



An
Bord
Pleanála

Inspector's Report
ABP-317416-23

Development

The provision of a new manufacturing and warehousing building, ancillary to the existing facility with all ancillary landscaping and associated site works and services.

Location

Annacotty Business Park, Annacotty,
Co. Limerick

Planning Authority

Limerick City and County Council

Planning Authority Reg. Ref.

221363

Applicant(s)

Serosep Ltd

Type of Application

Permission

Planning Authority Decision

Grant

Type of Appeal

Third Party

Appellant(s)

Sean Hartigan

Observer(s)

An Taisce

Date of Site Inspection

09th October, 2024

Inspector

Lorraine Dockery

1.0 Site Location and Description

- 1.1 The subject site is located towards the rear (south-eastern corner) of the established Annacotty Business Park, to the east of Annacotty, Co. Limerick. The subject site comprises part of the established Serosep site within the Business Park and has a stated area of 1.59 hectares. The existing premises on site has a stated gross floor area of 2036m².
- 1.2 The site is accessed via the R506, which leads to the R445, which is one of the main routes into Limerick City Centre to the west and the M7 to the east. Annacotty Business Park is located approximately 2km from the nearest M7 junction, 2.5km east of Annacotty and 9km east of Limerick city centre.
- 1.3 The proposed extension is to be located primarily on an area currently used for car parking.

2.0 Proposed Development

- 2.1 The proposal comprises the provision of a new manufacturing and warehousing building, ancillary to the existing facility with all ancillary landscaping and associated site works and services. The proposed building has a stated floor area of 1988m², with the additional floor area comprising Research and Development area (992 m²), manufacturing area (806m²) and warehousing (190m²). The proposal also included for 100 car parking spaces- this figure was reduced at FI stage to 65 no. spaces.

3.0 Planning Authority Decision

3.1 Decision

Permission GRANTED, subject to 11 no. conditions

Condition No. 3 relates to the requirement to submit a Stage 2 and 3 Road Safety Audits, cycle storage details, additional pedestrian routes within the site and other details for the written agreement of the planning authority, prior to the commencement of development on site.

Further Information was requested by the planning authority in relation to (i) car parking provision (ii) Workplace Travel Plan/Mobility Management Plan and other

travel information (iii) longitudinal gradient/overhang details (iv) Lighting Plan (v) surface water management and CoF details from Uisce Eireann

3.2 Planning Authority Reports

3.2.1 Planning Reports

Reflects decision of planning authority; recommends grant of permission

3.2.2 Other Technical Reports

Planning Report- Roads Section- Condition recommended; FI response not adequately responded to in relation to issue of additional pedestrian routes from car parking areas to buildings; widening of footpath to 2m is considered insufficient (report dated 22/05/2023)

Active Travel Section- Concerns remain regarding internal road layout in terms of cyclist safety and End of Journey changing facilities. Conditions recommended (report dated 16/05/2023)

Environment, Recreation and Climate Change Section- Condition attached

Fire and Building Control Section- No objection, subject to conditions

3.3 Prescribed Bodies

Uisce Eireann: Water and Wastewater connections feasible with infrastructure upgrade by Uisce Eireann. Notes that existing network which serves the proposed development is not a public network or taken in charge by Uisce Eireann. The existing network is in private ownership and the applicant shall gain consent for connection to same from asset owner, prior to submission of a connection application to Uisce Eireann (report contained within Appendix A.6 of FI Response Report).

3.4 Third Party Observations

The planning authority received one observation that raised issues similar to that contained in the third-party appeal.

4.0 Planning History

18/960

Permission GRANTED for the construction of an extension to link two existing industrial units on site

02/1754

Permission GRANTED for the construction of an office and warehouse facility and ancillary site works

5.0 Policy Context

5.1 Development Plan

The Limerick Development Plan 2022-2028 applies.

