



An  
Coimisiún  
Pleanála

Commission Order  
ABP-322560-25

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**Planning and Development Acts 2000, as amended**

**Planning Authority: Limerick City and County Council**

**Planning Register Reference Number: 24/60921**

**Appeal** by Tom Ryan of Ballynoe, Mungret, County Limerick against the decision made on the 1<sup>st</sup> day of May, 2025 by Limerick City and County Council to grant subject to conditions a permission to BNL Properties Limited care of HW Planning of 5 Joyce House, Barrack Square, Ballincollig, Cork in accordance with plans and particulars lodged with the said Council.

**Proposed Development:** The development will consist of: The expansion of the storage and distribution warehouse facility permitted by Limerick City and County Council Planning Register Reference Number 22/1013, and all ancillary site development works. The proposed development comprises the construction of a new storage and distribution warehouse building with associated two-storey administrative block which accommodates office, reception and staff welfare areas. Ancillary site development includes the provision of bicycle and vehicular parking, vehicular circulation areas, landscaping proposals, fascia signage and rooftop solar/PV panels. Access to the proposed development will be provided via the site entrance and internal road network of the storage and distribution warehouse facility permitted by Limerick City and County Council Planning Register Reference 22/1013, all at Loughmore Avenue, Raheen Business Park, Ballycummin, County Limerick.

## **Decision**

**GRANT permission for the above proposed development in accordance with the said plans and particulars based on the reasons and considerations under and subject to the conditions set out below.**

## **Reasons and Considerations**

Having regard to the location of the proposed development within Raheen Business Park, which is identified as a Strategic Employment Location under the Limerick Shannon Metropolitan Area Strategic Plan (MASP) within the Regional Spatial and Economic Strategy for the Southern Region, to its location on lands zoned 'High Tech/Manufacturing Campus' within the Limerick Development Plan 2022-2028, where the objective is to provide for, inter alia, regional distribution/logistics type employment, to the design and layout of the proposed development, to the use of sustainable drainage systems (SuDS) features onsite including a bioretention pond to intercept and infiltrate surface water prior to discharge (at greenfield rates) to the existing drainage system of the Business Park, it is considered that, subject to compliance with the conditions set out below, the proposed development would facilitate and support Raheen Business Park as a strategic employment location in accordance with Objective ECON O17 (Strategic Employment Locations) of the development plan and Policy Objective 13 (Strategic Employment Locations) of the Limerick Shannon Metropolitan Area Strategic Plan, would be acceptable in terms of public health, would not increase the risk of flooding, would not have an adverse impact on water quality and would be in accordance with Objective IN O12 (Surface Water and SuDS) of the development plan. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

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, (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).

**Appropriate Assessment: Stage 1:**

The Commission considered the documents submitted with the application, and all the other relevant submissions on file, and carried out an Appropriate Assessment in relation to the potential effects of the proposed development on designated European sites. The Commission agreed with the screening assessment and conclusion carried out in the Inspector's Report that River Shannon Special Area of Conservation (SAC) (Site Code 002165) and River Shannon and River Fergus Estuaries Special Protection Area (SPA) (Site Code 004077) are the only European Sites in respect of which the proposed development has the potential to have a significant effect in view of the Conservation Objectives for the sites and that Stage 2 Appropriate Assessment is, therefore, required.

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

The Commission considered the Natura Impact Statement, and all the other relevant submissions on file, and carried out an Appropriate Assessment of the implications of the proposed development on the aforementioned sites in view of these sites' Conservation Objectives. The Commission considered that the information before it was sufficient to undertake a complete assessment of all aspects of the proposed development in relation to the sites' Conservation Objectives using the best scientific knowledge in the field. In completing the assessment, the Commission considered, in particular, the following:

- (i) the site-specific Conservation Objectives for the European Sites,
- (ii) the likely direct and indirect impacts arising from the proposed development, both individually or in combination with other plans or projects, and
- (iii) mitigation measures which are included as part of the current proposal.

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 aforementioned European Sites. In overall conclusion, the Commission were satisfied that the proposed development would not adversely affect the integrity of the European Sites in view of the sites' Conservation Objectives and that there is no reasonable scientific doubt as to the absence of such effects.

