



An
Coimisiún
Pleanála

Inspector's Report ABP-320652-24

Development	Construction of an extension of to an existing light industrial manufacturing facility and all associated site works.
Location	Croom Medical, Tooreen, Croom, Co. Limerick
Planning Authority	Limerick City and County Council
Planning Authority Reg. Ref.	2460159
Applicant(s)	Croom Medical
Type of Application	Permission
Planning Authority Decision	Grant Permission with Conditions
Type of Appeal	Third Party
Appellant(s)	Patrick Canty
Observer(s)	None
Date of Site Inspection	15 th August 2025
Inspector	Ronan O'Connor

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1.0 Site Location and Description

- 1.1.1. The site is located within the development boundary of Croom village on the R516 and within the 50kph speed limit. The site comprises of a single-story warehouse unit and internal mezzanine with a gross floor area of 2,145 sq. m and is currently occupied by Croom Medical Precision. The site also includes the existing soccer grounds to the north.

2.0 Proposed Development

- 2.1.1. The proposed development consists of the following elements:
- An extension to the existing facility consisting of additional light industrial manufacturing area and a two-storey ancillary office space for staff facilities resulting in an additional gross floor area of 3,050sqm.
 - A proposed new vehicular entrance to the southeast of the site.
 - Relocation of existing footpath pitch.
 - The construction of a new car park providing an additional 43 no. parking spaces including accessible spaces, EV charging stations and a set down area.
 - The provision of 1 no. loading bay to the northern elevation, Secure bicycle parking spaces, Plant and photovoltaic units to the roof level.
 - Provision of SuDS measures including swale to north-western end of site with all ancillary landscaping, associated site works and services.
 - The development will also include works to the existing medical facility northern elevation to facilitate integration with the proposed extension.

3.0 Planning Authority Decision

3.1. Decision

- 3.1.1. 30 30th July 2024, the Council granted permission pursuant to Section 34(6) of the Planning and Development Act, 2000 (as amended) i.e. on foot of a material

contravention of the Croom LAP 2020-2026. This followed a special Meeting of the Council which was held on 22nd July 2024.

3.2. Planning Authority Reports

Planning Reports

- 3.2.1. The Planning Report, dated 26th March 2024, sets out the planning history, AA Screening, EIA Screening, relevant policies of the Limerick Development Plan 2022-2028 and the Croom Local Area Plan 2020-2026.
- 3.2.2. The planning assessment notes the submission of a Material Contravention Planning Statement. This is submitted as the development is proposed on lands zoned Education and Community Facilities. The proposed use would represent a material contravention of the Croom Local Area Plan.
- 3.2.3. In relation to same, the Planner's Report note the following:
- 'Given that the existing use is a long term established use which is at full capacity and the applicants are proposing to provide Croom United with a new facility in Skagh, its positive impact in terms of job creation and economic growth of the level 4 settlement of Croom, the proposed site is considered acceptable and thus the application must proceed for material contravention which shall be recommended by the Council'.*
- 3.2.4. The Planner's Report recommends Further Information is sought in relation to
- Confirmation of Feasibility from Irish Water
 - Bike Parking
 - End of Journey Bike facilities
 - Baseline noise survey
- 3.2.5. Further Information was requested on 19th April 2024.
- 3.2.6. Further Information was received on 26th April 2024 which included the following:
- Cover letter dated 26th April 2024 (and Appendix A Irish Water Pre-Connection Enquiry)
 - Dwg. 21115-3006 Bicycle Stands

- Dwg. 21115-3004 Proposed Elevations
- Dwg 21115-3003 – Proposed Floor Plans

3.2.7. Additional information was also received by the PA on 16th May 2024 – Cover Letter (which refers to Uisce Eireann COF –which is on file and is dated 14th May 2024)

3.2.8. All issues resolved to the satisfaction of the Planning Authority as per the Planner's Report dated 4th June 2024.

3.2.9. The Planner's Report of 4th June 2024 recommended a grant of permission, subject to 16 no. conditions.

Director General's Report

3.2.10. The subsequent Director General's Report, dated 17th July 2024, prepared in accordance with Section 34(6)(a)(iia) of the Planning and Development Act, sets out the nature of the development, the policy context, an AA Screening, EIA Screening, a Planning Appraisal, a Notice of the proposed Material Contravention, a summary of submissions and observations, the Director General's Opinion of compliance with National and Regional Policy and a Recommendation.

3.2.11. In relation to the issue of Material Contravention the following is of note:

'The Material Contravention Planning Statement provides justification for the required expansion of the existing facility at its current location. This includes consideration of alternative enterprise zones, the increased operational complexity and cost of operating from disparate locations, and the Company's desire to maintain their roots and continue to sustain and grow whilst contributing to the economic and social development of Croom. The Planning Authority has reviewed the submitted Planning Statement, and concurs with the position that the existing facility is restricted in terms of expansion and accepts the justification for expansion of the existing facility at its current location.'

Therefore, given that the existing use is a long-term established use which is at full capacity, the need for the proposed expansion of the existing facility at its current location, the proposal to protect the existing sports facility, the proposal to provide a new sports facility in Skagh for Croom United, the positive impact of these proposals in terms of job creation and economic growth as well as the protection and expansion of existing sport and recreation amenities in the level 4 settlement of

Croom, the Planning Authority considered the proposed development was acceptable and thus the application proceeded to material contravention.'

3.2.12. The report also sets out that the Director General was of the view that the proposal was in compliance with relevant objectives of the NPF and the RSES for the Southern Regions.

3.2.13. The recommendation of the Report of the Director General was to recommend to the Elected Members of Limerick City and County Council that a resolution is passed to Grant the proposed development.

3.2.14. Conditions

3.2.15. The Planning Authority have imposed 16 no. conditions. Of note is the following:

Condition 5

Prior to commencement of development, revised drawings including a revised Site Layout Plan and other drawings as appropriate, to show the relocation of the permitted manufacturing/office building circa. 10m to the north, shall be submitted and agreed in writing with Planning Authority.

Reason: In the interest of orderly and sustainable development.

(see discussion of same in Section 7 of this report).

3.3. Prescribed Bodies

HSE – report received 12/03/24 - No comments on the public health aspect of the application

Irish Water – report received 28/03/24 = Requesting that the applicant engage with IW through the submission of a pre-connection enquiry in order to determine the feasibility of connection to the public water/waste water infrastructure. The Confirmation of Feasibility must be submitted to the Planning Department as the response to this further information request.

Additional report received 30th April – Clarification of FI requested in relation to COF.

3.4. Third Party Observations

1 no objection was received. The issues raised were as follows

- Concerns regarding noise pollution from the dust control extractors running 24hours a day.
- Development will eliminate the soccer field which is essential to the village – social problems will increase as a result.
- Traffic volume associated with the proposed development,

4.0 Planning History

23/477: Croom Medical were granted conditional permission for retention of ground floor extension of 830sqm to existing warehouse, first floor extension to internal mezzanine of area 30sqm office space, alterations to existing façade, external HVAC tanks to the north elevation, 4 sheds and alterations to site works including car parking layout.

17/1183: Croom medical precision granted conditional permission for over clad the wall & roof areas of the existing two gable roof buildings to the front of the site in a selected insulated metal panel system, to modify the fenestration of the existing facades, to change the colour of the existing 2 storey portal frame building to the rear of the site to match the new over clad structures, to extend the first floor office area by a 52m sq. internal mezzanine area and all ancillary site works & services.

16/1131: Croom Medical Precision granted conditional permission for 2 storey flat roof office space extension (378 sq.m -GIA) to the south side of existing medical devices manufacturing facility, involving partial demolition of existing single storey offices to the east & recladding of all existing building elevations with addition of new windows. Widening of existing entrance & replacement of existing gate. Removal of 10 no. carparking spaces & 2 no. auxiliary buildings to east of the site in order to realign internal roadways & create new surrounding landscaping. Phase 2:

Double height, single storey production extension (7851.9 sq.m -GIA) to the west side of existing medical services manufacturing facility; involving relocation of existing substation to allow for new delivery yard, 20 no. carparking spaces, new roadway & surrounding landscaping. Additional auxiliary buildings to be incorporated to rear of the site.

03/2584: Croom Medical Precision granted conditional permission for construction of extension to existing manufacturing facility to include additional manufacturing space as well as administration and office space including ancillary site services. Also retention of existing storage shed and permission to relocate to rear of proposed extension.

92/1205: Croom Precision Tooling granted unconditional permission for alterations to boundaries and entrance.

92/598: Patrick Byrnes granted unconditional permission for Erection of extension to existing house and change of elevation of office extension from that previously approved, ref. no. 764/91.

91/764: Croom Precision Tooling granted unconditional permission for Erection of office and store extension to factory.