Annacotty Business Park is located within a Strategic Employment Location

Section 5.8.3 Strategic Employment Locations County Limerick

‘... because of the strategic nature of Annacotty Business Park, the Askeaton Business Park (which is identified as one of the strategic sites in the Strategic Integrated Framework Plan for the Shannon Estuary (SIFP)) and Foynes Port, suitable sites are zoned for enterprise use in these locations in the Plan’

Objective ECON O17 Strategic Employment Locations City and Suburbs (in Limerick), Mungret and Annacotty

Promote, facilitate and enable a diverse range of employment opportunities by facilitating appropriate development, improvement and expansion of enterprise and industry on appropriately zoned lands, accessible by public and sustainable modes of transport, subject to compliance with all relevant Development Management Standards and Section 28 Guidance at Strategic Employment Locations and other appropriately zoned locations in a sustainable manner

Objective ECON O18 Specific Site Requirements

Ensure the provision of a minimum 20m landscaped buffer zone between proposed development and adjoining development/lands in Annacotty Business Park...

The R445 has been identified within the Limerick Shannon Metropolitan Area Transport Strategy (LSMATS) as a Secondary/Feeder cycling route and therefore has strategic importance in the context of the area.

Other Policy Documents including relevant Section 28 Guidelines

- Regional Spatial and Economic Strategy (RSES) for the Southern Region
- Limerick Shannon Metropolitan Area Transport Strategy (LSMATS)
- National Sustainable Mobility Policy Action Plan 2022-2025
- Climate Action Plan
- Design Manual for Urban Roads and Streets
- The Planning System and Flood Risk Management (including the associated Technical Appendices)
- Appropriate Assessment Guidelines for Planning Authorities
- EIA Guidance for Consent Authorities regarding Sub-Threshold Development

5.2 Natural Heritage Designation

The site is not located within any designated site. The nearest designated site- the Lower Shannon SAC (Site Code 002165) is located approximately 1.5km from the subject site.

5.3 EIA Screening

Schedule 5 Part 2 of the Planning and Development Regulations 2001 (as amended) sets out the class of developments which provide that mandatory EIA is required.

The following classes are considered to be relevant:

- Class 10 Infrastructure Projects of Part 2 of Schedule 5 of the Planning and Development Regulations 2001 (as amended):

- o 10(a) Industrial estate development projects, where the area would exceed 15 hectares.
- o 10(b)(iv) Urban development which would involve an area greater than 2 hectares in the case of a business district, 10 hectares in the case of other parts of a built-up area and 20 hectares elsewhere.

Due to the site's location in a built-up area 10 hectares is the relevant threshold in this case.

In terms of the above the Board will note that the subject site comprises part of the established Serosep site within the business park and has a stated area of 1.59 hectares. The existing buildings on the site extend to a stated gross floor area of 2036m². The proposed development comprises the construction of an extension to this building with a floor area of 1988m², with the additional floor area partly comprising Research and Development area (992 m²) which will replace eight portacabins currently on site. The site is utilised by a company (Serosep Ltd) which manufactures laboratory diagnostic products. The subject site comprises part of the established Serosep site within the Business Park and has a stated area of 1.59 hectares.

It is considered that the development does not fall within any cited class of development in the P&D Regulations and does not require mandatory EIA.

The site is located within a designated development area of Limerick, on lands zoned for enterprise purposes. Furthermore, as this proposal would fall below the relevant threshold, I conclude that, based on its nature and scale of the proposed development; its location within the established Annacotty Business Park and the location of the development outside of any sensitive location specified in article 109(3) of the Planning and Development Regulations 2001 (as amended), there is no real likelihood of significant effects upon the environment and so the preparation of an EIAR is not required.

5.4 Appropriate Assessment

I have considered the proposed development in light of the requirements S177U of the Planning and Development Act 2000 as amended. The subject site is located approximately 1.5km from the Lower Shannon SAC (Site Code 002165). The

proposed development comprises the construction of additional floorspace, ancillary to the use of the existing premises, together with ancillary site development works

Having considered the nature, scale and location of the project, within an adequately serviced urban area in the established Annacotty Business Park, I am satisfied that it can be eliminated from further assessment because it could not have any appreciable effect on a European Site. The reason for this conclusion is as follows:

- Nature and scale of works comprising a relatively small-scale extension to an existing facility
- Distance from nearest European site and lack of connections
- Taking into account screening determination by the planning authority

I consider that the proposed development would not be likely to have a significant effect individually, or in-combination with other plans and projects, on a European Site and appropriate assessment is therefore not required.

