

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

Re: Permission for the following:

Construction of 24 no. single storey, dormer and two storey residential housing units. The unit mix comprises 8 no. 2 bedroom units, 11 no. 3 bedroom units and 5 no. 4 bed units. New roads running north-south and east-west connecting the development with Clarina Road and future proposed neighbouring developments, associated footpaths; 13 no. car parking spaces. Hard landscaping including; bin stores, privacy strip to front gardens, rear garden walls and installation of street lighting. Soft landscaping including; planting and trees. Construction of and/or remedial works to boundaries with adjacent sites. Construction of new watermain, new foul sewer connection, storm sewer, and surface water drainage systems. Connection to public utilities and all associated site works.

At: Barnakyle, Patrickswell, Co. Limerick.

Planning Reference No. 22/8017




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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: 29.11.22.

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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 development is located at Barnakyle, Patrickswell, Co. Limerick. The site has an area of 2.0 hectares. The proposed development provides for the construction of 24 dwellings.

Limerick City & County Council proposes the following:

The construction of 24 dwellings. The plans and particulars were placed on public display from 5th of September, 2022 to the 3rd of October, 2022. Submissions and observations were invited up to the 17th of October, 2022.

3.0 Key Policy Provisions

Limerick Development Plan, 2022-2028:

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

Patrickswell is a Level 4 Large Village (>500 population) in the settlement hierarchy. Following a survey of services and infrastructure and having regard to the unique situation in the village, the limited growth over a prolonged period and the location of the village in the Limerick Shannon Metropolitan Area (in Limerick), a growth target of 36% has been incorporated into the Core Strategy. Development in Patrickswell shall accord with the objectives for the Level 4 Large Village settlements as set out under Section 2b below, with the exception of projected growth.

Objective CGR O15 Requirements for Developments within Level 4 Settlements

It is an objective of the Council within these settlements to facilitate development, subject to compliance with the following: a) 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. Generally, no one proposal for residential development shall increase the existing housing stock by more than 10 – 15% within the lifetime of the Plan, unless the applicant can demonstrate that the settlement has adequate capacity in terms of both physical and social infrastructure to support additional growth. 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. e) Where there is no treatment plant or limited capacity in the existing treatment plant, sewerage treatment for serviced sites 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 O16 Local Area Plans in Level 4 Settlements

It is an objective of the Council to review existing and prepare new Local Area Plans for Adare, Askeaton, Croom and Patrickswell, to align with the Limerick Development Plan 2022 – 2028.

2.7 Core Strategy Policies and Objectives

Policy CS P1 Core Strategy Implementation

It is a policy of the Council to implement the Core Strategy for Limerick to ensure consistency with policies at a national and regional level, in particular population targets and distribution.

Policy CS P2 Compact Growth

It is a policy of the Council to support the compact growth of Limerick City Metropolitan Area, towns and villages by prioritising housing and employment development in locations within and contiguous to existing City and town footprints where it can be served by public transport and walking and cycling networks, to ensure that development proceeds sustainably and at an appropriate scale, density and sequence, in line with the Core Strategy Table 2.7.

Patrickswell Local Area Plan 2015-2021 (as extended)

Land Use Zoning – Residential Development Area (Phase 1) & Open Space & Recreation

New Residential

This zoning provides for new residential development and other services associated with residential development. While housing is the primary use in this zone, recreation, education, crèche/playschool, sheltered housing and small corner shops are also envisaged, subject to the preservation of neighbouring residential amenity. Permission may also be granted for home based economic activity within this zone, subject to the preservation of residential amenity, traffic considerations.

Open Space and Recreation

The purpose of this zoning is to protect, improve and maintain open space and recreational areas.

Strategic Policy for Housing

Policy H1

It is the policy of the Council to provide appropriately zoned lands to cater for the sustainable growth of Patrickswell town and to ensure that all residents can enjoy a safe and accessible environment.

Policy H2

It is the policy of the Council that quality shall underpin all new development by creating and maintaining a sense of place and local distinctiveness in established and new development areas.