Adjacent:

08/584: Croom United Soccer Club granted conditional permission for construction of 16 no. floodlights to existing football pitches and ancillary works

Other Relevant Applications

PA Ref 24/60312 – Permission granted for the construction of a new sports ground for Croom United Football Club which will consist of; one astroturf soccer pitch with lighting and two grass pitches, a single story clubhouse of gross floor area 177m² containing dressing rooms and a gym, the widening of the existing vehicular site entrance, the provision of vehicle parking including accessible spaces and EV charging stations, bicycle parking, a refuse store, new foul and water mains connections, the provision of SuDS measures including attenuation tanks, swales, and a raingarden with all associated landscaping and associated site works [decision dated 30/07/2024 – Final Grant Date 03/09/2024).

5.0 Policy Context

5.1. Development Plan

Limerick Development Plan 2022-2028

Croom is recognised as a Level 4 Settlement in the Limerick Development Plan therefore Objective CGR O15 applies and which states:

CGR O15: Requirements for Developments within Level 4 Settlements

It is an objective of the Council within these settlements to facilitate development, subject to compliance with the following:

- a) To ensure that the scale of new housing developments both individually and cumulatively shall be in proportion to the pattern and grain of existing development. Generally, no one proposal for residential development shall increase the existing housing stock by more than 10 – 15% within the lifetime of the Plan, unless the applicant can demonstrate that the settlement has adequate capacity in terms of both physical and social infrastructure to support additional growth.
- b) The development of these centres shall provide for serviced sites and a variety of other house types and densities as appropriate.
- c) New commercial developments shall generally be located within the core area and shall contribute positively to the village urban fabric and streetscape.
- d) New community and social facilities shall be provided in conjunction with residential development as required.
- e) Where there is no treatment plant or limited capacity in the existing treatment plant, sewerage treatment for serviced sites shall generally be by means of individual treatment systems, subject to satisfactory site assessment and compliance with EPA guidelines. All systems shall be constructed so as to allow connection to public sewers in due course when capacity becomes available.

11.8.7 End of Journey Cycling Facilities

All cycling facilities will be assessed in accordance with the NTA's National Cycle Manual and any subsequent national guidance document. For cycle parking, refer to Section 11.8.3 Car and Bicycle Parking Standards, DM Table 9a/9b above. Cycling facilities are considered critical to support the national transport principle of modal shift and is an important element of success of the Workplace Management Plans (Mobility Plans) and new higher density residential development, particularly apartment developments. For new residential developments of less than 5 units and non-residential developments of under 400 sqm, planning applications shall include

a Cycle Statement, setting out how it meets the requirements of the Council's Standards for Cycle Parking and Associated Cycling Facilities for New Developments (2018). The Council encourages developers to provide on-site supporting infrastructure for the cyclist including safe, secure, weather protected parking and shower facilities in workplaces. The following should be adhered to:

- One shower for high tech/ manufacturing and enterprise and employment development over 100sqm (over 5 employees);
- Two showers for high tech/ manufacturing and enterprise and employment development over 500sqm (25 employees);
- One shower per 1000sqm thereafter;
- Changing facilities/drying areas, toilets and lockers to be provided with sufficient ventilation. Table DM 6: Design Guidelines for High Tech/Manufacturing, Warehousing, Business Park, Enterprise and Employment Centres Croom Local Area Plan 2020-2026

Policy ED 1: It is the policy of the Council to facilitate and encourage appropriate, industrial, enterprise and commercial development in Croom, in accordance with the principles of sustainable development and to strengthen the viability of the town centre as the focal point of commercial activity.

Objective ED 1: Economic Development Proposals

It is the objective of the Council to permit proposals for new industrial and enterprise development or extensions to existing industrial development in appropriately zoned areas, where it can be clearly demonstrated that the proposal:

- (a) Is located on appropriately zoned land;
- (b) Is appropriate to the respective area in terms of size and type of employment generating development to be provided;
- (c) Would not result in adverse transport effects;
- (d) Would have no significant detrimental effect on the surrounding areas or on the amenity of adjacent and nearby occupiers;
- (e) Can be serviced efficiently and economically; and

(f) That sufficient lands are reserved around site boundaries, in both individual sites and industrial parks to accommodate landscaping to soften the visual impact and reduce the biodiversity loss of the development, thereby improving the quality of the environment.

Croom Local Area Plan 2020 -2026

The site is subject to three zonings as set out in the Croom LAP 2020-2026. The existing facility is on lands zoned enterprise and employment and utilities while the area for which the proposed extension is to be located is within lands zoned education and community facilities.

Enterprise & Employment

It is envisaged that these lands will accommodate high quality and sensitively designed enterprise and employment development and complementary uses, as indicated in the zoning matrix. The form and scale of development on these sites shall be appropriate to their location having regard to surrounding uses and scale.

Utilities

The purpose of this zoning is to provide for essential public services, existing and planned.

Education and Community Facilities

The purpose of this zoning is to facilitate the necessary development of schools and community facilities in appropriate locations.

5.2. Natural Heritage Designations

- 5.2.1. None. Tory Hill SAC and Tory Hill pNHA are the nearest such areas and both are located 1.6km to the north-east of the site.

5.3. EIA Screening

- 5.3.1. The proposed development has been subject to preliminary examination for environmental impact assessment (refer to Form 1 and Form 2 in Appendices of this report). Having regard to the characteristics and location of the proposed development and the types and characteristics of potential impacts, it is considered

that there is no real likelihood of significant effects on the environment. The proposed development, therefore, does not trigger a requirement for environmental impact assessment screening and an EIAR is not required.

6.0 The Appeal

6.1. Grounds of Appeal

- 6.1.1. 1 number third-party appeal was received from Patick Canty. I have summarised the grounds of appeal below.

Noise

- Live 600m north-east of the site
- Have contacted owner regarding 2 no. fans running all night
- Impacting on sleep
- Have contacted Council in relation to noise
- Owner has not solved noise issue notwithstanding commitments to do so
- Fans run continuously from 6am Monday to 12pm Sat.
- Has been going on for 6 years.

Air Pollution

- Processes lead to metal particulate matter pollution
- Impacts on workers
- Air Quality Survey needs to be carried out
- Often a huge amount of dust at the base of the extractor fans
- Green Area

Loss of Soccer Pitch

- The development will take over Croom soccer pitch and green area
- Loss of same will lead to social problems

Traffic

- No traffic survey conducted
- Lack of passing areas for trucks
- Existing road is dangerous and not suitable for extract traffic emerging onto it.
- Croom is a rural town not equipped to cater for heavy industry
- Croom is not the right location for this industry from a noise and air pollution perspective/from an infrastructure point of view
- Impact on existing housing

Encl: Aerial View, photograph; copies of correspondence;

6.2. Applicant Response

- 6.2.1. A first-party response to the appeal was received on 20th September 2024. I have summarised same below:

Material Contravention

- PA supported the proposed development and associated Material Contravention

Noise

- Appeal relates to existing noise at the plant
- Proposed development does not have any additional plant
- Proposed extension will serve as an additional noise barrier
- Acoustic louvres will further reduce noise levels
- Potential for noise impacts was assessed during the planning process and was found to be acceptable by LCC
- Notwithstanding, previous noise assessments have confirmed that noise levels are within acceptable limits including close to the appellant's property
- Custom made silencer units have been fitted at the existing facility
- A new MEV unit will replace the existing system to decrease noise emissions further

- Contrary to the appellant's assertions, applicants has responded to the issues raised.
- No other noise related complaints made despite some 45 residential properties being within 50m of the site.
- Appellant's property is 600m from the site.

Air Quality

- Internal Reports from LCC raised no concerns in relation to air quality
- HSE raised no concerns
- No concerns raised in planner's report or the Director General's report

Impact on Green Area

- Application has been lodged for an astroturf soccer pitch, 2 no. grass pitches, clubhouse with gym and changing rooms, and associated development on lands located c1km north-west of the subject site (PA Ref 24/60312)
- Letter of support was provided by Croom United FC as part of the subject application
- Application has received a Final Grant of Permission
- Application is retaining a sports use within the subject site, relocating the existing soccer pitch to the western boundary

Traffic

- A Mobility Management Plan, a Traffic and Transport Assessment and a Road Safety Audit were submitted as part of the subject application.
- TTA does not highlight any significant impacts
- Internal Reports do not raise any concerns
- Conditions have been imposed in relation to Stage 2 and Stage 3 Road Audits

6.3. Planning Authority Response

6.3.1. None.

6.4. Observations

6.4.1. None.

7.0 Assessment

7.1.1. The main issues raised in the appeal are as follows:

- Zoning/ Material Contravention
- Noise
- Air Quality
- Traffic Issues
- Other Issues

7.2. Zoning/Material Contravention

Zoning

- 7.2.1. The site is subject to three zonings as set out in the Croom LAP 2020-2026. The existing facility is on lands zoned 'enterprise and employment' and 'utilities', while the area for which the proposed extension is to be located is within lands zoned 'education and community facilities'.
- 7.2.2. As set out in the LAP, the purpose of the education and Community Facilities zoning is to facilitate the necessary development of schools and community facilities in appropriate locations.
- 7.2.3. As such, the use proposed here is not in accordance with the zoning of the site to the north of the existing facility. This area is currently in use as a playing pitch, utilised by Croom Utd. FC. This club has submitted a letter of support for the proposed development. Of particular note is that permission has been granted for new sports facilities under PA Ref 24/60312 on a site located c1km from this site. The club is intending to relocate to these facilities. As such, replacement community facilities are being provided albeit at a different location. I would note also that a pitch is also being retained on the site, to the west of the proposed extension, which will also provide for continued community facilities in the immediate area.