6.0 The Appeal

6.1 Grounds of Appeal

The third-party appeal may be broadly summarised as follows:

- Welcomes expansion of this development, which will increase employment opportunities at Annacotty Business Park
- Additional vehicular traffic on R506, which currently has high traffic levels and speeds stated to be in excess of limits, will compromise safety of pedestrians, cyclists and car drivers; will lead to further congestion at the junction of R445 and R506
- Walking and cycling infrastructure to Annacotty Business Park along the R506 is inadequate with paths too narrow; dangerous to cycle on this roadway due to narrow carriageway, speed of traffic and number of HGVs using the roadway. Most cyclists/scooting use path for this reason

- Before any further development takes place at Annacotty Business Park, as assessment of current and future vehicular traffic levels on R506 needs to be undertaken, together with a survey of current/future numbers of people cycling/walking/scooting on the route
- Junction realignment of the R445 and R506 includes some cycle paths, however considers that these will cause more safety issues. The planning authority need to work with all stakeholders to provide a fully protected cycle lane all the way from R445 to Annacotty Business Park before any further development takes place in the Park.
- Concerns regarding timing of surveys and level of data contained in TTA
- Proposal contrary to Objective ECON 020 of CDP which seeks the 'sustainable development of Annacotty Business Park compatible with the carrying capacity of the road network'.
- Cycling to this development cannot be encouraged with the current lack of cycling infrastructure; encouraging cycling in MMP is reckless on highly dangerous road; states that inability of staff to cycle/walk to this development is contrary to a significant number of cited national policy/legislation
- Site not serviced by a bus service; the nearest bus stop is 2.5km from the site and does not cater for a frequent commuter service to Limerick city.
- Grant of permission should not proceed without the provision of adequate pedestrian/cycle infrastructure; lack of public transport means proposal is totally car dependent; promotion of unsustainable transport modes and contrary to local, national and international policy on carbon emissions and sustainable transport; would also endanger public safety by reason of a traffic hazard; safe, sustainable transport options should be provided for staff

6.2 Planning Authority Response

None

6.3 Observations

An observation was received from An Taisce, which concurs with the grounds of appeal and which may be broadly summarised as follows:

- Proposal is predicated on automotive land-use concepts of creating a business park and employment type development in urban fringe, car-based locations without any proper or notional deference to cycling
- Significant change in national land-use and transport policy since adoption of CDP, with particular reference to National Sustainable Mobility Policy Action Plan 2022-2025
- Submitted that TTA is inadequate in addressing sustainable mobility, reduction of climate impact and traffic congestion generation, exacerbated noise and air pollution, tire particle runoff, together with the National Sustainable Mobility Policy Action Plan 2022-2025
- Considers this to be an important test case with regards to An Bord Pleanála's competence in climate mitigation and sustainable transport; warrants refusal of permission

6.4 Further Responses

None

7.0 Assessment

7.1 Having examined the application details and all other documentation on file, including the reports of the planning authority and prescribed bodies, the appeal submission received, observation received, local, regional, national and European policy, together with having inspected the site, I consider that the main issues in this appeal are as follows:

- Principle of proposed development/policy context
- Traffic and Transport Matters
- Other matters

7.2 The following information is contained within the application documentation.

Serosep Ltd is a manufacturer of laboratory diagnostic products, supplied directly to clinical laboratories. Their flagship product is a rapid test for gastroenteritis, which is a market leader in Ireland, UK, New Zealand and South Africa. The product was due to be launched in 2023 in the USA and Germany leading to increased demand for the product. The company's research and manufacturing operations have been based in Annacotty Business Park since 2010. The company currently employs 104 persons in Limerick. R&D operations are currently housed in eight portacabins on site and part of this proposal seeks to replace these with state-of-the-art laboratories, to allow for further expansion of research and development. The R&D element of the proposal will be a stand-alone area, separated from the adjoining production area to prevent cross-contamination. It is stated that the proposed development will not result in significant increases in employee numbers at the Limerick site. The site generally operates Monday-Friday 8.00-17.00, weekend working does not generally take place.

7.2 Principle of proposed development/policy context

7.3 The proposed development comprises the construction of an extension (stated floor 1988m²), comprising research and development area (992 m²), manufacturing area (806m²) and warehousing (190m²) to the existing Serosep plant, within the established Annacotty Business Park. It is noted that the proposed research and development area (992 m²) will replace eight existing portacabins currently being used for such on site.

