



An  
Coimisiún  
Pleanála

## Inspector's Report ABP-320729-24

### Development

Construction of memorial park over 3 phases. Phase 1 to have 1048 burial plots, Phase 2 to have 850 burial plots, Phase 3 to have 1437 burial plots and all associated site development works.

### Location

Monaleen Pitch & Putt Course,  
Monaleen Road, Castletroy, Limerick

### Planning Authority

Limerick City and County Council

### Planning Authority Reg. Ref.

2360748

### Applicant(s)

Eugene Harrington

### Type of Application

Permission

### Planning Authority Decision

Grant

### Type of Appeal

Third Party

### Appellant(s)

Marianne and Simon Flannery  
Patrick and Nicole O'Neill  
David, Kathryn and Orlaith O'Mahony  
Tom and Olive O'Callaghan

	Gerard P. Moran
	Muiris and Aine Gavin and Others
<b>Observer(s)</b>	None
<b>Date of Site Inspection</b>	12 <sup>th</sup> February 2025
<b>Inspector</b>	Lorraine Dockery

## 1.0 Site Location and Description

- 1.1. The subject site, which has a stated area of 3.3 hectares, is located within the townland of Monaleen, Castletroy, Co. Limerick. The site is currently under grass and laid out as a pitch and putt course. The site comprises a gently undulating topography and occasional groves of mature and semi-mature trees situated across the site. The dominant habitat on site is Amenity Grassland (GA1). The gates to the site were locked at the time of my visit and it appeared to me that the pitch and putt facility may no longer be in use.
- 1.2. The site is accessed from Monaleen Road from the east. It is bound by Peafield Road to the south. The site boundaries to the north-west and south-west consist of hedgerows. The remaining perimeters are generally defined by fences or garden boundary walls. Lands to the north are generally greenfield/ agricultural in nature. The M7 motorway is located further north, approximately 170m from the site boundary. Monaleen GAA grounds are located further to the west. There are a number of residential properties, primarily one-off dwellings, in the vicinity of the site, many with direct frontage onto Monaleen and Peafield Roads.

## 2.0 Proposed Development

- 2.1. Permission is sought for the construction of a memorial park over 3 phases, together with ancillary site development works, as follows:

Table 1:

Phase	Works
1	(i) 4 traditional burial gardens comprising of 1048 burial plots (with an area of approximately 0.6 ha)  (ii) Ash burial area of approximately 0.07 ha  (iii) Columbarium walls integrated into traditional burial gardens of

	<p>approximately 2.3m high with an overall footprint of approximately 35m<sup>2</sup></p> <p>(iv) A pedestrian only access point from Monaleen Road adjacent to the existing vehicular access serving the site</p> <p>(v) Provision of 62 no. car parking spaces (in two separate areas) &amp; 6 no. bicycle stands</p> <p>(vi) A central reception plaza of approximately 270m<sup>2</sup> containing a single storey building to include a staff welfare room and toilets with a GFA of 25m<sup>2</sup></p> <p>(vii) a maintenance compound of approximately 550m<sup>2</sup> adjacent to the existing maintenance building.</p> <p>(viii) landscaping to include low earth berm enclosures to burial gardens, retention and enhancement of existing hedgerows to boundaries. Inclusion of rain gardens and new tree planting and pedestrian pathways throughout the site.</p> <p>(ix) all other associated site development works.</p>
2	<p>(i) 3 further traditional burial gardens comprising of 850 burial plots (of approximately 0.5 ha)</p> <p>(ii) Columbarium walls integrated into the traditional burial gardens of</p>

	<p>approximately 2.3m high with an overall footprint of approximately 15m<sup>2</sup></p> <p>(iii) pedestrian pathways leading to the new gardens,</p> <p>(iv) extensive landscaping to include low earth berm enclosures to the burial gardens, a meditation garden with reflection pool, and additional tree planting and rain gardens.</p>
3	<p>(i) traditional burial ground of 1,437 plots over an area of approximately 0.78 ha</p> <p>(ii) additional columbarium walls of 2.3mm high with an overall footprint of approximately 14m<sup>2</sup></p> <p>(iii) associated landscaping including pedestrian paths and</p>

### 3.0 Planning Authority Decision

#### 3.1. Decision

Permission GRANTED, subject to 11 no. conditions

Further Information was requested by the planning authority in relation to phasing, Operational Management Plan, details of groundwater vulnerability, design issues, roads issues, lighting design, compliance with planning authority Surface Water & SuDs Specification, existing site plan with levels, overhead EBS line; flooding/ponding matters; geophysical survey.