- 7.2.4. The PA were supportive of the application and considered it warranted to invoke the material contravention procedure, and Elected Members agreed that that permission should be granted, notwithstanding a material contravention of the zoning objective of the Croom LAP. I have summarised the PA's justification in Section 3 of this report.
- 7.2.5. I would also be of the view that, given the replacement facilities provided, the support of the local football club, and the additional benefits provided by the proposed development, in terms of increased employment and wider economic benefits, the proposed development should be supported, notwithstanding a material contravention of the Croom LAP 2020-2026. I have considered the issue of material contravention below

Material Contravention

- 7.2.6. Section 37(2)(a) of the Planning and Development Act, 2000 (as amended) [PDA 2000, as amended] states that;

Subject to paragraph (b), the Board may in determining an appeal under this section decide to grant a permission even if the proposed development contravenes materially the development plan relating to the area of the planning authority to whose decision the appeal relates.

- 7.2.7. As such, the PDA 2000 (as amended) allows for the Board to grant permission, even it is considered that the development would materially contravene the relevant Development Plan. I would note the Planning Authority granted permission in this instance, therefore the provisions of section 37(2)(b) of the PDA, as amended, do not apply in this instance. Notwithstanding, in materially contravening the Development Plan, sufficient justification is necessary, and I have set out my considerations of same below.
- 7.2.8. I note that the applicant has submitted a Material Contravention Statement. This sets out an overview of the Croom Medical facility, noting that the existing business employs 134 no. persons. The expansion of the site is to facilitate the manufacturing capabilities of the business. The statements set out the economic and social benefits of the proposed. In relation to zoning issues, it is set out that the site is 'locked in' by a variety of zoning on all boundaries, limiting the potential for expansion. No existing

zoned land in Croom is suitable, noting the significant investments made by Croom Medical on the site to date.

7.2.9. In relation to national policy, I would note that the Revised NPF (April 2025) supports economic investment in small towns and villages, and the development as a whole is supported by the following provisions:

- National Strategic Outcome 3 – Supports investment in and economic diversification of our rural towns and villages.
- National Strategic Outcome 6 – Supports a strong economy supported by enterprise, innovation and skills. Key areas of focus include:
 - Supporting entrepreneurialism, small businesses and building competitive clusters;
 - Attracting and sustaining talent and boosting human capital in all regions Digital and data innovation; and
 - Promoting regionally balanced investment and jobs creation outside of Dublin.
- National Policy Objective 20 - In meeting urban development requirements, there will be a presumption in favour of development that can encourage more people and generate more jobs and activity within existing cities, towns and villages, subject to development meeting appropriate planning standards and achieving targeted growth.

7.2.10. I am of the view, therefore, that the proposed development is in line with the provisions of the NPF.

7.2.11. In relation to regional policy, RPO the Regional Spatial & Economic Strategy for the Southern Region 2020-2032 (RSES) is of relevance here, and applicable provisions of same include:

- RPO 40 Regional Economic Resilience - It is an objective to sustainably develop, deepen and enhance our regional economic resilience by widening our economic sectors, boosting innovation, export diversification, productivity enhancement and access to new markets.

- RPO 198 Sport and Community Organisations - It is an objective to support investment in sport and community organisations in the Region through the Sports Capital Programme including development of shared local and regional sports and community facilities by local authorities. Local authorities shall support the vision and objectives of the National Sports Policy, including working with local sports partnerships, clubs, communities and partnerships within and beyond sport, to increase sport and physical activity participation levels locally.
- RPO 199 Larger Sports Projects It is an objective to support investment in the sustainable development of larger sports projects in the Region under the Large-Scale Sports Infrastructure Fund. Local authorities should ensure that decision-making in relation to the development of recreational and sporting infrastructure is informed by an appropriate level of environmental assessment.

7.2.12. In relation to the provisions of the Limerick Development Plan 2022-2028, relevant policy provisions include:

- Strategic Objective 5 Create a competitive environment in which to do business. Promote, support and enable sustainable and economic development, enterprise and employment generation. Focus in particular on areas, which are accessible by public and sustainable modes of transport. Enable settlements and rural areas to become self-sustaining through innovation and diversification of the rural economy.
- Objective CGR O3 Urban Lands and Compact Growth b) Encourage and facilitate sustainable revitalisation and intensification of brownfield, infill, underutilised and backland urban sites, subject to compliance with all quantitative and qualitative Development Management Standards set out under Chapter 11 of this Plan.
- Policy ECON P6 Enterprise and Employment Development Opportunities
- It is a policy of the Council to promote and facilitate opportunities for sectoral development in Limerick, to increase productivity, create employment and to diversify the economy and ensure future economic resilience.
- Objective SCSI O20 Protection of Sports Grounds/Facilities

It is an objective of the Council to: a) Ensure that adequate playing fields for formal active recreation are provided for in new development areas.

b) Protect, retain and enhance existing sports facilities and grounds.

- Objective SCSi O21 Improve Open Space Provision

It is an objective of the Council to: a) Co-operate with sports clubs, schools, cultural groups and community organisations to provide quality sports and recreational facilities to the community. The Council encourages a multi-use and co-use of facilities of a complementary nature to support a more diverse range of sport and recreational opportunities. Proposed development shall demonstrate quality pedestrian and cyclist linkage.

7.2.13. Having regard to the above, I am of the view that the development as proposed supported by the provisions of the National Policy, as set out in the NPF, and is in line with Regional Policy as set out in the RSES, and is in line with the general thrust of the Development Plan in relation to supporting economic and employment uses.

7.2.14. As such, I am of the view that the Board would have sufficient justification for a material contravention of the Development Plan (namely the zoning provisions of the Croom LAP 2020-2026), should the Board be minded to grant permission in this instance.

7.3. Noise

7.3.1. The third-party appellant has raised the issue of noise from the existing fans on the site, stating that the 2 no. existing fans on the site are impacting on his property, located some 600m from the site.

7.3.2. The first party has responded by stating that no new plant is proposed, and that the proposed extension will provide screening for the existing fans. Notwithstanding, it is stated that the noise assessment carried out has shown that levels are within acceptable limits, including at the appellant's property, and that no other noise complaints have been received.

7.3.3. The PA did not raise any noise concerns, nor did any Prescribed Bodies, noting in particular that the HSE did not raise any objections to the application.

7.3.4. In relation to the issue of noise, I would note that of importance is that no new plant, associated with the manufacturing process, is proposed under this application

(although some minor plant is proposed for the additional office units, as considered below), and the concerns raised by the appellant relate to existing plant. Item 4 of the Response to Further Information Cover Letter (26th April 2024) considers the issue of noise. Therein it set out the existing plant has permission from the Council (PA Ref 23/47) and that acoustic louvres are proposed to reduce noise levels from the plant.

- 7.3.5. As noted above, some additional small plant equipment will be required for the office areas of the proposed new extension. However, it is further stated that such plant will have negligible noise and vibration impacts, with plant noise from same being undetectable from 5m away.
- 7.3.6. Having regard to the above, I am of the view that there will be no material noise impacts from the proposed extension to the facility, and furthermore, it is likely that the noise from the existing plant will be lessened due to the provision of the extension itself, which will act as a barrier to noise between the plant and the appellant's property, and due to the propose provision of the acoustic louvres to the existing plant.

7.4. Air Quality

- 7.4.1. The third-party appellant has set out that the processes at the facility lead to metal particulate matter pollution with impacts on air quality, including impacts on workers. It is stated that an Air Quality Survey needs to be carried out and it is further stated that there is often a huge amount of dust at the base of the extractor fans.
- 7.4.2. The applicant, in the response to the appeal, has set out that internal reports from LCC raised no concerns in relation to air quality, the HSE raised no concerns and that no concerns raised in planner's report or the Director General's report
- 7.4.3. In relation to air quality, there is no evidence on file that the proposed extension to the facility will have a material impact on air quality. There is no evidence of additional or changed processes from that currently carried out on the site, and no new or additional extraction units or filtration units are proposed. The third-party appellant refers to dust gathering at the bottom of the existing units. However, I am not of the view that this, in and of itself, is evidence of negative impacts on air quality, noting also that the reference is to the existing plant on the site, which is not under consideration here. I would note also that there are no concerns raised by the

internal reports from the PA, nor are there concerns raised by the submission from the HSE.

