



Comhairle Cathrach  
& Contae **Luimnigh**

**Limerick City**  
& County Council

Comhairle Cathrach agus Contae Luimnigh,  
Ceanncheathrú Chorparáideach,  
Cé na gCeannaithe,  
Luimneach

Planning, Environment & Place-Making Directorate,  
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5<sup>th</sup> September 2022

**To: The Cathaoirleach and Each Member of the Municipal District of Newcastlewest**

**Re: Part VIII Planning Report for: the construction of 10 No. Housing Units in  
O'Connor Park, Ardagh, Reerasta North, County Limerick**

A Chomhairleoir, a chara,

I enclose herewith the Chief Executive's 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 6 of this report.

Mise le meas,

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Caroline Curley

DIRECTOR OF SERVICES

HOUSING DIRECTORATE

Encl

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

**Re: Permission for the following:**

Permission for the construction of 10 no. housing units in addition to ancillary site works comprising of a new vehicular junction (with the R521), an access road, services, footpaths, parking, boundary treatment and landscaping units

**At: O'Connor Park Reerasta North Ardagh, Co. Limerick**

**Planning Reference No. 22/8013**

  
**Darragh Ryan**  
**Assistant 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 6 of this report.**

  
**Dr. Pat Daly**  
**Chief Executive**  
**Limerick City & County Council**

**Date:** 29/ Aug/ 2022

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## **1.0 Foreword**

This 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 proposal is for the construction of 10 no. housing units in addition to ancillary site works comprising of a new vehicular junction (with the R521), an access road, services, footpaths, parking, boundary treatment and landscaping units

The plans and particulars were placed on public display from the Friday 24<sup>th</sup> of June 2022 up to and including Friday 22<sup>nd</sup> of July 2022. Submissions and observations were invited up to the 8<sup>th</sup> of August 2022.

## **3.0 Key Policy Provisions**

### **Limerick Development Plan 2022 – 2028**

#### **Policy HO P1 Implementation of the Housing Strategy, including the Housing Need Demands Assessment**

It is a policy of the Council to facilitate the implementation and delivery of the Housing Strategy and Housing Need Demand Assessment (HNDA) 2022 – 2028, to meet the increasing projected population, changing household size and housing needs, including social and affordable housing requirements of Limerick over the lifetime of the Plan

#### **Objective HO O1**

##### **Social Inclusion**

It is an objective of the Council to ensure that new developments are socially inclusive and provide for a wide variety of housing types, sizes and tenure, in suitable locations, throughout Limerick, to cater for the demands established in the Housing Strategy and the Housing Need Demand Assessment.

#### **Objective CGR O20**

##### **Town and Village Revitalisation**

It is an objective of the Council to:

- a) Promote and support the renewal and revitalisation of rural town and village centres to enhance the vitality and viability of settlements as attractive residential and service centres.
- b) Support and work with State Bodies, private landowners, community and voluntary groups to successfully achieve the renewal and revitalisation of Limerick's towns and village centres, including projects to re-use vacant premises and underutilised sites, enhance the unique characteristics and assets of Main Streets and improve the public realm.

Ardagh is designated as a Level 5 Settlement with the Limerick Development Plan 2022-2028. The following objective therefore applies:

#### **Objective CGR O17 Development within Level 5 Settlements**

It is an objective of the Council within these settlements to facilitate development, subject to compliance with the following:

- a) The scale of new residential schemes shall be in proportion to the pattern and grain of existing development and shall be located within the development boundary, thus avoiding 'leap frogging' of

development and delivering compact growth and providing for the organic and sequential growth of the settlement. Infill and brownfield sites will be the preferred location for new 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) New commercial developments shall generally only be located within the core area and shall contribute positively to the village streetscape.

c) New community and social facilities shall be provided in conjunction with residential development as required.

d) The development of these centres shall provide for serviced sites and a variety of other house types and densities as appropriate.

e) Where there is no treatment plant or limited capacity in the existing treatment plant, sewerage treatment shall generally be by means of individual treatment systems, subject to satisfactory site assessment and compliance with EPA guidelines. All systems shall be constructed so as to allow connection to public sewers in due course when capacity becomes available.