#### 3.2. Planning Authority Reports

##### 3.2.1. Planning Reports

There are two Planners' Report relating to this file. The first report (dated 04/12/2023) sets out the initial analysis of the application and recommends Further Information (FI) be submitted. The report notes that the principle of development is supported by the planning authority.

The second Planner's Report (dated 09/08/2024) refers to the submitted Further Information and recommends a grant of permission, subject to conditions.

### 3.2.2. Other Technical Reports

Roads Section- approval recommended, subject to conditions (06/08/2024)

Environment and Climate Action Section (Groundwater/Wastewater)- conditions recommended (09/08/2024)

Environment and Climate Action Section (Waste)- conditions recommended (27/11/2024)

Environment (Environment and Climate Action- Burial Grounds) Section- deal with fencing by way of condition (09/08/2024)

Archaeology Section- conditions recommended (01/08/2024)

Mid-West National Road Design Office- no observation (27/11/2023)

Fire Service- no objection (07/11/2023)

### 3.2.3. Conditions

Table 2:

Condition No.	Requirement
1	Standard condition
2	Submission of details relating to (i) Phasing Plan (ii) Boundary treatments (iii) Confirmation from ESB re undergrounding overhead ESB line
3	Traffic and transportation
4	Lighting
5	Surface water

6	Archaeology
7	Archaeology
8	Construction management
9	Construction management
10	Waste management
11	Uisce Eireann

### 3.3. Prescribed Bodies

#### Uisce Eireann

No objection, conditions attached

#### Transport Infrastructure Ireland (TII)

The Authority will rely on the planning authority to abide by official policy in relation to development on/affecting national roads as outlined in DoECLG Spatial Planning and National Roads Guidelines for Planning Authorities (2012).

Section 2.5 of the Guidelines address development within transitional speed limit zones and states that the proliferation of entrances, which would lead to the diminution in the role of the transition zones, must be avoided. The Authority expects the Council to abide by such official policy provisions in this instance.

The Authority also requested that the Council has regard to the provisions of Chapter 3 of the DoECLG Spatial Planning and National Roads Guidelines in the assessment and determination of the subject planning application.

### 3.4. Third Party Observations

Eight no. submissions were received by the planning authority, which raised concerns similar to those contained in the appeal submissions.

## 4.0 Planning History

11/6

Permission GRANTED for change of use from existing agricultural land to pitch and putt course, new entrance and associated site works.

ABP Ref: PL13.209433 (04/1316)

Permissions REFUSED for change of use from agriculture to a Golf Driving Range Course, construction of new 22 bay single storey Golf Driving Range building, change of use and refurbishment of existing hay barn and out-buildings to reception building, provision of new site entrance on to the Monaleen road and associated site works.

## 5.0 Policy Context

### 5.1. Section 28 Ministerial Guidelines

The following list of section 28 Ministerial Guidelines are considered to be of relevance to the proposed development. Specific policies and objectives are referenced within the assessment where appropriate.

- Design Manual for Urban Roads and Streets
- The Planning System and Flood Risk Management (including the associated Technical Appendices)
- Urban Development and Building Heights, Guidelines for Planning Authorities
- Cycle Design Manual (2023)
- Appropriate Assessment of Plans and Projects in Ireland - Guidelines for Planning Authorities
- Environmental Impact Assessment (EIA) Guidance for Consent Authorities regarding Sub-threshold Development

### National Policy

- National Planning Framework, First Revision (April 2025)



- Spatial Planning and National Roads, Guidelines for Planning Authorities (2012)

#### Regional Policy

- Regional Spatial & Economic Strategy for the Southern Region- located within Limerick Metropolitan Area
- Draft Limerick/Shannon Metropolitan Area Transport Strategy 2040

### 5.2. Local Planning Policy

The **Limerick Development Plan 2022-2028** applies.