7.4 Annacotty Business Park is located within a Strategic Employment Location, as set out in the operative County Development Plan. Section 5.8.3 of the aforementioned Plan states, in relation to Strategic Employment Locations that '... because of the strategic nature of Annacotty Business Park..., suitable sites are zoned for enterprise use in these locations in the Plan'. The objective of the Enterprise and Employment zoning is 'To provide for and improve general enterprise, employment, business and commercial activities'. The proposed development accords with this zoning objective.

7.5 The planning authority states that the principle of extending the existing facilities within the business park is considered acceptable, subject to demonstration of the

standards outlined in the Limerick Development Plan. I am satisfied that the principle of the proposed development is acceptable at this location. There are numerous policies that support enterprise development within the established business parks contained within the operative Development Plan. The proposal represents an extension to an existing facility within a long-established business park. All services to support the proposed development are in place in terms of access road, water services infrastructure and utilities. I am satisfied in this regard.

7.6 Traffic and Transport Matters

- 7.7 The primary concerns of the third-party submissions received relate to concerns regarding increased traffic as a result of the proposed development; together with inadequate provision of pedestrian/cycle infrastructure in the vicinity. The third-party is of the opinion that the lack of public transport in the vicinity means the proposal is totally car dependent while the promotion of unsustainable transport modes is contrary to local, national and international policy on carbon emissions and sustainable transport. They further contend that the proposal would also endanger public safety by reason of a traffic hazard and are of the opinion that safe, sustainable transport options should be provided for staff. Similar concerns are raised in the observation received.
- 7.8 The third-party are of the opinion that additional vehicular traffic on R506, which currently has high traffic levels and high speeds will compromise safety of pedestrians, cyclists and car drivers and the proposal will lead to further congestion at the junction of R445 and R506. They highlight that walking and cycling infrastructure to Annacotty Business Park along the R506 is inadequate with paths too narrow; that it's dangerous to cycle on this roadway due to narrow carriageway, speed of traffic and number of HGVs using the roadway. They further state that cycling to this development cannot be encouraged with the current lack of cycling infrastructure and they note that the inability of staff to cycle/walk to this development is contrary to a significant number of cited national policy/legislation.
- 7.9 A Traffic and Transportation Assessment, together with a Mobility Management Plan were submitted as part of the Further Information response to the planning authority. TRICS database was used. The TTA concludes that there will be an increase in trips generated by the proposed development, however this is in line with the

expected growth of the business park. The submitted Mobility Management Plan acknowledges that the existing business park footpaths are in poor condition along the route from the entrance to the overall park and that crossings, tactile paving and dropped kerbs are not provided for. It is also noted within the MMP that there are no cycle tracks along the R506 nor within the business park and that the comfort of cyclists along this, is impacted by higher traffic speeds, width of carriageway and high HGV volumes, which all reduce the likelihood of staff choosing to cycle as a mode of transport. However, they further state that the applicant has no control over this roadway or its footpaths. In relation to public transport provision, the MMP notes that the business park is not directly serviced by BusConnects Limerick and that both the site and wider business park would benefit if a route branch was extended out to the business park during commuter times or if a shuttle bus existing to allow staff to commute from other areas of the city. A travel survey was undertaken of existing staff and the results found, that of the staff respondents, 100% travel by car to the site, with reasons being that due to lack of alternatives and quickest way to travel.

- 7.10 The planning authority are generally satisfied with the proposed development, subject to conditions. I highlight to the Board that in adopting the operative Development Plan and designating Annacotty Business Park as a Strategic Employment Location, with a zoning objective of 'Enterprise', the planning authority would have been aware of the limitations of the business park relating to public transport and pedestrian/cycling infrastructure.
- 7.11 I acknowledge the concerns put forward in the submissions received. I note that the Annacotty Business Park is an established business park, in place for many decades. It is largely a car-based business park and it is clear from driving through it that many of the employees drive to work. This is borne out by the level of surface car parking evident around almost all occupied units within the park. I observed at the time of my site visit, on a Wednesday mid-morning, that traffic was heavy but not congested along the R506, in the vicinity of the park entrance. Within the business park itself, traffic was relatively light with a number of HGV movements noted. This is not unexpected given that a number of logistics centres appear to operate from within the business park. The R506 is quite narrow in width, with limited hard shoulder if any; there was a high volume of HGV traffic noted and footpaths are narrow and generally along one side of the road only. There is no designated cycle

