier 5 settlement as set out in the County Development Plan 2010 – 2016 (as extended). The site has an area of 0.62 and adjoins the existing Church Glen residential development, located to the south and east. It is a greenfield site, with a natural slope. The proposed development provides for 9 residential units comprising 5 houses and 4 duplex apartment units.

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

- i. The construction of 9no. housing units
- 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 4th of February 2022 to the 21st of March 2022. Submissions and observations had to be submitted by the 21st of March 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:

- Tier 5: Generally no one proposal for residential development shall be larger than 10-12 units. A limited increase beyond this may be permitted where demonstrated to be appropriate.

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.

Objective SS O4: Sequential growth of settlements

Where no specific zoning is identified for a settlement, new developments shall be within or contiguous to the core identified for each settlement, thus avoiding “leap frogging” of development and shall be designed so as to consolidate existing villages /towns and provide for the organic and sequential growth of the settlement. Infill and brownfield sites will be the preferred location for new development.

Policy SS P10: It is the policy of the Council to support the sustainable development of tier 5 settlements.

Objective SS O14: Development within tier 5 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 and shall be located within or immediately contiguous to the core area. 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) New commercial developments shall generally be located within the core area and shall contribute positively to the village street-scape.
- c) New community and social facilities shall be provided in conjunction with residential development as required.

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:

“Following this initial screening of a proposed housing development at Church Glen, Ballylanders, Co Limerick, it can be concluded that significant effects are not anticipated via surface water, groundwater, or land/air pathways on the following Natura 2000 sites:

- *Moanour Mountain SAC 002257*
- *Galtee Mountains SAC 000646*
- *Carrigeenamronety Hill SAC 002037*
- *Lower River Shannon SAC 002165*
- *River Shannon and River Fergus Estuaries SPA 004077”*

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 9 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

No submissions received.

5.0 Summary of key planning issues:

Principle of Development

The proposed development is located in Ballylanders (a Tier 5 settlement) as set out in the County Development Plan. The proposal provides contiguous growth of the existing settlement by providing an extension to the existing Church Glen housing estate. The proposal to construct 9 dwellings at this location is consistent with the policies and objectives of the County Development Plan 2016 – 2016 (as extended).

Planning History

There are no previous planning applications on this site.

Topography

The site is a greenfield site on a natural slope, which generally slopes downwards from the existing Church Glen housing estate to the north-western corner of the proposed site. 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 provides for 9 no. units in accordance Objective SS O1 of the County Development Plan which advises that generally no one proposal for residential development shall be larger than 10-12 units for Tier 5 settlements.

The proposed development is an extension of the existing Church Glen housing estate. The site has a natural steep slope, which has informed the layout of the proposed development. A continuation of the existing southern access road is proposed for vehicular access and a pedestrian route is proposed to link this new access road with the existing northern access road within the Church Glen estate, to provide permeability. The proposed access road terminates in a turning circle, with the potential to be extended to cater for future phases of development, if required.

The proposed dwellings will front the new internal routes and public open space area to provide surveillance. A single storey dwelling is proposed adjoining the existing single storey dwelling. The remainder of the dwellings are two storey to reflect the adjoining housing stock. Directly opposing first floor windows exceed the 22 metre separation distance requirement.

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. Rear garden separating walls will consist a mix of block walls and timber fencing.

The proposed units will front a substantial area of proposed public open space (c. 27% of site area) which is to be landscaped with native planting. The existing hedgerows adjoining the proposed public open space to the north and west are to be retained.

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.

Archaeological monitoring is to take place during construction.

6.0 Conclusion

The proposed development is considered 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 the policies and objectives of the *Limerick County Development Plan 2010- 2016 (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 4th of February 2022, 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. A 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.