## 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 7th day of March 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.
  - (a) Drainage arrangements including the attenuation and disposal of surface water, shall comply with the requirements of the planning authority for such works and services.
  - (b) In the event of fire any contaminated liquid must not be discharged to the storm water drainage network.
  - (c) Prior to the commencement of development, the developer shall submit to the planning authority for written agreement a Stage two - Detailed Design Stage Storm Water Audit. Upon completion of the development a Stage three - Completion Stormwater Audit to demonstrate Sustainable Urban Drainage System measures have been installed, and are working as designed and that there has



been no misconnections or damage to storm water drainage infrastructure during construction, shall be submitted to the planning authority for written agreement.

**Reason:** In the interest of public health and surface water management.

4. Prior to the commencement of development, the developer shall enter into a connection agreement with Uisce Éireann to provide for a service connection to the public water supply and/or wastewater collection network.

**Reason:** In the interest of public health and to ensure adequate water/wastewater facilities.

5. (a) Prior to commencement of the development, a stage two road safety audit shall be submitted to the planning authority for its written approval which shall be in compliance with Transport Infrastructure Ireland's publication 'Road Safety Audit GE-STY-01024' (2017).
- (b) Prior to occupation of the development, a stage three road safety audit shall be submitted to the planning authority for its written approval which shall be in compliance with Transport Infrastructure Ireland's publication 'Road Safety Audit GE-STY-01024' (2017).

**Reason:** In the interest of amenity and of traffic and pedestrian safety.

6. Site development and building works shall be carried out between the hours of 0700 to 1900 hours Mondays to Fridays inclusive, between 0800 to 1400 hours on Saturdays and not at all on Sundays and public holidays. Deviation from these times shall only be allowed in exceptional circumstances where prior written agreement has been received from the planning authority.

**Reason:** To safeguard the amenity of property in the vicinity.

7. A Construction and Environmental Management Plan (CEMP) shall be submitted to and agreed in writing with the planning authority prior to the commencement of development. The Construction Environmental Management Plan shall include but not be limited to construction phase controls for construction traffic management, dust, noise and vibration, waste management, protection of soils, groundwaters, and surface waters, site housekeeping including provision of a wheel washing facility, emergency response planning, site environmental policy, and project roles and responsibilities.

**Reason:** In the interest of environmental protection.

8. A minimum of 10% of the new parking spaces on site shall be provided with functional electric vehicle charging points, and ducting shall be provided for all remaining new car parking spaces to allow for the provision of future electric vehicle charging points. Details of how it is proposed to comply with these requirements shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

**Reason:** In the interest of sustainable transportation.

9. Prior to commencement of development, a Resource Waste Management Plan (RWMP) as set out in the Environmental Protection Agency's Best Practice Guidelines for the Preparation of Resource and Waste Management Plans for Construction and Demolition Projects (2021) shall be prepared and submitted to the planning authority for written agreement. The Resource Waste Management Plan shall include specific proposals as to how the Resource Waste Management Plan will be measured and monitored for effectiveness. All records (including for waste and all resources) pursuant to the agreed Resource Waste Management Plan shall be made available for inspection at the site office at all times.

**Reason:** In the interest of reducing waste and encouraging recycling.

10. The development shall be carried out and operated in accordance with the provisions of the Mobility Management Plan (MMP) submitted to the planning authority on the 7<sup>th</sup> day of March 2025.

**Reason:** To achieve a reasonable modal split in transport and travel patterns in the interest of sustainable development.



11. The developer shall pay to the planning authority a financial contribution in respect of public infrastructure and facilities benefiting development in the area of the planning authority that is provided or intended to be provided by or on behalf of the authority in accordance with the terms of the Development Contribution Scheme made under section 48 of the Planning and Development Act 2000, as amended. The contribution shall be paid prior to commencement of development or in such phased payments as the planning authority may facilitate and shall be subject to any applicable indexation provisions of the Scheme at the time of payment. Details of the application of the terms of the Scheme shall be agreed between the planning authority and the developer or, in default of such agreement, the matter shall be referred to An Coimisiún Pleanála to determine the proper application of the terms of the Scheme.

**Reason:** It is a requirement of the Planning and Development Act 2000, as amended, that a condition requiring a contribution in accordance with the Development Contribution Scheme made under section 48 of the Act be applied to the permission:



*Mary Gurrie*  
Mary Gurrie

**Planning Commissioner of An Coimisiún  
Pleanála duly authorised to authenticate  
the seal of the Commission.**

**Dated this 19 day of September 2025**