- 7.4.4. In relation to the need for an Air Quality Impact Assessment, I would note there is no stated need for same, having regard to the provisions of the Limerick Development Plan, and noting also the limited scale of the proposed development.
- 7.4.5. As such, I am satisfied that there will be no material impact on air quality as a result of the development proposed here.

7.5. Traffic Issues

- 7.5.1. The third-party appellant has raised concerns in relation to traffic impacts, stating that no traffic survey was conducted and citing a lack of passing areas for trucks. It is further stated that the existing road is dangerous and not suitable for extra traffic emerging onto it. It is also stated the Croom is a rural town not equipped to cater for heavy industry.
- 7.5.2. The first-party applicant, in response to the appeal, has stated that a Mobility Management Plan, a Traffic and Transport Assessment and a Road Safety Audit were submitted as part of the subject application. It is highlighted that the TTA does not highlight any significant impacts. Furthermore, it is stated that Internal Reports do not raise any concerns. In relation to traffic safety, it is noted that conditions have been imposed in relation to Stage 2 and Stage 3 Road Audits.
- 7.5.3. In relation to the issues raised by the third-party appellant, I note that, a Road Safety Audit, a Traffic & Transport Assessment (TTA), a Mobility Management Plan and a Construction Management Plan was submitted with the application. The TTA notes that a traffic count was undertaken on the 20th December 2023 over a 12 hour period (07:00 to 19:00) which provided a baseline for traffic conditions in the area. There were 26 Trips to the site in the AM peak, and 31 from the site in the PM peak. In order to predict traffic volumes post development, the TTA sets out that, currently Croom Medical industrial unit has a gross floor area of 2,890sqm. The proposed industrial unit will have a gross floor area of 3,050sqm. Therefore, the number of car trips arriving and departing the proposed industrial unit will increase by a factor of 1.05 (3,050sqm proposed industrial unit / 2,890sqm existing industrial unit). As such, it is predicted that the proposed industrial unit will generate 28 trips in the AM peak (to the unit) and 33 trips in the PM peak (from the unit), with the majority of these

trips utilising the R516 (north) (in addition to the existing unit). Further years traffic growth is based on the TII National Traffic Model, and traffic volumes for 2025, 2030 and 2040 is set out. It is demonstrated that the R516/Croom Medical junction will operate within capacity with no queues and minimal delays for all assessed years.

- 7.5.4. As such, having regard to the above, I am satisfied that the existing road has capacity to accommodate the development as proposed.
- 7.5.5. In terms of other issues raised by the third-party appellant, it is stated that the road has a lack of passing areas for trucks. In relation to same, the TTA notes that that existing R516 Regional Road is a single carriageway road with a width that varies from 5.5m to 6m. I would note that 6m is the standard width for such a regional road. There may be some stretches of the road therefore that are slightly narrower than the norm. However, there is no evidence that the volume of trucks utilising the site would be significant, or that the previous damage to the walls as cited by the appellant, has been caused by traffic associated with this facility. I would note that the parking on the site providing for standard size cars. I would also note a layby to the front of the existing site, which would allow for larger trucks to pass.
- 7.5.6. In terms of road safety concerns, I would note the submission of the Stage 1/2 Road Safety Audit. This identified a number of potential safety issue, in particular relating to the alignment of the proposed access, which may limit visibility for larger vehicles, and which may cause same to have to cross into opposing lanes when turning. It is recommended that the swept path of vehicles is re-examined. This recommendation, as well as others highlighted in the report, are accepted, and the Planning Authority have imposed a condition relation to the submission of a Stage 3 Road Safety Audit, which will require a demonstration that the recommendations have been put in place. As such, in this manner, the Board can be satisfied that that the proposed development will not raise any significant road safety concerns for vehicular, cyclist or pedestrian traffic.
- 7.5.7. In terms of the suitability of the site, and Croom in general, for a use of this nature, I would note that the existing use has been in place for a significant period of time, and the policies of the Development Plan, and the LAP, as well as policies at Regional and National, would support such industry in locations such as Croom. I

would note also that the use would not be described as 'heavy industry' and would be more akin with a light industrial use, in my view.

7.6. Other Issues

7.6.1. Planning Authority Condition No. 5

7.6.2. I would note that the Planning Authority have recommended a condition (Condition No. 5) that requires the relocation of the proposed extension some 10m to the north. The wording of the condition is as follows:

'Prior to commencement of development, revised drawings including a revised Site Layout Plan and other drawings as appropriate, to show the relocation of the permitted manufacturing/office building circa. 10m to the north, shall be submitted and agreed in writing with Planning Authority'

7.6.3. There is no discussion within the Planner's Report, nor within any other Internal Reports, in relation to this issue, nor is there any other obvious justification for the imposition of this condition. As such I am not recommending the reimposition of same here.

8.0 AA Screening

8.1. Please refer to Appendix 3 (AA Screening) of this report which contains an AA Screening Report where I have concluded the following:

In accordance with Section 177U(4) of the Planning and Development Act 2000 (as amended), and on the basis of objective information, I conclude that the proposed development would not have a likely significant effect on any European Site either alone or in combination with other plans or projects. It is therefore determined that Appropriate Assessment (stage 2) [under Section 177V of the Planning and Development Act 2000] is not required.

8.2. This conclusion is based on:

- Standard pollution controls that would be employed regardless of proximity to a European site, and effectiveness of same (at construction and operational phases).
- Distance from European Sites.

- Lack of a suitable habitat to support the Lesser Horseshoe Bat.

8.3. No measures intended to avoid or reduce harmful effects on European sites were taken into account in reaching this conclusion.

9.0 Recommendation

Grant planning permission for the proposed development in accordance with the plans and particulars lodged based on the reasons and considerations set out below.

10.0 Reasons and Considerations

Having regard to the location of the site with the settlement boundary of Croom, having regard to the nature and scale of the proposed development, and having regard to the provisions of the Limerick Development Plan 2022-2028, and the Croom Local Area Plan 2020 -2026, it is considered that, subject to compliance with conditions below, the proposed development would not give rise to material impacts on the noise environment, would not give rise to adverse impacts on air quality, would not result in traffic hazard nor would the proposed development adversely impact on surrounding amenity.

In identifying a material contravention of the Croom Local Area Plan 2020 -2026 (namely in relation to the zoning provisions of same), the Board had regard to the provisions of Section 37(2)(a) of the Planning and Development Act, 2000 (as amended). The Board was of the view that the extension to the existing employment use as proposed here, is supported by the provisions of national policy, as set out in the Revised National Planning Framework (April, 2025), and is in line with Regional Policy as set out in the Regional Spatial & Economic Strategy for the Southern Region 2020-2032. The Board was of the view that the proposed development of was also in line with the general thrust of the Limerick County Development Plan 2022-2028, in relation to the support of employment uses. The Board also noted the provision of replacement sports facilities within the locality (as granted under PA Ref 24/60312). As such, the Board were of the view there is sufficient justification for a material contravention of the Croom Local Area Plan 2020 -2026 in this instance.

The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

11.0 Conditions

1. The development shall be carried out in accordance with the plans and particulars lodged with the application, as amended by the further plans and particulars submitted on the 19th April 2024 and 16th May 2024, except as may otherwise be required in order to comply with the following conditions.

Reason: In Reason: In the interest of clarity.

2. Prior to commencement of development, a revised Construction Management and Delivery Plan for the construction of the development shall be submitted and agreed in writing with Planning Authority, which shall include car parking for construction staff revised access proposals, noise, dust, vibration, wheel washing facilities and a site specific temporary traffic management plans TTMP (these plans shall also be in drawing format).

Reason: In the interests of public safety and residential amenity.

3. A revised Site Layout Plan shall be submitted for the written agreement of the Planning Authority prior to the commencement of development to include the following:
 - a) The developer shall provide frequent breaks for pedestrians in the landscaping strip between the parking area and the footpath fronting the building.
 - b) In respect of the accessible parking spaces, ensure that dropped kerbs are provided to allow mobility impaired users to access the adjacent footpath directly.
 - c) In relation to cycle parking beside the existing pedestrian entrance from the R516 ensure that fully dropped kerbs are provided, ensure pedestrian priority where cyclists cross the footpath to reach the cycle stands, address sight

distance to the left for cyclists entering the R516 which may be partially obstructed by the existing boundary fence of the site.

d) Accessible spaces are also shown for EV charging. These spaces should be clearly shown to be for the use of disabled drivers only, including disabled drivers of non-electric vehicles.

e) Show junction radii.

f) Show road and footpath widths. The minimum width of footpath is 2.0m.

g) Show parking bay dimensions.

h) Show a minimum of 10% of all public realm car parking spaces should be provided with functioning electric vehicle charging stations/points, and ducting shall be provided for all remaining car parking spaces, facilitating the installation of electric vehicle charging points/stations at a later date.

Reason: In the interest of traffic and pedestrian safety.

