

An
Coimisiún
Pleanála

Direction
CD-020995-25
ABP-317106-23

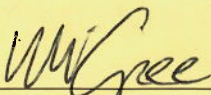
The submissions on this file and the Inspector's report were considered at a meeting held on 17/10/2025.

The Commission decided to refuse permission, generally in accordance with the Inspector's recommendation, for the following reasons and considerations.

Planning

Commissioner:

Date: 17/10/2025


Liam McGree

DRAFT WORDING FOR ORDER

Reasons and Considerations

1. Based on the information provided with the application and appeal, including the plans, particulars and revised Natura Impact Statement received on the 28th of November 2024, the Commission is not satisfied that the proposed development would not adversely affect the integrity of European sites, the Lower River Shannon SAC (Site Code 002165) and River Shannon and River Fergus Estuaries SPA (Site Code 004077) in view of the sites' conservation objectives. This conclusion is based on the lack of certainty regarding any hydrological, hydrogeological or other impacts, either by way of surface water or groundwater, from the proposed development on the nearby turlough (pNHA Loughmore Commons Turlough) and thereby any consequent impacts on Loughmore Canal and the Barnakyle and Mague river systems, which discharge to European sites.

In addition, this conclusion is also based on the lack of certainty regarding the use of the appeal site by Qualifying Interests of the River Shannon and River Fergus Estuaries SPA (Site Code 004077) and any potential consequent disturbance effects to same, such that reasonable doubt remains as to the actual effects of the proposed development on the conservation objectives and site integrity of the protected sites and species.

2. The proposed development is located in very close proximity to Loughmore Common Turlough (Site Code 000438), a proposed Natural Heritage Area (pNHA). Having regard to all information on file, including information received on the 28th of November 2024, the Commission is not satisfied that it has been adequately demonstrated that the proposed development would not result in any hydrological, hydrogeological or other impacts on Loughmore Common Turlough pNHA, either by way of surface water or groundwater. The proposed development would not, therefore, comply with Section 3.4.3.8 of the Limerick Development Plan 2022-2028 which states *inter alia* that the Mungret Framework will have cognisance of the environmental assets in the area including Loughmore Common pNHA. The proposed development would, therefore, be contrary to the current Development Plan and to the proper planning and sustainable development of the area.

Note: Having regard to the fact that the subject site is zoned 'to provide for new residential development in tandem with the provision social and physical infrastructure' in the Limerick City and County Development Plan 2022-2028, the Commission was satisfied that the principle of residential development on the subject site was acceptable, subject to appropriate safeguards to protect the area's established environmental and historical assets, including Loughmore Common proposed Natural Heritage Area. For that reason, the Commission concluded that the two additional reasons for refusal as recommended in the inspector's original report dated 15th of October 2024 could have been addressed by appropriate conditions of planning permission.

Please circulate copy of this Direction with the Order.