infrastructure. It could not be described as an environment that would be pleasant for cyclists or pedestrians. The junction of the R506 with the R445 is a signalised junction. I did not note any congestion at this junction and while traffic levels were quite high, it was moving freely along both the R506 and R445 at the time of my visit. The R445 is a main thoroughfare from the M7 motorway into Limerick city and the road network is of better quality. The nearest public transport facility is 2.5km from the subject site and is generally not a commuter-based service.

7.12 Notwithstanding all of the above, I wish to highlight the following to the Board. The proposal involves the extension to an existing premises within the Annacotty Business Park. The existing company on site have been operating from this base since 2010. It is stated that the largest element of the proposal, namely the research and development element, will replace eight existing portacabins on site. This, in my opinion, could be considered a reorganisation of the existing uses on site rather than new, additional development per se. It is further stated that the existing staff on site is 104 no. and the proposal will not result in a significant increase in this number. Currently approximately 30% of the staff work from home at any one time, although that figure is anticipated to be reduced with time. It is stated in the TTA that the proposal would result in 26 additional trips in both the AM and PM peak. I do not consider this figure to be a significant increase in trip generation in the area. The planning authority state that they are satisfied that the proposed development is in line with the expected growth of the Annacotty Business Park.

7.13 In terms of car parking provision, I note that there are currently 11 no. car parking spaces existing to the front of the premises with 48 no. spaces to its rear. The 65 no. car parking spaces permitted in this current appeal would replace these spaces to the rear of the site. The 11 no. spaces to the front of the premises would remain unchanged. Therefore, the proposal would result in an increase of 17 no. spaces over that currently existing on site. I consider this figure to be quite insignificant within the general Annacotty Business Park environment.

7.14 Furthermore, I note that permission was granted by the planning authority under Reg. Ref. 21/1535 for the upgrade of the entrance to the Annacotty Business Park. This would include for improved cycle and pedestrian facilities at the entrance to the business park. These works have not yet been undertaken. It is stated that within that application, the proposed development site was within an area identified as

being 'potential zoned development land' and was thus provided for in the junction analysis at that time. Within that application, it is stated that an allowance of an additional 85 AM peak and 87 PM peak trips generated from this site was provided for, which is well in excess of the actual figures being generated by this current proposal (26 no. in AM and PM peak).

- 7.15 It is also stated in the Mobility Management Plan, submitted as part of this application, that Limerick City and County Council have completed some upgrade works along the R506 and a footpath now runs along the east side of the road between the business park and the Dublin Road (R445), a distance of approximately 1.3km. Furthermore, it is stated that the local authority are set to start works on an improvement scheme this year on the Cappamore Road Junction (between R506 and R445) which involves the addition of footpaths, cycle tracks, new controlled toucan crossings and improved public lighting. These junction improvement works are intended to improve traffic congestion at the junction during peak times and will also improve the safety and ease of use for pedestrians at the junction. The planning authority have not refuted any of this information.
- 7.16 The Limerick Shannon Metropolitan Area Transport Strategy 2040 was prepared by the National Transport Authority in conjunction with Limerick City and County Council and Clare County Council. It sets out the framework for the delivery of the transport system required to further the development of the Limerick Shannon Metropolitan Area as a hub of cultural and social development and regeneration; as the economic core for the Mid-West; as an environmentally sustainable and unified metropolitan unit and as a place where people of all ages can travel conveniently and safely. The LSMATS identifies the University of Limerick Area – R445 Dublin Road and Plassey Park Road/Castletroy/Annacotty as a Strategic Walking Route and it is envisaged that these will be upgraded in tandem with BusConnects and enhance the pedestrian (and cycle) network to enable greater levels of walking commuter trips or as part of linked-trips with public transport. Therefore, based on the above, it is acknowledged that cycling and public transport infrastructure is currently lacking in the area, and that while not directly affecting the business park there are plans in place for the wider area to improve this scenario.
- 7.17 I have had regard to national, regional and local policy in undertaking this assessment. The observation received notes relatively recent changes in national

