



An
Coimisiún
Pleanála

Commission Order ACP-322242-25

Planning and Development Act, 2000, as amended

Planning Authority: Limerick City and County Council

Application by Limerick City and County Council approval under section 177AE of the Planning and Development Act 2000, as amended, in accordance with plans and particulars, including a Natura Impact Statement, lodged with An Coimisiún Pleanála on the 3rd day of April 2025 and further information received by An Coimisiún Pleanála received on the 24th day of September 2025 and the 9th day of April 2026.

Proposed Development: The proposed development will consist of the rehabilitation of the 7 arch bridge. There is no demolition or new build involved.

All located at Bruree bridge, Bruree, County Limerick.

Decision

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

Reasons and Considerations

In coming to its decision, the Commission performed its functions in relation to the making of its decision, in a manner consistent with Section 15(1) of the Climate Action and Low Carbon Act 2015, as amended by Section 17 of the Climate Action and Low Carbon Development (Amendment) Act 2021, in accordance with the provisions of the Climate Action Plan 2024 and Climate Action Plan 2025, and also had regard to the following:

(a) European Union legislation including in particular:

- 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,
- Directive 92/43/EEC (Habitats Directive) and Directive 79/409/EEC as amended by 2009/147/EC (Birds Directives) which set out the requirements for Conservation of Natural Habitats and of Fauna and Flora,
- 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,

(b) National Legislation including in particular:

- Section 177AE of the Planning and Development Act 2000, as amended, which sets out the provisions in relation to local authority projects which are subject to appropriate assessment,

(c) National Regional Policy and Guidance in particular:

- Project Ireland 2040 National Planning Framework which supports access and transport improvements to facilitate growth,
- Architectural Heritage Protection: Guidelines for Planning Authorities, Department of Arts, Heritage and the Gaeltacht, 2011,

- Regional Spatial and Economic Strategy for the Southern Region, including Regional Policy Objective 1 requiring the conservation and protection of designated areas and natural heritage areas, European Sites and their integrity, and
 - Ireland's 4th National Biodiversity Plan 2023–2030,
- (d) Local Planning Policy including in particular:
- The provisions of the Limerick Development Plan 2022-2028,
- (e) The following matters:
- the nature, scale and design of the proposed works as set out in the application for approval and the existing character of the area,
 - the documentation including the natura impact statement and associated documentation submitted with the application, and by further information on the 24th day of September 2025 and on the 9th day of April 2026, and the range of mitigation and monitoring measures proposed,
 - the submissions and observations made to An Coimisiún Pleanála in connection with the application,
 - 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 European Sites,
 - the conservation objectives, qualifying interests and special conservation interests for the Lower River Shannon Special Area of Conservation (Site Code: 002165), and
 - the report and recommendation of the Inspector.

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 Site for which there is potential for significant effects is Lower River Shannon Special Area of Conservation (Site Code: 002165). The Commission concluded, in agreement with the Inspector, that appropriate assessment is required for that European Site.

Appropriate Assessment: Stage 2:

The Commission considered the Natura Impact Statement (as updated by way of further information submitted on the 24th day of September 2025) 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 Lower River Shannon Special Area of Conservation (Site Code: 002165). 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 and 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.

The Commission accepted and adopted the appropriate assessment carried out in the Inspector's report with respect to 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 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.

Proper Planning and Sustainable Development/Likely effects on the environment:

Having regard to the nature and scale of the proposed development, and the mitigation measures proposed, it is considered that the proposed development, in respect of the repair works to the structure of the bridge, accords with objectives EH O1 (carrying out of appropriate assessment), EH O15 (water protection) and EH O50 (works to protected structures) of the Limerick Development Plan 2022-2028, and that, subject to compliance with the conditions set out below, the proposed bridge rehabilitation works are in accordance with the proper planning and sustainable development of the area.

Having regard to the designation of the bridge as a protected structure, its contribution to the attractive setting of the village and to the fact that there isn't currently a pedestrian footpath over the bridge, the Commission was not satisfied, based on the entirety of the information on file, that the applicant had provided sufficient justification for the installation of the proposed railings, and had not adequately considered the architectural heritage implications of same in the Architectural Heritage Impact Assessment submitted with the application. The Commission considered, notwithstanding the information submitted in favour of installing a 1.1 metre high railing on the protected structure, that on balance, having regard to the height, design and nature of the proposed railings, this element of the proposed development would have an overly negative impact on the bridge as a protected structure and on the visual amenity of the surrounding area. The railings

element of the proposed development would therefore not accord with Objective EHO 05 of the Limerick Development Plan 2022-2028 in relation to works to protected structures and would, if granted, set a poor precedent for similar works to protected bridges. The Commission therefore decided to omit the railings by Condition. The Commission further noted that the railings were not included in the description of the development on the Public Notice or the Planning Display Booklet which limited the opportunity for public participation on this element of the proposed development

Conditions

1. The proposed development shall be carried out and completed in accordance with the plans and particulars lodged with the application, including further information received on the 24th day of September 2025, except as may otherwise be required in order to comply with the following conditions.

Reason: In the interests of clarity and the proper planning and sustainable development of the area and to ensure the protection of the environment.

2. The proposed railings shall be omitted.

Reason: In the interests of visual amenity and the protection of architectural heritage.

3. The mitigation measures contained in the submitted Natura Impact Statement as updated by way of further information, received on the 24th day of September 2025, shall be implemented.

Reason: To protect the integrity of European Sites.

4. All works shall be supervised by an on-site Ecological Clerk of Works who will report on compliance with the relevant mitigation measures. The Ecological Clerk of Works shall be empowered to halt works where they consider that the continuation of the works is likely to result in a significant pollution or siltation incident or impact on protected habitats or species, and on-site works will cease until authorised to continue by the local authority. A compliance monitoring report shall be prepared by the Ecological Clerk of Works and shall be submitted to the local authority at the end of the main construction period.

Reason: To ensure compliance with mitigation measures and to protect biodiversity.

5. Works to be carried out in full accordance with the method and specifications described in the submitted Architectural Heritage Impact Assessment received on the 24th day of September 2025.

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

Mary Gurrie

Mary Gurrie

Planning Commissioner of An Coimisiún

Pleanála duly authorised to authenticate

the seal of the Commission.



Dated this 30 day of July 2026