4.2 Residential density, design, mix and phasing

Future residential development is required to be of a good quality design, accommodate a mixture of house types and integrate with the existing town. To assess future proposals for residential development, developers will be required to submit as part of the planning application, detailed design briefs, sustainability statement and social infrastructure assessment (SSSIA) as required by the County Development Plan.

Objective H1: New Housing

(a) It is an objective of the Council, on serviced land that is zoned 'Residential Development Area', to facilitate residential development in accordance with the principles and guidelines of the 'Design Manual for Urban Roads and Streets' (2013), the 'Sustainable Residential Development in Urban Areas' (2009), the accompanying Urban Design Manual, 'Quality Housing for Sustainable Communities' (2007) and the policies, objectives and Development Management Standards contained in the Limerick County Development Plan, 2010-2016.

(b) It is an objective of the Council to promote the provision of community and other facilities such as childcare as an integral part of new developments.

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, masterplans for larger landholdings where proposals involve the partial development of landholdings if appropriate, 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.
- g) Ensure development of sites in Phase 2 can only proceed when at least 50% of all development in New Residential zoned Areas Phase 1 is completed.

Objective H6: Social Housing and Joint Housing Strategy

It is an objective of the Council in compliance with Objective HOU O2 of the County Development Plan, to

- a) Require that developers comply with Part V of the Planning and Development Act 2000 (as amended).
- b) Require developers to provide social housing on all lands zoned for residential use, in accordance with the 'Joint Housing Strategy for the Administrative Areas of Limerick City and County Councils and Clare County Council' and any subsequent document.

3.1 Habitats Directive Project Screening Assessment

An Appropriate Assessment Screening Report has been undertaken by Openfield Ecological Services for the proposed development. Their report concluded 'that significant effects are not likely to arise, either alone or in combination with other plans or projects to the Natura 2000 network.' 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 either alone or in combination with other plans or projects and therefore a Stage 2 NIS is not necessary.

3.2 Environmental Impact Assessment Screening

An EIAR screening report has been undertaken for the proposed development. The proposed development is for the development of a 24 dwellings on a greenfield site, and this is not a type of development included for under Schedule 5 of the Planning and Development Regulations 2001, as amended. The development as proposed therefore does not require the preparation of an Environmental Impact Assessment Report.

4.0 Submissions with respect to the proposed development

6 no. submissions were received and are listed below:

No	Name
1	Barry Foley
2	Irish Water
3	OPW
4	Joanna O'Connor
5	Cllr. Dan McSweeney
6	Punch Consulting Engineers

SUB (1) Barry Foley

Submission Summary:

1. Request for the construction of a six-foot concrete wall between the property of Mr foley and site.

Housing Construction Comments:

1. A meeting took place with Mr Foley and it was agreed that LCCC would install planting to the rear of Mr Foleys property in order to ensure his privacy.

Planning Authority Comment:

Response noted.

SUB (2) Irish Water (IW)

Submission Summary:

1. The Applicant shall sign a connection agreement with Irish Water prior to the commencement of the development and adhere to the standards and conditions set out in that agreement.
2. Where the applicant proposes to connect to the public water / wastewater network, they shall ensure that there will be no negative impact to any of Irish Water assets and/or infrastructure which may be in proximity to the development.
3. All development is to be carried out in compliance with Irish Water standards, codes and practices.
4. Irish Water does not permit any built over of its assets and separation distances a per Irish Water Standards, Codes and Practices must be achieved.

Housing Construction Comments:

General:

- 1) Item noted. LCCC will enter in required agreements.
- 2) Item noted.

- 3) Item noted.
- 4) Item noted. No IW assets in the vicinity of proposed buildings. Separation distance will be maintained.

Planning Authority Comment:

Response noted.

SUB (3) OPW

Submission Summary:

1. A 5m wide strip of land running parallel with Channel no. C1/10/4 should be provided and should not be landscaped in order to provide for access to allow maintenance.
2. A section 50 consent is required from the OPW.

Housing Construction Comments:

1. A minimum width of 5m has been provided.
2. A section 50 consent will be applied for prior to any works being carried out to the culverted stream.

Planning Authority Comment:

Response noted.

SUB (4) Joanna O'Connor

Submission Summary:

1. Requested a finished final simple coloured drawing showing boundary fence, footpath, entrance access to proposed building site, and foliage, boundary fence and river at the end of her property as she is unqualified to interpret architectural drawings.