Site is located outside the settlement boundary of Castletroy.

Zoning- Not zoned

Objective SCS1 O38 Burial Grounds/Crematoria

It is an objective of the Council to: a) Support the implementation of the Burial Ground Strategy which is currently under preparation. b) Provide and facilitate the provision of burial grounds in Castletroy and other towns throughout Limerick identified in the Burial Grounds Strategy (under preparation). c) Support the development of crematoria in Limerick, subject to normal planning considerations. d) Support the future provision of new funeral homes, in appropriate locations, which are designed to sensitively meet the needs of the service. e) Ensure protection of water quality, in particular drinking water sources, with any proposed development.

Limerick City & County Council Burial Ground & Interment Strategy (2021) noted

### 5.3. **Natural Heritage Designations**

The Mulkear River, which is part of the Lower River Shannon SAC, is located circa 1.4km east of the subject site.

### 5.4. **EIA Screening**

- 5.4.1. 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**

Six no. third party appeals have been received which may be broadly summarised as follows:

#### Principle

- In current housing crisis, all lands should be considered for housing. The development of a graveyard in an urban area close to schools and amenities appears inappropriate
- Inappropriate location within mature residential area
- Backland nature of site to rear of existing dwellings
- Lands not zoned 'agriculture' contrary to Planner's Report
- Questions need for proposed development; private development which does not obviate the need for the Council to develop a burial ground
- Contrary to Planner's Report (dated 03/12/23), there is no burial Ground Strategy in place as this is still under preparation; should be fair and transparent and open to public consultation; no community involvement in this proposal
- No provisions within Draft Burial Strategy with respect to private cemeteries; proposal considered premature until draft Strategy is adopted
- LA in the process of providing a public cemetery
- Notes previous refusal for cemetery within 500m of site relating to impacts on residential amenity and detrimental to rural character of area (Reg. Ref. 12/985)

#### Traffic

- Site not suitable for this development on traffic safety grounds
- Concerns regarding additional traffic congestion in area, particularly given location of site proximate to largest primary school in Munster

- No Roads Engineer report was received in relation to traffic/safety or else was not made available on system
- Safety concerns for pedestrians
- Pitch and Putt was only a seasonal operation and attracted low levels of participation during this time with negligible traffic impacts
- Most funerals will occur at peak times; at same time as students from local schools are released; Monaleen national school has got funding for further expansion
- Concerns regarding junction with Peafield Road and Monaleen Road (Sandville Cross), which is considered to be sub-standard with poor sightlines. Need for junction improvement
- Narrow road suitable for traffic generated by sporadic one-off houses
- Concerns regarding overspill parking which would result in creation of traffic hazard and further congestion
- No TTA carried out, no study of impact of traffic at funerals, no traffic surveys, no double yellow lines and no consideration of preventing funerals at peak times

#### Injurious to amenities

- Extent of residential properties in vicinity; property abuts burial ground; graves directly adjacent to party boundaries
- Will not be possible to have gatherings when funerals are on; family occasions competing with trauma of burials will cause additional stress; noise concerns in particular with regards to amplification

#### Ground Conditions/ Drainage/ Flooding

- Concerns regarding pollution from formaldehyde and metals/other materials and assurances that it is safe to farm their land and grow vegetables; seepage concerns; quotes two studies in support of their concerns (one from South Africa and one from Middle Tennessee)
- Flooding risk and states that there has been previous flooding on the site

- As UK are not part of EU, therefore standards referenced in Verdé report are not relevant