### **Objective CGR O18 Scale of Growth for Level 5 Settlements**

It is an objective of the Council to ensure that, generally, no one proposal for residential development shall be larger than 5 – 7 units. A limited increase beyond this may be permitted where demonstrated to be appropriate, dependent on the extent of the settlement and the services in place to serve growth

### **3.1 Habitats directive project screening assessment:**

An Appropriate Assessment Screening Report has been undertaken for the proposed development by JBA Consulting. It is concluded beyond reasonable scientific doubt that there are no likely significant effects from the proposed development any of the European sites identified for consideration either alone or in combination with other plans or projects.

### **3.2 Environmental Impact Assessment Screening**

An EIAR screening report was undertaken for the proposed development by JBA Consulting. The development does not fall within any of the threshold requirements for a mandatory EIA as specified in Section 5 of the Planning and Development Regulations 2001 (as amended). The size of the development is limited, located within a modified environment, the development as proposed does not require the preparation of an Environmental Impact Assessment Report.

#### 4.0 Submissions with respect to the proposed development

##### **SUB (1) Con Enright**

###### **Submission Summary:**

With respect to the Part 8 application in O'Connor Park, the primary issue arising, relative to Mr. Enright's submission, is in relation to land ownership. As per Mr. Enright's submission, a parcel of land within the above folio is contested and Mr. Enright has highlighted that there is potentially an error in the Land Registry information and that it is in his ownership, rather than the County Council of the County of Limerick.

###### **Housing & Construction Maintenance**

LCCC Property and Community Facilities Staff have visited the site to carry out a survey and discuss the issue with Mr. Enright. From their initial assessment they believe that Mr. Enright may be correct in terms of ownership and they are in on-going discussions in terms of proof of ownership to resolve the issue. With respect to the implications of this alteration on the Part 8, it is worth noting the location of the parcel of land relative to the proposed site plan. Mr. Enright's submission relates to land that is located within the greater identified site area (blue outline) and not within the developable site boundary (red boundary). The resolution of issues raised in the submission should be addressed outside the scope of this Part 8 application

#### 5.0 Summary of Key Planning Issues

Ardagh is a designed settlement whereby under Objective CGR O17 and Objective CGR 18 of the Limerick Development Plan, residential development of a scale appropriate to the village is encouraged and facilitated. The proposed development consists of 10 number houses and forms a natural extension of the O'Connor Park Estate. Therefore and having regard to the infrastructural and service capacity of the village, is considered that the development is acceptable in principle.

The design follows the established pattern of development and provides for a mix of residential uses to meet the housing need identified.

The proposal has been supported by planning statement and environmental assessments which had addressed key material consideration of the proposal.

#### 6.0 Conclusion

It is considered that the proposed development is in accordance with the relevant objectives and policies set out in the Limerick Development Plan 2022 - 2028 and the proper planning and sustainable development of the area. The proposed development is considered to be acceptable in principle and it is recommend the development proceeds in accordance with plans and actions set out hereunder.

#### 7.0 Action taken by Local Authority

1. The development shall be carried out in accordance with the plans and particulars dated the 24<sup>th</sup> day of June 2022.

Reason - In order to clarify the development to which this permission applies.

2. 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

3. Final specifications with regard to traffic/pedestrian layout and surface water disposal layout shall be agreed with the Roads Section prior to the commencement of development.

Reason - In the interest of orderly and sustainable development.

4. All site works shall be carried out 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.

5. A Construction & Environmental Management Plan shall be prepared prior to commencement. This plan shall provide details of intended construction practice for the development, including surface water management, noise/vibration, traffic management and tree protection measures.

Reason - In the interests of public safety and residential amenity.

6. 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 shall be prepared. Waste Management Act 1996 (as amended).

Reason - In the interests of proper planning and sustainable development.