land use and transport policy, specifically through the National Sustainable Mobility Policy Action Plan 2022-2025, with particular reference to Goal 5, which seeks to encourage people to choose sustainable mobility over the private car. They are of the opinion that this is an important test case with regard to An Bord Pleanála's competence in climate mitigation and sustainable transport. The observer further contends that the submitted documentation including the TTA is entirely inadequate in addressing sustainable mobility, the reduction in climate impact and traffic congestion generation, exacerbated noise and air pollution and tire particle run-off. In response to this, I would note that the submitted MMP sets out a number of actions to be undertaken, which seeks to change the mode share, including the assignment of a Mobility Manager to assist with the implementation and running of the Action Plan initiatives, which includes measures to encourage people to choose sustainable mobility over the private car, as per Goal 5. These measures include, inter alia, the provision of high visibility equipment to encourage walking/cycling, maintain showers and changing facilities, encouraging the establishment of walking groups, liaise with LA and business park owners to improve cycle facilities to the site. I therefore do not agree with the observer's assertion in this instance that this matter has not been addressed in the submitted documentation. I am of the opinion that given the overall scale of the proposal, of which much of the proposed floor area is replacing/reorganising existing uses on a long-established site, that impacts on climate as a result of increased traffic congestion, noise or air pollution including tire particle run-off, over and above that currently existing on site, would not be so great as to warrant a refusal of permission given that the proposal would only give rise to an additional 26 additional AM and PM peak journeys in any one day. This figure is considered quite insignificant in the overall picture, notwithstanding the existing traffic movements associated with the site.

- 7.18 The third party contends that the proposal is contrary to Objective ECON 020 of CDP which seeks the 'sustainable development of Annacotty Business Park compatible with the carrying capacity of the road network'. I would not concur with this assertion. The additional traffic generated by the proposal is quite minimal in the overall context and the planning authority have not raised concerns in relation to the carrying capacity of the local road network. I have no information before me that to believe that the carrying capacity of the road network is inadequate to deal with the

development proposed. Traffic was moving freely at the time of my site visit. The submitted Traffic and Transportation Assessment state that junction analysis undertaken as part of Reg. Ref. 21/1535 indicated that there would be minor queueing delays within the business park during the 2037 Design Year PM Peak and that all other traffic streams operated well within design capacity.

7.19 Overall, I consider that this proposal, which includes for the reorganisation of existing uses on site and which would not result in significant increases in staff numbers or car parking numbers, is a very different proposal to one which would propose an entirely new development on a greenfield site within the Annacotty Business Park and I consider that it should be assessed accordingly and a reasonable approach taken. If this was an entirely new development (of similar scale to the overall permitted and proposed development) on a greenfield site, I may be making a different recommendation. Without doubt, the proposal is car-based, in line with other existing uses within the existing business park, and infrastructure in the vicinity to support other modes of travel is presently lacking and inadequate.

Notwithstanding this, improvements have been made in this regard and others are in the pipeline (as detailed above). The actions contained within the submitted Mobility Management Plan are noted. The planning authority have designated Annacotty Business Park as a Strategic Employment Location, zoned for enterprise uses. Having regard to the planning history/long established use of the subject site, the nature of the proposal which partially includes for the reorganisation of existing uses on site, together with a somewhat insignificant increase in traffic movements, I am satisfied that the proposed development within the Annacotty Business Park is acceptable in this instance and would accord with the proper planning and sustainable development of the area.

7.20 Other Matters

7.21 The third party raises concerns regarding timing of surveys (undertaken during Covid restrictions) and level of data contained in TTA. The applicants have addressed this matter in the TTA. They acknowledge that traffic levels were generally lower during this period, however as much of the Annacotty Business Park properties are logistics centres where deliveries and traffic figures were actually higher during this period. For this reason, no adjustment for Covid traffic figures have been applied in the TTA.

This is considered reasonable and I am satisfied in this regard. The planning authority did not raise concerns in this regard.

7.22 The purported breaking of speed limits in the locality is a matter for An Garda Siochana, outside the remit of this planning appeal.

7.23 Matters raised by the planning authority and dealt with by condition, relating to additional pedestrian routes from the car parking areas to the building and improved cycle facilities and changing areas, could be adequately dealt with by means of condition if the Board is disposed towards a grant of permission.