Housing Construction Comments:

1. Drawings submitted as part of the planning application details all the items requested by Ms O'Connor, including all existing properties adjacent to the proposed development.

Planning Authority Comment:

Response noted.

SUB (5) Cllr. Dan McSweeney

Submission Summary:

1. Cllr McSweeney requests that Limerick City and County Council address the need for affordable purchase homes as part of this scheme.

Housing Construction Comments:

1. Limerick City and County Council agree to engage with the Department of Housing to ascertain the availability of funding for affordable housing.

Planning Authority Comment:

Response noted.

SUB (6) Punch Consulting Engineers

Submission Summary:

1. Dicerós permitted development allows for a road connection to the proposed development.
2. Dicerós permitted development allows for surface water sewer connection through the proposed development to the existing stream.
3. Dicerós permitted development allows for foul water sewer connection through the proposed development to the existing foul water sewer.
4. Given the Topography of the land, there will be a level difference between the finished floor level of the Dicerós development and the proposed development.
5. Available services to be provided to facilitate connection to the Dicerós permitted development.

Housing Construction Comments:

1. Dicerós should satisfy themselves that the roads layout proposed (Drawing 18001 – 0007) allows for a connection to the proposed development. LCCC will be happy to provide required layouts.
2. Dicerós to ensure that all surface water pipework has been installed through the proposed development, as permitted under Pl. Ref. 18/346, prior to the completion of the proposed development. Excavation of completed roads in the proposed development will not be permitted.
3. Dicerós to ensure that all foul water pipework has been installed through the proposed development, as permitted under Pl. Ref. 18/346, prior to the completion of the proposed development. Excavation of completed roads in the proposed development will not be permitted.
4. LCCC Housing Construction are happy to meet with Dicerós and await their request to discuss proposals. It should be noted that on completion of the Part 8 process, detailed design stage will commence.
5. Funding for the proposed development has been provided by the Department of Housing and is therefore public monies. LCCC will not be providing any additional services other than services required to complete the proposed development. Dicerós are responsible for providing all services required to successfully complete their development.

Planning Authority Comment:

Response noted.

5.0 Summary of key planning issues:

Principle of Development

The proposed development is located on lands zoned 'Residential Development Area Phase 1' with the green area located on lands zoned for 'Open Space & Recreation' in the Patrickswell Local Area Plan, 2015 - 2021. The site is in walking distance to the village centre. The proposal provides for the development of 24 x No. single storey, dormer and two storey residential housing units (8 x No. 2 beds, 11 x No. 3 beds and 5 x No. 4 bed). A Part 8 application under Planning Ref 18/8012 was granted on this site for 24 units. This revised Part 8 application has been submitted as the proposed unit type mix has been revised. Overall the proposal at this location is consistent with the policies and objectives of the Patrickswell Local Area Plan and the Limerick Development Plan, 2022-2028.

Topography

The subject site slopes gently away from the public road and footpath and is currently agricultural lands surrounded by mature hedgerows and trees. There are a number of existing detached dwellings along the western boundary that front onto the public road and the Barnakyle housing estate is to the south of the site.

Layout

The site is a long narrow wedge stretching north-south and located at the north-east part of Patrickswell Village. The proposed dwellings are all located along the eastern site boundary. A green wedge that incorporate a walkway and existing hedge line and trees is located along the western part of the site. Planning permissions are in place under Planning References 17/1083 and 18/346 for a residential development on lands to the east of the site. Access from the site to the public road, will also facilitate these planning permissions. The proposed development is a high quality design and finishes are considered acceptable. Landscaping Plan includes a communal open space area to the front of the scheme, visitor bicycle parking and the planting along the western boundary to augment to the existing hedge line. The layout has substantially remained the same as permitted under 18/8012. The main changes are the configuration of the dwellings, types and sizes. The number proposed at 24 units has remained the same.

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 Development Plan 2022-2028 and the Patrickswell Local Area Plan 2015-2021 (as extended). It is therefore acceptable and in accordance with the proper planning and sustainable development of the area as a whole.

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 5th of September, 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. 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. 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

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

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