#### Other Matters

- Inadequate Preliminary Outline Operational Management Plan submitted which lacks detail
- Concerns regarding future operation of proposal, future maintenance and succession planning
- Concerns regarding future expansion of proposed development into adjoining lands
- Concerns regarding anti-social behaviour; proposed chain-link fencing considered to be inadequate
- Devaluation of property- letter submitted in support of this opinion from Power Property; reference to devaluation of property in previous reasons for refusal on the site (PL13.209433); 20% reduction in property values anticipated as a result of proposal
- Precedent for refusal of burial grounds (12/985) for devaluation of property and impacts on residential amenity
- Applicant has graves located a min of 50m from his property while those of other residents have graves directly adjacent to their boundaries
- Conditions recommended in the event of planning permission being granted by ACP to include boundary treatment, capacity of burial ground, lighting, noise and setback of graves from boundaries
- Suggestion of payment of bond by condition
- Procedural matters relating to availability of information by PA; accusations against PA
- Procedural issues relating to development description; accuracy of information submitted
- Photographs submitted in support of appeals

## 6.2. Applicant Response

A response was received on behalf of the first party, which may be summarised as follows:

### Principle

- Grounds cited in majority of appeals are not material considerations to the planning process
- Principle and need for development is well established
- Site located within Ballysimon Electoral Division, which as per the Limerick City & County Council Burial Ground & Interment Strategy (2021), has little to no capacity. This Electoral Division is earmarked within the burial strategy as a significant population area in need of a new burial ground. Therefore, there is a demonstrated need for the proposed development in the area.
- References to Mount St. Olivers within appeal documentation- located elsewhere within the Metropolitan Municipal District (3.5km from subject site)
- Objective SCS1 038 noted- burial strategy referenced within objective supports the need for the proposed development

### Flooding

- Updated FRA submitted as part of FI response to PA
- No appeal has supplied technical or contrary reports to support various grounds presented
- Site not within area at risk of flooding. No risk of coastal flooding and located within Flood Zone C for fluvial flooding; proposed drainage network would have capacity to address pluvial flooding events
- Any ponding is as a result of low permeability surface material which will be addressed by the proposed drainage network

### Ground Conditions

- Undertook an Environmental and Hydrogeological Assessment (referred to as Verdé report); matter addressed at FI stage to PA; report includes analysis of

likelihood of groundwater contamination; subject site found to be entirely suitable for proposed development

- Veracity of site suitability testing and potential contamination of groundwater have been fully addressed at application stage
- PA Environment Section confirmed that proposal would have minimal impact on ground conditions and surface water, subject to conditions- these conditions are accepted by the applicant

### Traffic

- No contrary technical reports submitted in support of appeals; evidence presented by each appellant varies from describing Monaleen Road as a narrow country road to it being a major distributor road.
- PA Roads Section accepted FI response
- Proposal below thresholds of development requiring full TTA, nonetheless analysis of same was submitted
- Traffic generated by proposal would be intermittent, occurring over a short period at a specific time; it would not be continuous and would quickly dissipate after the service
- Would result in overall reduction from traffic generated by pitch and putt facility

### Other Matters

- Have agreed to upgrade initial security proposals and these have been accepted by the PA
- In relation to noise, no plans to facilitate large scale, permanent amplification of activities on site. Low power speaker to be utilised would be at a low that would not cause a noise disturbance to surrounding residential amenity. No permanent speakers proposed
- A new limited company will operate proposed development with fund setup to ensure the site is managed appropriately throughout the operational period

- Viability and longevity of the project and other risks are business considerations and are not material to the determination of the planning application
- No loss of property values anticipated as a result of proposal
- Procedural issues- application in line with all of PA requirements

### 6.3. **Planning Authority Response**

None

### 6.4. **Observations**

None

### 6.5. **Further Responses**

None

## 7.0 **Assessment**

7.1. Having examined the application details and all other documentation on file, including all of the submissions received in relation to the appeal, the report/s of the local authority, having inspected the site, and having regard to the relevant local/regional/national policies and guidance, I consider that the substantive issues in this appeal are as follows:

- Principle of proposed development
- Impacts on amenity
- Traffic and transport matters
- Drainage matters
- Other issues

### 7.2. **Principle of proposed development/ zoning**

7.2.1. The proposal comprises the development of a memorial park, over three phases together with all associated site development works. When completed, it would have

a total of 3335 plots, together with ash plots, columbarium walls, reception building and associated site development works.

