

An
Coimisiún
Pleanála

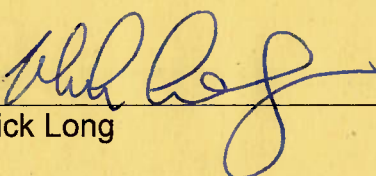
Direction
CD-022124-26
ABP-322037-25

The submissions on this file and the Inspector's report were considered at a meeting held on 27/04/2026.

The Commission decided to APPROVE the above proposed development based on the reasons and considerations under and subject to the conditions set out below.

Planning

Commissioner:


Mick Long

Date: 27/04/2026

DRAFT WORDING FOR ORDER

Reasons and Considerations

In coming to its decision, the Commission had regard to the following:

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.

And in coming to its decision, the Commission had regard to the following:

- (a) the European Union Directive Habitats Directive (92/43/EEC),
- (b) the European Union (Birds and Natural Habitats) Regulations 2011, as amended, and
- (c) the likely consequences for the environment and 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 a European Site,
- (d) the conservation objectives, qualifying interests and special conservation interests for the Lower River Shannon Special Area of Conservation (Site Code: 002165),
- (e) the policies and objectives of the Limerick Development Plan, 2022-2028,
- (f) the nature and extent of the proposed works as set out in the application for approval,
- (g) the information submitted in relation to the potential impacts on habitats, flora and fauna, including the Natura Impact Statement and Natura Impact Statement Addendum,
- (h) the submissions and observations received in relation to the proposed development, and,
- (i) the report and recommendation of the person appointed by the Commission to make a report and recommendation on the matter.

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 Addendum and associated documentation submitted with the application for approval, the mitigation measures contained therein, the submissions and observations on file, and the Inspector's assessment. The Commission completed an appropriate assessment of the implications of the proposed development for the affected European Site, namely the Lower River Shannon Special Area of Conservation (Site Code: 002165), in view

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 appropriate assessment, the Commission considered, in particular, the following:

- i. the likely direct and indirect impacts arising from the proposed development both individually or in combination with other plans or projects,
- ii. the mitigation measures which are included as part of the current proposal, and,
- iii. the conservation objectives for the European Site.

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/Likely effects on the environment:

It is considered that, subject to compliance with the conditions set out below, the proposed development would not have significant negative effects on the environment in the vicinity, would not give rise to a risk of pollution, would not be detrimental to the visual or landscape amenities of the area, would not adversely impact on the cultural, archaeological and built heritage of the area and would not interfere with traffic and pedestrian safety. The proposed development would, therefore, be in accordance with 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, and additional plans and particulars submitted on 7th day of March 2025, 13th day of October 2025 and 4th day of December 2025 except as may otherwise be required in order to comply with the following conditions. Where any mitigation measures set

out in the Natura Impact Statement and Addendum Natura Impact Statement 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 and the proper planning and sustainable development of the area and to ensure the protection of the environment.

2. The mitigation and monitoring measures identified in the plans and particulars, including the Natura Impact Statement and Addendum Natura Impact Statement, submitted with the application shall be implemented in full. 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 interest of protecting the environment, the protection of European Sites and in the interest of public health.

3. 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. The ecologist shall be present during the 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 interest of nature conservation and biodiversity.

4. Prior to the commencement of development, the local authority, or any agent acting on its behalf, shall prepare in consultation with the project ecologist and relevant statutory agencies, including the Inland Fisheries Ireland and Waterways Ireland, a Construction Environmental Management Plan (CEMP), incorporating all mitigation measures indicated in the Natura Impact

Statement and the Natura Impact Statement Addendum and demonstration of proposals to adhere to best practice and protocols. The CEMP shall include:

- (a) All mitigation measures indicated in the Natura Impact Statement and the Natura Impact Statement Addendum.
- (b) A method statement to detach and re-attach pipes on the bridge in consultation with the appointed Ecological Clerk of Works and with either a qualified archaeologist or conservation architect.
- (c) Details of programming of works having regard to Waterways Ireland maintenance works permitted under Limerick City and County planning registration reference: 2560704.
- (d) A Traffic Management Plan.
- (e) The location of any and all archaeological or cultural heritage constraints relevant to the proposed development as set out in the Underwater Archaeological Impact Assessment (Mizen Archaeology, September 2025) and by any subsequent archaeological investigations associated with the project. The CEMP shall clearly describe all identified likely archaeological impacts, both direct and indirect, and all mitigation measures to be employed to protect the archaeological or cultural heritage environment during all phases of site preparation and construction activity.
- (f) Specific proposals as to how the measures outlined in the CEMP will be measured and monitored for effectiveness.

Reason: In the interest of protecting the environment and the European Site.

5. 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.
 - (b) No vegetation removal shall take place during the period of the 1st day of March to the 31st day of August (inclusive) without the written approval of the Ecological Clerk of Works. Such approval shall be placed on the public file.

- (c) Prior to the commencement of development, pre-commencement surveys for protected plant and animal species shall be undertaken at the site, and where required, the appropriate licence to disturb or interfere with same shall be obtained from the National Parks and Wildlife Service. The details of such surveys and licences (if required) shall be placed on the file and retained as part of the public record.

Reason: In the interests of biodiversity and nature conservation.

6. The local authority and any agent acting on its behalf shall ensure that 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 interest of the proper planning and sustainable development of the area and to ensure the protection of the European Sites.

7. (a) All mitigation measures in relation to archaeology and cultural heritage as set out in Section 8 of the Underwater Archaeological Impact Assessment (Mizen Archaeology Ltd; date September 2025) shall be implemented in full, except as may otherwise be required in order to comply with the conditions of this Order.

- (b) The local authority and the Department shall be furnished with a final archaeological report describing the results of all archaeological monitoring and any archaeological investigative work/excavation required, following the completion of all archaeological work on site and any necessary post-excavation specialist analysis.

All resulting and associated archaeological costs shall be borne by the developer.

Reason: To ensure the continued preservation (either in situ or by record) of places, caves, sites, features or other objects of archaeological interest.

8. The applicant/developer shall submit for the written agreement of the planning authority confirmation that: (a) the development will be monitored

by a suitably qualified architect with conservation expertise and accreditation and (b) competent site supervision, project management and crafts personnel will be engaged, suitably qualified and experienced in conservation works.

Reason: In the interest of the protection of architectural heritage of the historic bridge in accordance with the provisions of the Architectural Heritage Protection Guidelines for Planning Authorities.