

An
Coimisiún
Pleanála

Direction
CD-021055-25
ABP-321993-25

At a meeting held on 23/10/2025, the Commission considered

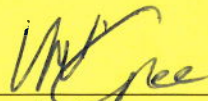
- (a) the documents and submissions on file generally
- (b) the objections made to the proposed development,
- (c) the report of the Inspector.

The Commission decided to **APPROVE** the proposed development for the reasons and considerations, and subject generally to the conditions set out, on the attached copy of the Draft Order.

Planning

Commissioner:

Date: 29/10/2025



Liam McGree

DRAFT ORDER

Reasons and Considerations

In performing its functions in relation to the making of its decision, the Commission had regard to:

- (a) Section 15(1) of the Climate Action and Low Carbon Development Act 2015, as amended by Section 17 of the Climate Action and Low Carbon Development (Amendment) Act 2021, and the requirement to, in so far as practicable, perform its functions in a manner consistent with Climate Action Plan 2024 and Climate Action Plan 2025, and the national long term climate action strategy, national adaptation framework, and approved sectoral adaptation plans set out in those Plans, and in furtherance of the objective of mitigating greenhouse gas emissions, and adapting to the effects of climate change in the State,
- (b) Directive 92/43/EEC (Habitats Directive) and Directive 79/409/EEC as amended by 2009/147/EC (Birds Directive) which set the requirements for Conservation of Natural Habitats and of Wild Fauna and Flora throughout the European Union,
- (c) Directive 2000/60/EC, the Water Framework Directive and the requirement to exercise its functions in a manner which is consistent with the provisions of the Directive, and which achieves or promotes compliance with the requirements of the Directive,
- (d) The relevant provisions of European Union Directive 2014/52/EU amending Directive 2011/92/EU (Environmental Impact Assessment Directive) on the assessment of the effects of certain public and private projects on the environment,

The Commission also had regard to the following in coming to its decision:

(e) National planning and related policy, including:

- the National Development Plan 2021-2030,
- Project Ireland 2040 National Planning Framework, First Revision, April 2025,
- the Department of Transport National Sustainable Mobility Policy, 2022,

(f) Regional level policy, including:

- the Regional Spatial Economic Strategy for the Southern Region, Project Ireland 2040,
- Limerick Shannon Metropolitan Area Transport Strategy 2040,

(g) Local planning policy, including:

- Limerick Development Plan 2022-2028 and Objective TR O43 Upgrade works/New Road Schemes and zoning objectives for 'New Residential', 'Education and Community Infrastructure' and most particularly 'Groody Valley Wedge',
- Limerick Biodiversity Action Plan 2025-2030,

(h) the nature, scale extent and design of the proposed development as set out in the planning application and the characteristics and pattern of development of the area,

(i) the entirety of the documentation submitted by the Limerick City and County Council in support of the proposed development, including the Environmental Report and the Natura Impact Statement, the range of mitigation and monitoring measures proposed, and in particular to robust response to submissions made in July 2025,

(j) the submissions made to An Coimisiún Pleanála in connection with the planning application, under the initial statutory consultation in March and April 2025, and a subsequent submission period in August 2025,

- (k) the likely consequences for the proper planning and sustainable development of the area in which it is proposed to carry out the proposed development and the likely significant effects of the proposed development on European Sites, and,
- (l) the report and recommendation of the Inspector, including the examination, analysis and evaluation undertaken in relation to planning and sustainable development, appropriate assessment and, water framework directive assessment and the compulsory acquisition.

Appropriate Assessment Stage 1:

The Commission agreed with and adopted the screening assessment and conclusion carried out in the Inspector's report that the Lower River Shannon Special Area of Conservation (Site Code: 002165) is the only European Site in respect of which the proposed development has the potential to have a significant effect.

Appropriate Assessment Stage 2:

The Commission considered the Natura Impact Statement and all other relevant submissions and carried out an appropriate assessment of the implications of the proposed development for the Lower River Shannon Special Area of Conservation (Site Code: 002165) in view of the Site's conservation objectives. The Commission considered that the information before it was adequate to allow the carrying out of an appropriate assessment.

In completing the assessment, the Commission considered, in particular, the likely direct and indirect impacts arising from the proposed development both individually or in combination with other plans or projects, specifically upon the Lower River Shannon Special Area of Conservation (Site Code: 002165), and mitigation measures which are included as part of the current proposed development, conservation objective for these European Sites, and views of prescribed bodies in this regard.

In completing the appropriate assessment, the Commission accepted and adopted the appropriate assessment carried out in the Inspector's report in respect of the potential effects of the proposed development on the integrity of the aforementioned European Site, having regard to the Site's conservation objectives.

In overall conclusion, the Commission was satisfied that the proposed development, by itself or in combination with other plans or projects, would not adversely affect the integrity of the European Site, in view of the Site's conservation objectives.

Proper Planning and Sustainable Development:

It is considered that the proposed development would accord with national, regional and local planning, and that it is acceptable in respect of its likely effects on the environment, and its likely consequences for the proper planning and sustainable development of the area.