7.2.2. The Limerick Development Plan 2023 applies. The subject site is located on unzoned lands outside the settlement boundary of Castletroy. Some of the third parties highlight that the Planner's Report states that 'burial ground' is 'generally permitted' in the 'Agriculture' zone while the site is not located within a zoned 'Agriculture' area. This is correct, the lands appear to be unzoned outside of the settlement boundary of Limerick City and Suburbs. It could be considered a mixed-use area comprising of residential, educational, sporting grounds, however the wider land use in the general vicinity is largely greenfield/agricultural in nature. I therefore consider that it is not unreasonable to describe the area as similar to one that may have an 'Agriculture' zoning. As information for An Coimisiún, burial grounds as 'generally permitted' within 'Agriculture' zoned lands (although I accept that the site is not located within an area zoned as 'Agriculture'). The operative Development Plan does not appear to make reference to unzoned lands in the context of land use zoning objectives.

7.2.3. Section 10.16 of the operative Limerick Development Plan deals with Burial Grounds and Crematoria. I note Objective SCSi O38 of the aforementioned Plan which states that 'It is an objective of the Council to: a) Support the implementation of the Burial Ground Strategy which is currently under preparation. b) Provide and facilitate the provision of burial grounds in Castletroy and other towns throughout Limerick identified in the Burial Grounds Strategy (under preparation). c) Support the development of crematoria in Limerick, subject to normal planning considerations. d) Support the future provision of new funeral homes, in appropriate locations, which are designed to sensitively meet the needs of the service. e) Ensure protection of water quality, in particular drinking water sources, with any proposed development'.

7.2.4. Objective SCSi 038(a) relates to supporting the implementation of the Burial Ground Strategy. Some third-party submissions contend that there is no Burial Ground Strategy as it is in draft form/under preparation. Others state that the proposal is premature until such time as the draft Strategy is adopted and that public consultation should be undertaken in its preparation. The planning authority have confirmed that the Limerick City & County Council Burial Ground & Interment Strategy was adopted by Elected Members in May 2021. The Strategy states that



the Department of Rural and Community Development has responsibility for policy and legislation in relation to local authority burial grounds and that the operation of burial grounds is the responsibility of the local authorities. The procedures for the preparation by the planning authority of this Strategy are outside the remit of this planning appeal.

- 7.2.5. Objective SCSi O38 (b) seeks to provide and facilitate the provision of burial grounds in Castletroy and other towns throughout Limerick identified in the Burial Grounds Strategy. The subject site is located within Ballysimon Electoral Division and as per the Limerick City & County Council Burial Ground & Interment Strategy (2021), the four burial grounds in this Electoral Division have little to no remaining capacity. I note that this Electoral Division is earmarked within the Burial Strategy as a significant population area in need of a new burial ground. Therefore, it could be argued that there is a demonstrated need for the proposed development in the area.
- 7.2.6. Objective SCSi 038 (c) and (d) are not applicable in this instance as the proposal does not include for a crematorium or the provision of a new funeral home. I shall deal with (e) below under the relevant heading (see section 7.5.8 below).
- 7.2.7. Some of the third-party submissions state that the proposal is by a private developer which does not obviate the need for the Council to develop a burial ground and that there are no provisions within the Draft Burial Strategy with respect to private cemeteries. The planning authority have not provided details within their reports of their future plans for the provision of a burial ground in this area, however they do state that the principle of the development in this general area is generally supported in line with the above policy objective. Objective SCSi 038 does not differentiate between the provision of burial grounds by the local authority or private operators. I note the adopted Burial Strategy states that a local group or a private developer can provide burial facilities in an area without grant assistance, if they so desire, as long as the proposal is technically approved by the Council (planning permission). Land upon which it is proposed to provide burial facilities must be suitable for that purpose. I am generally satisfied in this regard and I consider that the site on which the proposal will be located is suitable for that purpose.
- 7.2.8. Some of the third-party submissions state that in current housing crisis, all lands should be considered for housing and that the development of a graveyard in an

urban area close to schools and amenities seems inappropriate. I highlight to An Coimisiún that the subject site is not zoned for residential development.