4. a) A Stage 3/4 Road Safety Audit must be completed and submitted by the applicant for written agreement with the Planning Authority in compliance with the TII Publication 'Road Safety Audit GE-STY-01024'.
- b) The developer shall address all problems raised with the Stage 1/2 Audit in full prior to any occupation of the development and submit revised Site Layout Plans to include the recommendations of the Audits, which must be clearly labelled for written agreement with the Planning Authority.
- f) Footpaths for the proposed development shall be in line with "TII Specification for Road Works Series 1100 - Kerbs, Footways and Paved Areas. The footpaths shall have a minimum width of 2.0m, with the exception of the footpaths at the perpendicular parking areas, which shall be extended in width so pedestrians will not be impeded by overhanging vehicles. Footpaths shall be continuous, suitably dished at all junctions, crossing points and include for appropriate tactile paving and shall have an upstand of 6mm at the pedestrian crossing points. The dishing of footpaths shall be constructed in accordance with the "Guidance on the use of Tactile Paving Surfaces Document",

g) The road construction should be in accordance with the shall be in accordance "TII Publications Specification for Road Works Series 700 - Road Pavements & Specification for Road Works Series 900 Road Pavement- Bituminous. All bituminous road layers shall be machine laid. Photographic evidence & copies of docketts (which shall have the date time/location) shall be submitted to the Planning Authority upon completion of any phase of the development.

h) The developer shall ensure that the road surface for the proposed development is tied in suitably to the existing road and any damage to the existing road shall be appropriately repaired in agreement with Limerick City and County Council.

i) At junctions, the gradient of the side road should not be greater than 2% for a distance of 7m from the junction.

j) Turning area shall be in line with the "Recommendations for Site Development Works for Housing Areas" & "DMURS".

k) Certification from a Chartered Bonded Engineer shall be submitted for the written agreement with the Planning Authority for the road and footpath construction upon completion of the development.

l) The developer shall ensure that any planting within the proposed development does not interfere with sightlines and inter-visibility between pedestrians and drivers is unobstructed.

n) Road Markings are to be in accordance with "IS EN 1436 European Standard for Road Markings" & in accordance with the "Traffic Signs Manual". Road Signs are to be in accordance with "IS EN 1436 European Standard for Road Markings" & in accordance with the "Traffic Signs Manual". All road markings and signage shall be kept maintained by the developer.

Reason: In the interest of traffic and pedestrian safety.

5. A Lighting Design Engineer shall submit certification to the Planning Authority to confirm that the lighting has been erected as per the approved design upon completion of the development (or any phase of the development).

Reason: In the interest of orderly development

6. The disposal of surface water shall comply with the requirements of the planning authority for such works and services.

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

7. Prior the commencement of development the development shall submit a revised landscaping scheme to include a native species component.

Reason: To increase the ecological value of the landscaping scheme.

8. The developer shall engage a suitably qualified (licensed eligible) archaeologist to monitor (licensed under the National Monuments Acts) all site clearance works, topsoil stripping, groundworks, dredging and/or the implementation of agreed preservation in-situ measures associated with the development. following consultation with the National Monument Service (NMS). Prior to the commencement of such works the archaeologist shall consult with and forward to the NMS as appropriate a method statement for written agreement. The use of appropriate tools and/or machinery to ensure the preservation and recording of any surviving archaeological remains shall be necessary. Should archaeological remains be identified during the course of archaeological monitoring, all works shall cease in the area of archaeological interest pending a decision of the planning authority, in consultation with the National Monuments Service, regarding appropriate mitigation [preservation in-situ/excavation].

The developer shall facilitate the archaeologist in recording any remains identified. Any further archaeological mitigation requirements specified by the planning authority, following consultation with the National Monuments Service, shall be complied with by the developer.

Following the completion of all archaeological work on site and any necessary post-excavation specialist analysis, the planning authority and the National Monuments Service shall be furnished with a final archaeological report

describing the results of the monitoring and any subsequent required archaeological investigative work/excavation required. All resulting and associated archaeological costs shall be borne by the developer.

Reason: To ensure the continued preservation of features of archaeologist heritage.

9. Site development and building works shall be carried out only between the hours of 0800 to 2000 Mondays to Friday 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.

Reason: In order to safeguard the residential amenities of property in the vicinity.

10. 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 Bord 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.

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.

Rónán O'Connor
Senior Planning Inspector

27th August 2025

Appendix 1 Form 1 - EIA Pre-Screening

Case Reference	320652-24
Proposed Development Summary	Construction of an extension of to an existing light industrial manufacturing facility and all associated site works.
Development Address	Croom Medical, Tooreen, Croom, Co. Limerick
	In all cases check box /or leave blank
1. Does the proposed development come within the definition of a 'project' for the purposes of EIA? (For the purposes of the Directive, "Project" means: - The execution of construction works or of other installations or schemes, - Other interventions in the natural surroundings and landscape including those involving the extraction of mineral resources)	<input checked="" type="checkbox"/> Yes, it is a 'Project'. Proceed to Q2. <input type="checkbox"/> No, No further action required.
2. Is the proposed development of a CLASS specified in Part 1, Schedule 5 of the Planning and Development Regulations 2001 (as amended)?	
<input type="checkbox"/> Yes, it is a Class specified in Part 1. EIA is mandatory. No Screening required. EIAR to be requested. Discuss with ADP.	State the Class here
<input checked="" type="checkbox"/> No, it is not a Class specified in Part 1. Proceed to Q3	
3. Is the proposed development of a CLASS specified in Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended) OR a prescribed type of proposed road development under Article 8 of Roads Regulations 1994, AND does it meet/exceed the thresholds?	
<input type="checkbox"/> No, the development is not of a Class Specified in Part 2, Schedule 5 or a prescribed type of proposed road development	

<p>under Article 8 of the Roads Regulations, 1994.</p> <p>No Screening required.</p>	
<p><input type="checkbox"/> Yes, the proposed development is of a Class and meets/exceeds the threshold.</p> <p>EIA is Mandatory. No Screening Required</p>	
<p><input checked="" type="checkbox"/> Yes, the proposed development is of a Class but is sub-threshold.</p> <p>Preliminary examination required. (Form 2)</p> <p>OR</p> <p>If Schedule 7A information submitted proceed to Q4. (Form 3 Required)</p>	<p>Part 2, Schedule 5 Type 10 'Infrastructure Projects' (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.</p> <p>(In this paragraph, "business district" means a district within a city or town in which the predominant land use is retail or commercial use.)</p> <p>Comment: The applicable threshold is 10 ha. The stated site area is 2.587 Ha.</p>

4. Has Schedule 7A information been submitted AND is the development a Class of Development for the purposes of the EIA Directive (as identified in Q3)?	
Yes <input type="checkbox"/>	Screening Determination required (Complete Form 3)
No <input checked="" type="checkbox"/>	Pre-screening determination conclusion remains as above (Q1 to Q3)

Appendix 2 - Form 2 - EIA Preliminary Examination

Case Reference	ABP-320352-24
Proposed Development Summary	Construction of an extension of to an existing light industrial manufacturing facility and all associated site works.
Development Address	Croom Medical, Tooreen, Croom, Co. Limerick
This preliminary examination should be read with, and in the light of, the rest of the Inspector's Report attached herewith.	
Characteristics of proposed development (In particular, the size, design, cumulation with existing/ proposed development, nature of demolition works, use of natural resources, production of waste, pollution and nuisance, risk of accidents/disasters and to human health).	<p>At operational stage, the proposed development will connect to the existing wastewater and stormwater network. Water supply will be via the mains water network. I note that Uisce Eireann (Irish Water) have issued a Confirmation of Feasibility in relation to the proposed development.</p> <p>The site is located within an urban area and surrounding land uses are mainly residential. It is not considered that any significant cumulative environmental impacts will result when considered in cumulation with existing developments.</p> <p>There are no demolition works involved, and there is no identified risks of accidents or disasters, nor is there any obvious risks to human health that result from the proposed development.</p> <p>The proposed development will not give rise to the production of significant waste, emissions or pollutants.</p>
Location of development (The environmental sensitivity of geographical areas likely to	Briefly comment on the location of the development, having regard to the criteria listed

<p>be affected by the development in particular existing and approved land use, abundance/capacity of natural resources, absorption capacity of natural environment e.g. wetland, coastal zones, nature reserves, European sites, densely populated areas, landscapes, sites of historic, cultural or archaeological significance).</p>	<p>The site is not located within any designated site.</p> <p>The closest Natura 2000 site is the Lower River Shannon SAC (Site Code: 002165) which is located approximately 7.2 km to the north-west of the site. I refer to the conclusions of the AA Screening (Appendix 3) in which I have concluded that likely significant effects on same can be ruled out, having regard to the site's conservation objectives.</p> <p>There is no evidence on file that the site is of particular ecological value, nor is there evidence that the site of particular ecological value for any species, and I am satisfied that there will be no significant effects on biodiversity.</p> <p>The site has not been identified as of particular cultural importance.</p>
<p>Types and characteristics of potential impacts</p> <p>(Likely significant effects on environmental parameters, magnitude and spatial extent, nature of impact, transboundary, intensity and complexity, duration, cumulative effects and opportunities for mitigation).</p>	<p>Having regard to the characteristics of the development and the sensitivity of its location, consider the potential for SIGNIFICANT effects, not just effects.</p> <p>During the construction phase noise, dust and vibration emissions are likely. However, any impacts would be local and temporary in nature and the implementation of standard construction practice measures would satisfactorily mitigate potential impacts. Impacts on the surrounding road network at construction stage can be mitigated by way of adherence to a Construction Management Plan.</p> <p>No significant impacts on the surrounding road network are considered likely at operational stage.</p>
<p style="text-align: center;">Conclusion</p>	
<p>Likelihood of Significant Effects</p>	<p>Conclusion in respect of EIA</p>

There is no real likelihood of significant effects on the environment.	EIA is not required.
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Inspector: _____ **Date:** _____

DP/ADP: _____ **Date:** _____

(only where Schedule 7A information or EIAR required)

Appendix 3 Appropriate Assessment Screening Determination (Stage 1)

Screening for Appropriate Assessment

Screening Determination

Description of Project/Site Context

I have considered the proposed development in light of the requirements of S177U of the Planning and Development Act 2000 as amended.