7.24 I am satisfied that the proposal would integrate well with the existing and permitted development on site and within the wider Annacotty Business Park. I have no information before to believe that the proposal would be prejudicial to health or impact negatively on the amenity of the area. The planning authority have not raised concerns in this regard.

7.25 Conclusion

7.26 Having regard to the layout, height and design solution put forward, I am satisfied that the proposed development is in accordance with the zoning objective of the Development Plan, which seeks “To provide for and improve general enterprise, employment, business and commercial activities”, is in keeping with the pattern of development in the area and is in accordance with the proper planning and sustainable development of the area.

8.0 Recommendation

8.1 I recommend that the decision of the planning authority be UPHELD and that permission be GRANTED, subject to the following conditions.

9.0 Reasons and Considerations

Having regard to the planning history and the zoning objective of the subject site, its location within the existing Annacotty Business Park and the nature and scale of the proposed development, it is considered that, subject to compliance with the conditions set out below, the proposed development would not lead to the creation of a traffic hazard or obstruction of road users, would not be prejudicial to public health

and would not seriously injure the amenities of the area. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area

10.0 Conditions

1.	<p>The development shall be carried out and completed in accordance with the plans and particulars lodged with the application, as amended by Further Information received by the planning authority on the 02nd day of May 2023, 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.</p> <p>Reason: In the interest of clarity.</p>
2.	<p>Details of the materials, colours and textures of all the external finishes to the proposed buildings shall be submitted to, and agreed in writing with, the Planning Authority prior to commencement of development.</p> <p>Reason: In the interest of visual amenity.</p>
3.	<p>Drainage arrangements including the attenuation and disposal of surface water, shall comply with the requirements of the relevant Section of the planning authority for such works and services. Prior to the commencement of development the developer shall submit to the planning authority for written agreement a Stage 2 - Detailed Design Stage Storm Water Audit. Upon completion of the development a Stage 3 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.</p>

	Reason: In the interest of public health and surface water management
4.	<p>Prior to the commencement of development the developer shall enter into a Connection Agreement (s) with Uisce Éireann (Irish Water) to provide for a service connection(s) to the public water supply and/or wastewater collection network.</p> <p>Reason: In the interest of public health and to ensure adequate water/wastewater facilities.</p>
5.	<p>The developer shall comply with all requirements of the planning authority in relation to roads, access, lighting and parking arrangements, including facilities for the recharging of electric vehicles. In particular:</p> <p>(a) Prior to the commencement of development, a Stage 2 and Stage 3 Road Safety Audit shall be submitted to the planning authority for their written agreement, in compliance with the TII publication ‘Road Safety Audit GE-STY-01024’</p> <p>(b) Prior to the commencement of development, the applicant shall submit a revised Site Layout Plan showing covered and secure cycle storage that complies with the requirements of Table DM 9(a) of the Limerick Development Plan 2020-2028. A total of 76 cycle spaces shall be provided.</p> <p>(c) Prior to the commencement of development, the applicant shall submit a revised Site Layout Plan, which provides for additional pedestrian routes from the car parking areas to the building. The central pedestrian route is deemed insufficient.</p> <p>(d) Provision of tactile paving at appropriate locations, to be determined by the planning authority</p> <p>(e) The roads and traffic arrangements serving the site (including signage) shall be in accordance with the detailed requirements of the Planning</p>

	<p>Authority for such works and shall be carried out at the developer's expense.</p> <p>(f) The roads layout shall comply with the requirements of the Design Manual for Urban Roads and Streets, in particular carriageway widths and corner radii;</p> <p>(g) The materials used in any roads / footpaths provided by the developer shall comply with the detailed standards of the Planning Authority for such road works,</p> <p>(h) A detailed construction traffic management plan shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. The plan shall include details of arrangements for routes for construction traffic, parking during the construction phase, the location of the compound for storage of plant and machinery and the location for storage of deliveries to the site.</p> <p>Reason: In the interest of traffic safety and convenience.</p>
6.	<p>Site development and building works shall be carried out only between the hours of 0800 to 2000, Mondays to Fridays inclusive, between 0800 to 1600 hours on Saturdays and not at all on Sundays and public holidays. Deviation from these times will only be allowed in exceptional circumstances where prior written approval has been received from the planning authority.</p> <p>Reason: In order to safeguard the residential amenities of property in the vicinity.</p>
7.	<p>Public lighting shall be provided in accordance with a scheme, which shall include lighting along pedestrian routes through open spaces, details of which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development/installation of lighting.</p> <p>Reason: In the interests of amenity and public safety</p>
8.	<p>The construction of the development shall be managed in accordance with a Construction and Environmental Management Plan, which shall be</p>