- 7.2.9. Some of the third-party submissions received make references to Mount St. Olivers cemetery within the appeal documentation. In response the first party states that this cemetery is located elsewhere within the Metropolitan Municipal District, approximately 3.5km from subject site. The Burial Ground Strategy notes that the Ballysimon area is currently served by other Metropolitan burial grounds for new grave purchases with capacity remaining in existing family plots. It is a recommendation of the strategy to acquire a new burial ground within the Ballysimon DED in the next 2-3 years. Given the existing pitch and putt use of the site, I consider that it lends itself well to the proposed use. Having regard to all of the above, I am satisfied that the principle of the proposal is acceptable at this location and a need for same has been demonstrated in the documentation before me. I also consider that the proposal is generally in compliance with Objective SCS1 038 of the Limerick Development Plan 2023.

### **7.3. Impacts on Amenity**

- 7.3.1. Third party concerns relate to the appropriateness of the proposal at this location, given the extent of residential dwellings in the vicinity and the proximity of the proposal to same, with some proposed plots adjacent to party boundaries. They also raise concerns regarding noise, boundary treatments and potential anti-social behaviour. Some submissions consider that inadequate boundary fencing would facilitate anti-social behaviour. Some third-parties also raise concerns regarding increased stress associated with having family gatherings competing with the trauma of burials on the opposite side of the boundary wall.
- 7.3.2. In terms of impacts on the amenity of existing development in the area, I acknowledge at the outset that there will be a change in outlook as the site moves from its most recent use as a pitch and putt course to that accommodating a development such as that proposed. This is not necessarily a negative. In terms of impacts on residential amenity, I am cognisant of the relationship of the proposed development to neighbouring properties. I note the locational context of the site- much of the land immediately surrounding the site is greenfield in nature, aside from a number of single residential properties along both Monaleen Road and Peamount

Road. I note the sympathetic design of the proposed scheme and the nature of the use proposed. The proposed welfare structure is low-rise in nature. The proposal will result in the enhancement of biodiversity features on the site and measures include for the planting of native woodland trees, ornamental pollinator trees, native hedgerows, rain garden planting, a pond and wetland planting.

### Boundary Treatments

- 7.3.3. Third- party concerns regarding boundary treatments are noted. The planning authority requested Further Information in relation to proposed boundary treatments and the applicants duly responded (see Drawing No. 208). The planning authority considered however that this matter should be further addressed by means of condition (see PA Condition No. 2). The applicants confirmed that the boundary treatments will be provided within a 5-year permission period. They considered that the matter could be dealt with by means of condition and suggested that the provision of secure perimeter fencing be delivered within Phase 1 of the proposal. In response to the appeal, the first party stated that they have agreed to upgrade initial security proposals and these have been accepted by the planning authority. I note that chainlink fencing is proposed along part of the eastern boundary of the site. The southern boundary is to comprise of a new earth bank with timber post and rail fence to be planted with indigenous hedgerow species. The south-western boundary (as detailed) states that the existing concrete block wall will be planted with indigenous hedgerow species to a depth of 2m while for the western and northern boundaries, the existing native hedgerow is to be retained and infilled as required with additional planting. I acknowledge the concerns of third-parties and I also consider the proposed boundary treatments to be somewhat inadequate, both from a visual screening and security viewpoint. I consider that 2 metre concrete block wall, capped and rendered externally should be provided along the southern and eastern boundaries (referred to as Site Boundary A and Site Boundary E on Drawing No. 208 received by the planning authority on 15<sup>th</sup> July 2024) of the subject site. I am satisfied with the proposals for the other two remaining boundaries. Details of measures proposed to protect existing hedgerow on remaining boundaries could be dealt with by means of condition. I am of the opinion that details relating to boundary treatments could be adequately dealt with by means of condition, if An Coimisiún is disposed towards a grant of permission.