The proposed development is as described in Section 2 of this report. In summary, the proposal is for the construction of an extension of to an existing light industrial manufacturing facility and all associated site works.

An Appropriate Assessment Screening Report has been submitted (dated 26th February 2024) prepared by Ecofact Environmental Consultants.

The Planning Authority has carried out a Screening for Appropriate Assessment and concluded that an Appropriate Assessment of the proposed development is not required.

The appeal submission does not raise the issue of Appropriate Assessment.

Prescribed bodies have not raised any issues related explicitly to Appropriate Assessment.

In order to screen for Appropriate Assessment I have utilised the information on file as well as publicly accessible information on the NPWS website¹ and the EPA Appropriate Assessment tool² as well as EPA mapping.³

The AA Screening report confirms that there are no surface watercourses on or near the site in which to discharge surface runoff from the development and there are no EPA registered watercourses on or in the immediate vicinity of the proposed development site (Figure 3 of the Screening Report refers). The existing drainage for the development consists of private surface water network that discharges to a public surface water sewer located in the Kylefea residential estate to west of the site.

¹ [Protected Sites in Ireland | National Parks & Wildlife Service](#)

² <https://gis.epa.ie/EPAMaps/AAGeoTool>

³ <https://gis.epa.ie/EPAMaps/>

Surface water from the site is subject to a number of SUDs measures including the following:-

- The rainwater from the roof of the extension will discharge to swales.
- The swales will discharge to a bio-retention pond via a petrol interceptor.
- From the bio-retention pond, surface water will discharge to the existing private surface water network via a flow control device.
- Porous macadam will also be incorporated into all parking bays, which can overflow into a swale in a significant storm event

The treated discharge from the site is attenuated with a flow control device limiting the sites discharge to 15 l/s. This attenuated flow discharges to the public network via a Class 1 petrol interceptor. It is stated within the Screening Report that it is not clear where this will in turn be conveyed to the Croom Waste Water Treatment Plant, or will be directed into the River Maigue.

The River Maigue is a tributary of the Shannon estuary which is designated as part of the Lower River Shannon SAC (002165) and River Shannon and River Fergus estuaries SPA (004077). The Lower reaches of the River Maigue are included within both of these Natura 2000 sites. This is the tidal area of the river which is considered to be a large, dynamic, and robust area of the river.

The Screening Report lists the closest Natura 2000 sites as follows:

- Tory Hill SAC 000439 [c1.6km north-east of the site]
- Lower River Shannon SAC 002165 [c7.2 km north-west of the site]
- River Shannon and River Fergus Estuaries SPA 004077 [c11.7km north-west of the site]
- Curraghchase Woods SAC 000174 [12.2 km north-west of the site]
- Glen Bog SAC SAC 001430 [13.9 km south-east of the site]

I would note that at operational stage, the proposed development will connect to the existing foul sewer network, which will then be treated at the Croom wastewater treatment plant, and which discharged to the River Maigue, the downstream element of

which lies within the Lower River Shannon SAC. The AA Screening Report notes that the annual maximum hydraulic loading at the plant is greater than the peak Treatment Plant Capacity. However, it is further stated, with reference to the EPA's Annual Environmental Report relating to the plant, that the discharge from the wastewater treatment plant does not have an observable impact on the water quality, and also says that the discharge from the wastewater treatment plant does not have an observable negative impact on the Water Framework Directive status. I note that Uisce Eireann (Irish Water) have issued a Confirmation of Feasibility in relation to the proposed development.

It is possible that, at construction stage, pollutants related to construction activities (e.g. hydrocarbons from machinery and plant) as well as sediments from soil excavation could enter the existing surface water network, via the existing piped surface water/stormwater network. At operational stage, the proposed surface water/stormwater runoff will connect to the existing public network, and it is possible that the surface water network could eventually discharge to the River Maigue and hence discharge to the Lower River Shannon SAC, and the River Shannon and River Fergus Estuaries SPA further downstream.

Also of note is that the Lesser Horseshoe Bat (*Rhinolophus hipposideros*) is a QI of the Curraghchase Woods SAC 000174, which lies c12km from, the AA Screening Report has determined that potential impacts Curraghchase Woods SAC 000174 requires additional consideration.

Having regard to the AA Screening Report, and the location, scale and nature of the proposed development, I am of the view that the only Natura 2000 sites within the 'Zone of Influence' of the proposed development are as follows:

- Lower River Shannon SAC 002165 [c7.2 km north-west of the site]
- River Shannon and River Fergus Estuaries SPA 004077 [c11.7km north-west of the site]
- Curraghchase Woods SAC 000174 [12.2 km north-west of the site]

Potential impact mechanisms from the project

I note the development site is not located in or immediately adjacent to a European site. The closest European sites are as detailed above. As noted above, I have concluded that the only sites within the Zone of Influence of the project are as follows:

- Lower River Shannon SAC 002165 [c7.2 km north-west of the site]
- River Shannon and River Fergus Estuaries SPA 004077 [c11.7km north-west of the site]
- Curraghchase Woods SAC 000174 [12.2 km north-west of the site]

In considering potential impacts I am of the view that the elements of the proposed development that would potentially generate a source of impact are:

Construction Stage

- The construction of the development would involve *inter alia* excavation of soils with potential for same to enter the surface water network, and subsequently to the River Maigue (and the Lower River Shannon SAC, and the River Shannon and River Fergus Estuaries SPA further downstream)
- Hydrocarbon and other potential spillages potential for same to enter the surface water network and subsequently to the River Maigue (and the Lower River Shannon SAC, and the River Shannon and River Fergus Estuaries SPA further downstream)
- Ex-situ loss of habitat (specifically in relation to Lesser Horseshoe Bat (*Rhinolophus hipposideros*) a QI of the Curraghchase Woods SAC

Operational Stage

- Soiled surface water/stormwater runoff from the site which could eventually discharge to the River Maigue (and the Lower River Shannon SAC, and the River Shannon and River Fergus Estuaries SPA further downstream)
- Waste Water disposal which will be treated at the relevant WWTP, with discharge to the River Maigue (and the Lower River Shannon SAC, and the River Shannon and River Fergus Estuaries SPA further downstream)

- Ex-situ impacts, specifically in relation to Lesser Horseshoe Bat (*Rhinolophus hipposideros*) a QI of the Curraghchase Woods SAC, resulting from lighting and noise disturbance.