	<p>submitted to, and agreed in writing with the planning authority prior to commencement of development. This plan shall provide, inter alia: details and location of proposed construction compounds, details of intended construction practice for the development, including hours of working, noise and dust management measures, details of arrangements for routes for construction traffic, parking during the construction phase, and off-site disposal of construction/demolition waste.</p> <p>Reason: In the interests of public safety and residential amenity.</p>
9.	<p>Construction and demolition waste shall be managed in accordance with a construction waste and demolition management plan, which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This plan shall be prepared in accordance with the “Best Practice Guidelines on the Preparation of Waste Management Plans for Construction and Demolition Projects”, published by the Department of the Environment, Heritage and Local Government in July 2006.</p> <p>Reason: In the interest of sustainable waste management.</p>
10.	<p>A plan containing details for the management of waste (and, in particular, recyclable materials) within the development, including the provision of facilities for the storage, separation and collection of the waste and, in particular, recyclable materials and for the ongoing operation of these facilities shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. Thereafter, the waste shall be managed in accordance with the agreed plan.</p> <p>Reason: To provide for the appropriate management of waste and, in particular recyclable materials, in the interest of protecting the environment.</p>
11.	<p>The developer shall pay to the planning authority a financial contribution in respect of public infrastructure and facilities benefiting development in the</p>

	<p>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 Bord Pleanála to determine the proper application of the terms of the Scheme.</p> <p>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.</p>
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I confirm that this report represents my professional planning assessment, judgement and opinion on the matter assigned to me and that no person has influenced or sought to influence, directly or indirectly, the exercise of my professional judgement in an improper or inappropriate way.

Lorraine Dockery
Senior Planning Inspector

15th October 2024

Appendix 1 –

EIA Preliminary Examination- Form 2

An Bord Pleanála Case Reference	ABP- 317416-23	
Proposed Development Summary	The provision of a new manufacturing and warehousing building, ancillary to the existing facility with all ancillary landscaping and associated site works and service	
Development Address	Annacotty Business Park, Annacotty, Co. Limerick	
<p>The Board carried out a preliminary examination [ref. Art. 109(2)(a), Planning and Development regulations 2001, as amended] of at least the nature, size or location of the proposed development, having regard to the criteria set out in Schedule 7 of the Regulations.</p> <p>This preliminary examination should be read with, and in the light of, the rest of the Inspector's Report attached herewith.</p>		
	Examination	Yes/No/ Uncertain
<p>Nature of the Development. Is the nature of the proposed development exceptional in the context of the existing environment.</p> <p>Will the development result in the production of any significant waste, emissions or pollutants?</p>	<p>Not exceptional in the context of the existing environment. Extension to existing premises. Zoned, serviceable site within built-up area of Annacotty Business Park.</p>	<p>No</p> <p>No</p>
<p>Size of the Development Is the size of the proposed development exceptional in the context of the existing environment?</p> <p>Are there significant cumulative considerations having regard to other existing and / or permitted projects?</p>	<p>Size of the proposed development is not exceptional in the context of the existing environment. Extension to existing premises. Using existing infrastructure</p>	<p>No</p> <p>No</p>
<p>Location of the Development Is the proposed development located on, in, adjoining, or does it have the potential to significantly impact on an ecologically sensitive site or location, or protected species?</p>	<p>Proposed development is not located on, in, adjoining, or does it have the potential to significantly impact on an ecologically sensitive site or location, or protected species.</p>	<p>No</p>

Does the proposed development have the potential to significantly affect other significant environmental sensitivities in the area, including any protected structure?	Best practice construction measures proposed/dealt with by condition. No PS on site. No protected species/habitats on site	
Conclusion		
There is no real likelihood of significant effects on the environment. EIA is not required.		

Inspector: Lorraine Dockery

Date: 15th October 2024