



An  
Coimisiún  
Pleanála

**Commission Direction**  
**CD-000624**  
**PL-500698-LK-26**

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The submissions on this file and the Inspector's report were considered at a meeting held on 25 May 2026.

The Commission decided to grant permission, for the reasons and considerations, and subject to the conditions as indicated in the draft Order hereunder.

**Planning Commissioner:**

**Tom Rabbette**

**Date:**

**28<sup>th</sup> day of May 2026**

**Draft Order**

### **Reasons and Considerations**

Having regard the provisions of 'Telecommunications Antennae and Support Structures Guidelines for Planning Authorities (1996) (as updated by Circular Letters PL 07/12 and PL11/2020), to the nature and scale of the proposed development, the distance between the proposed development and the nearest

residential development, the technical justification and need for the infrastructure at this location as stated by the applicant, the existing disused nature of the application site and its disposition relative to neighbouring lands in recreational use, the existing floodlighting infrastructure in the immediate vicinity of the site, and also having regard to the site location on land zoned 'Open Space and Recreation' where development of the type proposed is open for consideration as indicated in the Limerick Development Plan 2022-2028, it is considered that, subject to compliance with the conditions below, the proposed development would not result in the loss of lands in recreational use, would not adversely impact on the visual or residential amenities of the area and would not pose an unacceptable risk of flooding to adjacent lands. The proposed development would contribute to the provision of digital telecommunication infrastructure which is supported at national, regional and local planning policy levels, including at Policy IN P1 and Objective IN O3 of the Limerick Development Plan 2022-2028. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

In deciding not to accept the Inspector's recommendation to refuse permission in relation to flooding, the Commission noted that Objective CAF O20 of the statutory plan for the area requires the submission of a Site-Specific Flood Risk Assessment 'where deemed necessary'. Given the small scale nature of the proposed development, the limited footprint of the proposal, the open nature and use of immediately adjoining lands that are not permanently occupied/inhabited, the Commission deemed that a Site-Specific Flood Risk Assessment was not necessary in this instance and therefore the proposal is not contrary to said Objective CAF O20, the Commission concurred with the planning authority in this

regard. The Commission was satisfied, with reference to the factors above, that the proposed development does not result in an increase of flood risk of adjoining lands. The Commission was also satisfied that appropriate flood mitigation proposals for the development itself (which contains no habitable structures) could be addressed by way condition. In the circumstances, the Commission considered that a refusal of permission on the grounds of flood risk is unwarranted and unnecessary. The Commission concurred with the Inspector on all other matters raised in the grounds of appeal.

The Commission considered that the proposed development is a project for the purposes of the Environmental Impact Assessment Directive. However, the Commission concluded that the proposed development does not fall within a class of development set out in Part 1 or Part 2 of Schedule 5 to the Planning and Development Regulations 2001, as amended, and, therefore, no preliminary examination, screening for Environmental Impact Assessment, or Environmental Impact Assessment is required.

#### **Appropriate Assessment: Stage 1:**

The Commission noted that the proposed development is not directly connected with or necessary for the management of a European Site. The Commission completed an appropriate assessment screening exercise in relation to the potential effects of the proposed development on designated European Sites, taking into account the Screening Report for Appropriate Assessment submitted with the application and the report and screening assessment completed by

the Inspector. The Commission agreed with the Inspector's assessment and conclusion that the European Sites for which there are potential for significant effects are the Lower River Shannon Special Area of Conservation (Site Code: 002165) and River Shannon and River Fergus Estuaries Special Protection Area (Site Code: 004077). The Commission concluded, in agreement with the Inspector, that appropriate assessment is required for those European Sites.

### **Appropriate Assessment: Stage 2:**

The Commission considered the Natura Impact Statement and associated documentation submitted with the application, the mitigation measures contained therein, the submissions and observations on file, and carried out an appropriate assessment of the implications of the proposed development for European Sites in view of the conservation objectives for the Lower River Shannon Special Area of Conservation (Site Code: 002165) and River Shannon and River Fergus Estuaries Special Protection Area (Site Code: 004077). The Commission considered that the information before it was adequate to allow the carrying out of an appropriate assessment and to allow it to reach complete, precise and definitive conclusions for appropriate assessment. In completing the 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 Sites.

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 Sites, having regard to the Sites' 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 European Sites, in view of the Sites' conservation objectives and there is no reasonable scientific doubt as to the absence of such effects.

This conclusion is based on a complete assessment of all aspects of the proposed project, both alone and in combination with other plans and projects of relevance and took into account all submissions received during the course of the application.

## **Conditions**

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application, as amended by the further plans and particulars received by the planning authority on the 29th day of October 2025, except as may otherwise be required in order to comply with the following conditions. Where such conditions require details to be agreed with the planning authority, the developer shall agree such details in writing with the planning

authority prior to commencement of development and the development shall be carried out and completed in accordance with the agreed particulars.

**Reason:** In the interest of clarity.

2. The mitigation measures contained in the submitted Natura Impact Statement (NIS), shall be implemented.

**Reason:** To protect the integrity of European Sites.

3. Prior to the commencement of development, the applicant shall submit to, and agree in writing with, the planning authority, the finished floor level of the proposed equipment shelter which shall be informed by appropriate flood risk mitigation for the site.

**Reason:** To mitigate flood risk to the proposed development.

4. The disposal of surface water shall comply with the requirements of the planning authority for such works and services. Prior to the commencement of development, the developer shall submit details for the disposal of surface water from the site for the written agreement of the planning authority.

**Reason:** To prevent flooding and in the interests of sustainable drainage.

5. The applicant shall provide and make available at reasonable terms the proposed telecommunications structure for the provision of mobile telecommunications antenna of third party licensed mobile telecommunications operators.

**Reason:** In the interest of the avoidance of a multiplicity of telecommunications structures in the area, in the interest of visual amenity and the proper planning and sustainable development of the area.

6. In the event of obsolescence, the communications structure and related ancillary structures shall be demolished, removed and the site re-instated to the written satisfaction of the Planning Authority and at the Applicant's expense.

**Reason:** In the interest of visual amenity and the proper planning and sustainable development of the area.

7. Details of a colour scheme for the mast and any ancillary structures hereby permitted shall be submitted to, and agreed in writing with the planning authority, prior to the commencement of development.

**Reason:** In the interest of the visual amenities of the area.

8. No advertisement or advertisement structure shall be erected or displayed on the proposed structure or its appendages or within the curtilage of the site (without a prior grant of planning permission).

**Reason:** In the interest of the visual amenities of the area.