European Sites at risk

Table 1 European Sites at risk from impacts of the proposed project

Lower River Shannon SAC (Site Code 002165)

River Shannon and River Fergus Estuaries SPA

Effect mechanism	Impact pathway/Zone of influence	European Site(s)	Qualifying interest features at risk
Indirect surface water pollution	<p>Construction Stage impacts with potential pollutants and sediments entering the piped surface water network.</p> <p>Operational Stage impacts -Pollutants and sediments entering the surface/storm water network, which may eventually drain to the River Shannon.</p> <p>Operational Stage impacts- wastewater from</p>	<p>1. Lower River Shannon SAC</p> <p>2. River Shannon and River Fergus Estuaries SPA</p>	<p><u>Lower River Shannon SAC</u></p> <p>Sandbanks which are slightly covered by sea water all the time [1110]</p> <p>Estuaries [1130]</p> <p>Mudflats and sandflats not covered by seawater at low tide [1140]</p> <p>Coastal lagoons [1150]</p> <p>Large shallow inlets and bays [1160]</p>

	<p>the site eventually discharging to the River Shannon via a WWTP</p>		<p>Reefs [1170]</p> <p>Perennial vegetation of stony banks [1220]</p> <p>Vegetated sea cliffs of the Atlantic and Baltic coasts [1230]</p> <p>Salicornia and other annuals colonising mud and sand [1310]</p> <p>Atlantic salt meadows (Glaucopuccinellietalia maritimae) [1330]</p> <p>Mediterranean salt meadows (Juncetalia maritimi) [1410]</p> <p>Water courses of plain to montane levels with the Ranunculion fluitantis and Callitricho-Batrachion vegetation [3260]</p> <p>Molinia meadows on calcareous, peaty or clayey-silt-laden soils</p>
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			<p>(Molinion caeruleae) [6410]</p> <p>Alluvial forests with <i>Alnus glutinosa</i> and <i>Fraxinus excelsior</i> (Alno-Padion, <i>Alnion incanae</i>, <i>Salicion albae</i>) [91E0]</p> <p><i>Margaritifera margaritifera</i> (Freshwater Pearl Mussel) [1029]</p> <p><i>Petromyzon marinus</i> (Sea Lamprey) [1095]</p> <p><i>Lampetra planeri</i> (Brook Lamprey) [1096]</p> <p><i>Lampetra fluviatilis</i> (River Lamprey) [1099]</p> <p><i>Salmo salar</i> (Salmon) [1106]</p> <p><i>Tursiops truncatus</i> (Common Bottlenose Dolphin) [1349]</p> <p><i>Lutra lutra</i> (Otter) [1355]</p>
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			<u>River Shannon and</u> <u>River Fergus</u> <u>Estuaries SPA</u> Cormorant (Phalacrocorax carbo) [A017] Whooper Swan (Cygnus cygnus) [A038] Light-bellied Brent Goose (Branta bernicle hrota) [A046] Shelduck (Tadorna tadorna) [A048] Wigeon (Anas penelope) [A050] Teal (Anas crecca) [A052] Pintail (Anas acuta) [A054] Shoveler (Anas clypeata) [A056] Scaup (Aythya marila) [A062] Ringed Plover (Charadrius hiaticula) [A137]
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			<p>Golden Plover (Pluvialis apricaria) [A140]</p> <p>Grey Plover (Pluvialis squatarola) [A141]</p> <p>Lapwing (Vanellus vanellus) [A142]</p> <p>Knot (Calidris canutus) [A143]</p> <p>Dunlin (Calidris alpina) [A149]</p> <p>Black-tailed Godwit (Limosa limosa) [A156]</p> <p>Bar-tailed Godwit (Limosa lapponica) [A157]</p> <p>Curlew (Numenius arquata) [A160]</p> <p>Redshank (Tringa totanus) [A162]</p> <p>Greenshank (Tringa nebularia) [A164]</p> <p>Black-headed Gull (Chroicocephalus ridibundus) [A179]</p> <p>Wetland and Waterbirds [A999]</p>
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Curraghchase Woods SAC (000174) ⁴			
Ex-situ impacts on species.	Proximity to site.	Curraghchase Woods SAC (000174) ⁵	Rhinolophus hipposideros (Lesser Horseshoe Bat) [1303]

Site Synopsis Summaries

Lower River Shannon SAC⁶

This very large site stretches along the Shannon valley from Killaloe in Co. Clare to Loop Head/ Kerry Head, a distance of some 120 km. The site thus encompasses the Shannon, Feale, Mulkear and Fergus estuaries, the freshwater lower reaches of the River Shannon (between Killaloe and Limerick), the freshwater stretches of much of the Feale and Mulkear catchments and the marine area between Loop Head and Kerry Head. Rivers within the sub-catchment of the Feale include the Galey, Smearlagh, Oolagh, Allaughoun, Owveg, Clydagh, Caher, Breanagh and Glenacarne. Rivers within the sub-catchment of the Mulkear include the Killeenagarraiff, Annagh, Newport, the Dead River, the Bilboa, Glashacloonaraveela, Gortnageragh and Cahernahallia.

River Shannon and River Fergus Estuaries SPA⁷

The estuaries of the River Shannon and River Fergus form the largest estuarine complex in Ireland. The site comprises the entire estuarine habitat from Limerick City westwards as far as Doonaha in Co. Clare and Dooneen Point in Co. Kerry.

The site has vast expanses of intertidal flats which contain a diverse macro-invertebrate community, e.g. Macoma-Scrobicularia-Nereis, which provides a rich food resource for the wintering birds. Salt marsh vegetation frequently fringes the mudflats and this provides important high tide roost areas for the wintering birds. Elsewhere in the site the shoreline comprises stony or shingle beaches.

⁴ For full text, see https://www.npws.ie/sites/default/files/protected-sites/conservation_objectives/CO000174.pdf

⁵ For full text, see https://www.npws.ie/sites/default/files/protected-sites/conservation_objectives/CO000174.pdf

⁶ For full synopsis, see <https://www.npws.ie/sites/default/files/protected-sites/synopsis/SY002165.pdf>

⁷ For full synopsis, see <https://www.npws.ie/sites/default/files/protected-sites/synopsis/SY004077.pdf>

Curraghchase Woods SAC (000174)⁸

This SAC is located c. 7km east of Askeaton in Co. Limerick. The site consists largely of mixed woodland and a series of wetlands. The SAC is designated for two Annex I woodland habitats and two Annex II species. One of the main interests at the site is the presence of a hibernation site of the Lesser Horseshoe Bat (*Rhinolophus hipposideros*). The bats hibernate in the cellars of the former mansion

Curraghchase House. The SAC is also designated for Desmoulin's Whorl Snail (*Vertigo moulinsiana*).

Likely significant effects on the European site(s) 'alone'

Table 2: Could the project undermine the conservation objectives 'alone'

European Site and qualifying feature	Conservation objectives (summary)	Could the conservation objectives be undermined (Y/N)?
Lower River Shannon SAC (site code 002165) ⁹		
Sandbanks which are slightly covered by sea water all the time [1110] Estuaries [1130] Mudflats and sandflats not covered by seawater at low tide [1140] Coastal lagoons [1150] Large shallow inlets and bays [1160] Reefs [1170] Perennial vegetation of stony banks [1220]	To maintain the favourable conservation condition of: <ul style="list-style-type: none">• Lampetra planeri (Brook Lamprey) [1096]• Lampetra fluviatilis (River Lamprey) [1099]• Sandbanks which are slightly covered by sea water all the time [1110]• Estuaries [1130]	No. see discussion below

⁸ For full synopsis, see <https://www.npws.ie/sites/default/files/protected-sites/synopsis/SY000174.pdf>

⁹ For full text of same, please see https://www.npws.ie/sites/default/files/protected-sites/conservation_objectives/CO002165.pdf

<p>Vegetated sea cliffs of the Atlantic and Baltic coasts [1230]</p> <p>Salicornia and other annuals colonising mud and sand [1310]</p> <p>Atlantic salt meadows (<i>Glauco-Puccinellietalia maritima</i>) [1330]</p> <p>Mediterranean salt meadows (<i>Juncetalia maritimi</i>) [1410]</p> <p>Water courses of plain to montane levels with the <i>Ranunculion fluitantis</i> and <i>Callitriche-Batrachion</i> vegetation [3260]</p> <p><i>Molinia</i> meadows on calcareous, peaty or clayey-silt-laden soils (<i>Molinion caeruleae</i>) [6410]</p> <p>Alluvial forests with <i>Alnus glutinosa</i> and <i>Fraxinus excelsior</i> (<i>Alno-Padion</i>, <i>Alnion incanae</i>, <i>Salicion albae</i>) [91E0]</p> <p><i>Margaritifera margaritifera</i> (Freshwater Pearl Mussel) [1029]</p>	<ul style="list-style-type: none"> • Mudflats and sandflats not covered by seawater at low tide [1140] • Large shallow inlets and bays [1160] • Reefs [1170] • Perennial vegetation of stony banks [1220] • Vegetated sea cliffs of the Atlantic and Baltic coasts [1230] • <i>Salicornia</i> and other annuals colonising mud and sand [1310] • <i>Tursiops truncatus</i> (Common Bottlenose Dolphin) [1349] <p>To restore the favourable conservation condition of:</p> <ul style="list-style-type: none"> • <i>Margaritifera margaritifera</i> (Freshwater Pearl Mussel) [1029] • <i>Petromyzon marinus</i> (Sea Lamprey) [1095] • <i>Salmo salar</i> (Salmon) [1106] • Coastal lagoons [1150] 	
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<p>Petromyzon marinus (Sea Lamprey) [1095]</p> <p>Lampetra planeri (Brook Lamprey) [1096]</p> <p>Lampetra fluviatilis (River Lamprey) [1099]</p> <p>Salmo salar (Salmon) [1106]</p> <p>Tursiops truncatus (Common Bottlenose Dolphin) [1349]</p> <p>Lutra lutra (Otter) [1355]</p>	<ul style="list-style-type: none"> • Atlantic salt meadows (Glauco-Puccinellietalia maritima) [1330] • Lutra lutra (Otter) [1355] 	
River Shannon and River Fergus Estuaries SPA ¹⁰ (site code 004077)		
<p>Cormorant (Phalacrocorax carbo) [A017]</p> <p>Whooper Swan (Cygnus cygnus) [A038]</p> <p>Light-bellied Brent Goose (Branta bernicla hrota) [A046]</p> <p>Shelduck (Tadorna tadorna) [A048]</p> <p>Wigeon (Anas penelope) [A050]</p> <p>Teal (Anas crecca) [A052]</p> <p>Pintail (Anas acuta) [A054]</p>	<p>To maintain the favourable conservation condition of:</p> <p>Cormorant (Phalacrocorax carbo) [A017]</p> <p>Whooper Swan (Cygnus cygnus) [A038]</p> <p>Light-bellied Brent Goose (Branta bernicla hrota) [A046]</p> <p>Shelduck (Tadorna tadorna) [A048]</p> <p>Wigeon (Anas penelope) [A050]</p>	No. see discussion below.