- 7.3.4. A Construction and Environmental Management Plan was submitted as part of the Further Information response to the planning authority. Some of the third-party submission states that this document is inadequate and lacks detail. I acknowledge that the plan is light on detail, however I note a number of other plans submitted as part of the Further Information response each of which deal with various aspects of the proposal including an Engineering Planning Report, Site Lighting Report and Geophysical Survey Report. I am of the opinion that an updated CEMP could be submitted by way of condition, if An Coimisiún is disposed towards a grant of permission. I consider that impacts on amenity would not be so great as to warrant a refusal of permission. It is stated that the cemetery will be open to the public each day throughout the year and its opening time will be aligned with those of the public parks in the vicinity of Limerick city. This is considered reasonable. Design controls will be in place regarding headstone types, decoration and planting. Waste management has been dealt with in section 6 of the CEMP. I am of the opinion that these matters could be adequately dealt with by means of condition, if An Coimisiún is disposed towards a grant of permission.

#### Anti-Social Behaviour

- 7.3.5. Matters relating to anti-social behaviour are considered to be a matter for law enforcement (An Garda Síochána) outside the remit of this planning appeal.

#### Separation Distances

- 7.3.6. Some of the third-party appeal submissions raise concerns regarding separation distances of the proposed burial plots from the nearby residential properties. They highlight that the proposed burial plots are located further from the applicant's property than from the appellant's properties. I have examined the layout of the proposed development. The applicant's property does not appear to be demarcated on the submitted documentation. I note that no columbarium walls are proposed along the site boundaries. Given the location of the existing entrance on site and maintenance area, I consider that a reasonable layout has been put forward. I consider however that there should be a greater setback of plots from boundary walls with neighbouring properties than that proposed. I recommend that a minimum 2m planted buffer strip be provided along all boundaries of the site. This matter

could be adequately dealt with by means of condition, if An Coimisiún is disposed towards a grant of permission.

#### Noise

- 7.3.7. Some of the third-party appeal submissions raise concerns regarding noise, in particular amplified noise emanating from the site. The first party response states that there shall be no permanent speakers on site and that they have no plans to facilitate large scale, permanent amplification of activities on site. They state that low power speaker may be utilised, which would be at a low volume which would not cause a noise disturbance to surrounding residential amenity. A number of construction related conditions were attached by the planning authority. I recommend that if An Coimisiún is minded to grant permission, that similarly worded conditions in relation to construction management be attached to any such grant including limitations on the hours of work during the construction stage of development. Given the nature of the proposed use, I would not expect that noise would be excessive or problematic during the operational phase of the development. Notwithstanding this, I recommend the attaching of a condition in relation to noise levels on the site. I am satisfied that the matter of noise could be adequately dealt with by condition if An Coimisiún is disposed towards a grant of permission.

#### Propoerty Devaluation

- 7.3.8. Some of the third-party submissions raise concerns regarding impacts on property values in the vicinity and devaluation of their property, if the proposed development is permitted. One appeal has included a letter from Power Property stating that in their opinion the proposed development will have an impact on the market value of their client's property (Patrick O'Neill) and state that the impact could be up to 20%. I acknowledge the professional opinion put forward. I also however note the stated need for a burial ground within the wider area, as set out in the 'Principle of development' section above, together with Development Plan objectives in relation to same. The location of burial grounds/memorial grounds are commonplace on the outskirts of our towns and cities and are often located proximate to residential development, without issue. I consider the proposed location to be appropriate for such a use, outside of the defined settlement boundary. I am of the opinion that if one decides to live outside of a defined settlement boundary, then such uses which

are considered to be appropriate for these locations, are to be anticipated. I am of the opinion that impacts on property values would not be so great as to warrant/justify a refusal of permission on this ground in isolation.