Conditions

1. The proposed development shall be carried out and completed in accordance with the plans and particulars lodged with the application, except as may otherwise be required in order to comply with the following conditions. Where any mitigation measures or any conditions of approval require further details to be prepared by or on behalf of the local authority, these details shall be placed on the file and retained as part of the public record.

Reason: In the interest of clarity.

2. All mitigation, environmental commitments and monitoring measures identified in the Natura Impact Statement shall be implemented in full as part of the proposed development.

Reason: To protect the integrity of European Sites.

3. All mitigation, environmental commitments and monitoring measures identified in the Environmental Report, including the Biodiversity Management Plan, Tree Survey Report and Archaeological and Cultural Heritage Impact Assessment Report shall be implemented in full as part of the proposed development. Prior to the commencement of development, details of a time schedule for implementation of mitigation measures and associated monitoring shall be prepared by the local authority and placed on file and retained as part of the public record.

Reason: In the interests of clarity and the protection of the environment during the construction and operational phases of the development.

4. Prior to the commencement of development a finalised Construction Environmental Management Plan, including a Construction Traffic Management Plan, shall be prepared. The plan shall incorporate all mitigation measures as set out in the Environmental Report, the Natura Impact Statement and the conditions set out herein and shall include details of compliance and details and schedules of monitoring supervision and reporting to the relevant statutory agencies. In finalising the Construction Environmental Management Plan the local authority shall liaise with the Office of Public Works. These documents shall be placed on file and retained as part of the public record.

Reason: To protect amenities, public health and safety.

5. A suitably qualified ecologist shall be retained by the local authority to oversee the site set up and construction of the proposed development and implementation of mitigation measures relating to ecology set out in Natura Impact Statement and Environmental Report. The ecologist shall be present during site construction works. Upon completion of works, an ecological report of the site works shall be prepared by the appointed ecologist to be kept on file as part of the public record.

Reason: In the interests of nature conservation and the protection of terrestrial and aquatic biodiversity.

6. (a) All trees to be felled shall be examined prior to felling to determine the presence of bat roosts. Any works shall be in accordance with the Transport Infrastructure Ireland Guidelines for the Treatment of Bats during the Construction of National Road Schemes.
- (b) A pre-construction bat survey shall be carried out by, or under the supervision of, the project ecologist during the active bat season.
- (c) Any destruction of bat roosting sites or relocation of bat species shall be carried out by, or under the supervision of, the project ecologist under a Derogation Licence granted by the Minister for Housing, Local Government and Heritage.

Reason: In the interests of environmental and wildlife protection.

7. The following nature conservation requirements shall be complied with:
- (a) The works shall be carried out in compliance with the Inland Fisheries Ireland document "Guidelines on protection of fisheries during construction works in and adjacent to waters" (2016).
- (b) No in-stream works shall be undertaken without prior consultation with Inland Fisheries Ireland, and the works shall only be undertaken between October and June (inclusive).
- (c) No vegetation removal shall take place during the period of the 1st day of March to the 31st day of August (inclusive).
- (d) A pre-construction mammal and bird survey by the project ecologist shall be carried out before works commence.
- (e) All plant and machinery used during the works should be thoroughly cleaned and washed before delivery to the site to prevent the spread of hazardous invasive species and pathogens.

Reason: In the interests of biodiversity and nature conservation.

8. Prior to the commencement of development, and following consultation with Uisce Éireann and the Office of Public Works, details of all drainage arrangements, including the attenuation and disposal of surface water, flood risk management and diversion or crossing of public mains, shall be documented and placed on file as part of the public record.

Reason: In the interest of public health and to ensure a proper standard of development.

9. Prior to the commencement of development, the local authority shall employ the services of an appropriately qualified arboriculturist and landscape architect for the full duration of the proposed works to ensure measures related to tree and landscaping works are implemented appropriately.

Reason: In the interest of visual amenity, biodiversity protection and the proper planning and sustainable development of the area.

10. (a) The site shall be landscaped in accordance with the comprehensive scheme of landscaping submitted. Final details of which shall be placed on the file and retained as part of the public record including details on:
- (i) Existing trees, hedgerows, shrubs, walls, specifying which are proposed for retention.
 - (ii) The measures to be put in place for the protection of these landscape features during the construction period. Tree protection measures for all existing trees shall be put in place prior to the commencement of development or phases of development.
 - (iii) The species, variety, number, size and, details and locations of all proposed trees and shrubs and walls prior to implementation.
 - (iv) Hard landscaping works, specifying surfacing materials, street furniture, signage and finished levels.
 - (v) A timescale for implementation.

- (b) All planting shall be adequately protected from damage until established. Any plants which die, are removed, or become seriously damaged or diseased, within a period of five years from the completion of the development, shall be replaced within the next planting season with others of similar size and species.
- (c) No ground clearance shall be undertaken, and no vegetation shall be cleared during the bird breeding season from the 1st day of March to 31st day of August.

Reason: In the interest of visual amenity, biodiversity protection and the proper planning and sustainable development of the area.