¹⁰ For full text, see https://www.npws.ie/sites/default/files/protected-sites/conservation_objectives/CO004077.pdf

Shoveler (<i>Anas clypeata</i>) [A056]	Teal (<i>Anas crecca</i>) [A052]	
Scaup (<i>Aythya marila</i>) [A062]	Pintail (<i>Anas acuta</i>) [A054]	
Ringed Plover (<i>Charadrius hiaticula</i>) [A137]	Shoveler (<i>Anas clypeata</i>) [A056]	
Golden Plover (<i>Pluvialis apricaria</i>) [A140]	Scaup (<i>Aythya marila</i>) [A062]	
Grey Plover (<i>Pluvialis squatarola</i>) [A141]	Ringed Plover (<i>Charadrius hiaticula</i>) [A137]	
Lapwing (<i>Vanellus vanellus</i>) [A142]	Golden Plover (<i>Pluvialis apricaria</i>) [A140]	
Knot (<i>Calidris canutus</i>) [A143]	Grey Plover (<i>Pluvialis squatarola</i>) [A141]	
Dunlin (<i>Calidris alpina</i>) [A149]	Lapwing (<i>Vanellus vanellus</i>) [A142]	
Black-tailed Godwit (<i>Limosa limosa</i>) [A156]	Knot (<i>Calidris canutus</i>) [A143]	
Bar-tailed Godwit (<i>Limosa lapponica</i>) [A157]	Dunlin (<i>Calidris alpina</i>) [A149]	
Curlew (<i>Numenius arquata</i>) [A160]	Black-tailed Godwit (<i>Limosa limosa</i>) [A156]	
Redshank (<i>Tringa totanus</i>) [A162]	Bar-tailed Godwit (<i>Limosa lapponica</i>) [A157]	
Greenshank (<i>Tringa nebularia</i>) [A164]	Curlew (<i>Numenius arquata</i>) [A160]	
Black-headed Gull (<i>Chroicocephalus ridibundus</i>) [A179]	Redshank (<i>Tringa totanus</i>) [A162]	
	Greenshank (<i>Tringa nebularia</i>) [A164]	

Wetland and Waterbirds [A999]	Black-headed Gull (Chroicocephalus ridibundus) [A179] Wetland and Waterbirds [A999]	
Curraghchase Woods SAC (000174) ¹¹		
Alluvial forests with <i>Alnus glutinosa</i> and <i>Fraxinus excelsior</i> (Alno-Padion, <i>Alnion incanae</i> , <i>Salicion albae</i>) [91E0] Taxus baccata woods of the British Isles [91J0] Vertigo moulinsiana (Desmoulin's Whorl Snail) [1016] Rhinolophus hipposideros (Lesser Horseshoe Bat) [1303]	To restore the favourable conservation condition of: Alluvial forests with <i>Alnus glutinosa</i> and <i>Fraxinus excelsior</i> (Alno-Padion, <i>Alnion incanae</i> , <i>Salicion albae</i>) [91E0] Taxus baccata woods of the British Isles [91J0] To maintain the favourable conservation condition of: Vertigo moulinsiana (Desmoulin's Whorl Snail) [1016]	No. See discussion below.
<p><u>Surface Water/Storm Water</u></p> <p>At construction stage it is possible that pollutants and sediments could enter the piped surface water network and eventually discharge to the River Shannon, and therefore</p>		

¹¹ For full text, see https://www.npws.ie/sites/default/files/protected-sites/conservation_objectives/CO000174.pdf

into the Lower River Shannon SAC and the River Shannon and River Fergus Estuaries SPA.

In relation to same, I am of the view that, at construction stage, standard best practice construction measures will prevent pollutants and sediments entering the piped surface water network . Even if these standard construction measures should not be implemented or should they fail to work as intended, and pollutants/waste material enter this drainage network will be subject to dilution and dispersion, rendering any significant impacts on water quality within Lower River Shannon SAC or the River Shannon and River Fergus Estuaries SPA unlikely. I would note that the best practice measures that would be adhered to at construction stage are not mitigation measures intended to reduce or avoid any harmful effect on any Natura 2000 site and would be employed by any competent operator, notwithstanding any proximity to any Natura 2000 site.

At operational stage, pollutants and sediments could enter the same piped surface water network, and eventually into the Lower River Shannon SAC and the River Shannon and River Fergus Estuaries SPA, noting the proposed surface water/stormwater runoff will connect to the existing surface water network. As referenced within the application documentation, it is possible that the surface water network could eventually discharge to the River Shannon SAC (via the River Maigue) and therefore discharge into Lower River Shannon SAC and the River Shannon and River Fergus Estuaries SPA. A number of SUDs measures will be utilised at operational stage, as detailed above. These measures include a bio-retention pond, as well as a petrol interceptor and hydrobrake flow control device. As such, the storm water system is designed as to prevent contaminants and sediments entering the surface water drainage network, as well as limiting the quantity of water discharged. Such standard measures will ensure that the quality and quantity of surface water/stormwater discharged from the proposed development will be such that no likely significant impacts on water quality are likely. The design of this drainage system is a standard pollution control measure and would be included within any development of this nature, notwithstanding any proximity to, or any hydrological connections to, a Natura 2000 site, and is not a mitigation measure that is designed specifically to avoid impacts on any Natura 2000 site. Even if such measures were to fail, I am satisfied that

any contaminants that do enter the storm sewer system would be diluted and dispersed to such an extent as to render any significant impacts on water quality within Lower River Shannon SAC, and the River Shannon and River Fergus Estuaries SPA, unlikely, given the distance from the site (which is at least 7.2km and likely to be significantly greater via the piped surface water network).

Waste Water/Foul Water

I would note that at operational stage, the proposed development will connect to the existing foul sewer network and will then be treated at the Croom wastewater treatment plant which discharges to the River Maigue, the downstream element of which lies within the Lower River Shannon SAC. The AA Screening Report notes that the annual maximum hydraulic loading at the plant is greater than the peak Treatment Plant Capacity. However, it is further stated, with reference to the EPA's Annual Environmental Report relating to the plant, that the discharge from the wastewater treatment plant does not have an observable impact on the water quality, and also says that the discharge from the wastewater treatment plant does not have an observable negative impact on the Water Framework Directive status. As such likely significant impacts on the Lower River Shannon SAC and the River Shannon and River Fergus Estuaries SPA, resulting from wastewater discharges from the proposed development, can be ruled out.

Ex-Situ Impacts

As noted in the AA Screening report, Lesser Horseshoe bats are unlikely to use this site. This is because it is a developed site with existing lighting and there has already been significant habitat fragmentation. Furthermore it is stated that Bats are considered to be a local environmental issue and not one affecting Lesser Horseshoe bats associated with Curraghchase Woods SAC.

Conclusion on standalone impacts

Having regard to the discussion above, I conclude that the proposed development would have no likely significant effect 'alone' on any qualifying features of Lower River Shannon SAC, nor of the River Shannon and River Fergus Estuaries SPA. Further AA screening in-combination with other plans and projects is required.

Likely significant effects on the European site(s) 'in-combination with other plans and projects'

There is no evidence on file of any plans or projects that are proposed or permitted that could impact in combination with the proposed development and as such no in-combination issues arise.

I conclude, therefore, that the proposed development would have no likely significant effect in combination with other plans and projects on the qualifying features of any European sites. No further assessment is required for the project.

Overall Conclusion- Screening Determination

In accordance with Section 177U(4) of the Planning and Development Act 2000 (as amended) and on the basis of objective information, I conclude that that the proposed development would not have a likely significant effect on any European Site either alone or in combination with other plans or projects. It is therefore determined that Appropriate Assessment (stage 2) [under Section 177V of the Planning and Development Act 2000] is not required.

This conclusion is based on:

- Standard pollution controls that would be employed regardless of proximity to a European site, and effectiveness of same (at construction and operational phases).
- Distance from European Sites.
- Lack of a suitable habitat to support the Lesser Horseshoe Bat.

No measures intended to avoid or reduce harmful effects on European sites were taken into account in reaching this conclusion.