#### Precedent

7.3.9. Third-party concerns regarding setting of precedent are noted including previous refusals of permission in the vicinity, which include for devaluation of property. I note they reference PL13.209433 which was an appeal on this site for change of use of agricultural land to a golf driving range and associated site development works. Permission was refused by An Bord Pleanála for reason which included seriously injure the amenities and depreciate the value of property in the vicinity of the site. I highlight to An Coimisiún that this was for a different type of development to that currently proposed (a driving range) and this appeal dates back to 2005, when different local, regional and national policy was in place. Another application referenced is 12985 whereby permission was refused by the planning authority (in 2015) for new burial ground, entrance, car parking for 100 cars, site boundary and associated site works in Castletroy. Permission was refused for three reasons which included being injurious to amenities and depreciate the value of property in the vicinity. This application was not appealed. Again, the location is different (located approximately 500m from subject site), as is the policy context. Importantly, I consider however that each application is considered on its own merits and I am assessing this appeal de novo.

7.3.10. Having regard to all of the above, I consider that any impacts on amenity would not be so great as to warrant a refusal of permission. I am satisfied in this regard.

#### **7.4. Traffic and Transport**

7.4.1. Third-party submissions raise concerns in relation to traffic and transport matters. They contend that the subject site not suitable for this development on traffic and safety grounds and highlight that the existing pitch and putt operation was only a seasonal operation and attracted low levels of participation during this time with negligible traffic impacts. They further express concerns regarding additional traffic congestion in area, particularly given the location of the site proximate to the largest primary school in Munster and contend that most funerals will occur at peak times at same time as students from local schools are released. Third parties also raised

safety concerns for pedestrians; that the junction with Peafield Road and Monaleen Road (Sandville Cross) is sub-standard with poor sightlines and that there is need for junction improvement; together with concerns regarding overspill parking which they state would result in the creation of a traffic hazard and further congestion.

- 7.4.2. Third-parties state that no Roads Engineer report was received in relation to traffic/safety matters or else it was not made available on the planning system. They further state that no TTA was carried out, there was no study of impact of traffic at funerals, no traffic surveys, no consideration of double yellow lines and no consideration of preventing funerals at peak times.
- 7.4.3. In response, the first party states that no contrary technical reports were submitted in support of the appeals; with varying evidence presented by each appellant in terms of the status of the road. They note that the planning authority Roads Section accepted their Further Information response. The proposal was below the thresholds of development requiring full TTA, nonetheless analysis of same was submitted. The first party contend that the traffic generated by the proposal would be intermittent, occurring over a short period at a specific time that would not be continuous and would quickly dissipate after the service. They further state that the proposal would result in an overall reduction from traffic generated by pitch and putt facility.
- 7.4.4. The report of the Mid- West National Road Design Office states that they have no observations to make in relation to this application. An internal report from the Roads Section of the planning authority (dated 06/08/2024) in response to the submitted Further Information does not raise concerns and recommends a number of conditions. The TII have not raised concerns in this regard. The planning authority have granted permission for the proposed development, subject to conditions. I confirm that I was able to access all of the above reports online.
- 7.4.5. While I concur with the opinion of the first party that no technical evidence has been submitted by third-parties to support their case, I do acknowledge however that one submission (from Patrick and Nicole O'Neill) states that they have worked in road and traffic design for over 30 years and was Senior Engineer for Limerick County Council (and subsequently LCCC) for over 10 years.

### Traffic Congestion/Sightlines

- 7.4.6. Section 7 of the submitted Engineering Planning Report deals with roads and access. It notes that access to the site will be via Monaleen Road and there are good quality footpaths on both sides of Monaleen Road and one side of Peafield Road offering good connectivity for pedestrians to the development. The closest bus stop is located 350m north of the development on School House Road near the GAA grounds. It is stated that sightlines at the road entrance were designed in accordance with DMURS, based on existing speed limits on the main road. A new pedestrian access from Monaleen Road is proposed. Autotrack assessments were carried out on the proposed road network and demonstrate that a fire tender and hearse can safely negotiate the proposed road network and turning heads.
- 7.4.7. Section 7.2 of the Engineering Planning Report notes that the proposed development size is below thresholds set by Transport Infrastructure Ireland (TII) for the requirements of a Traffic and Transport Assessment (TTA) (per Section 2 of the Traffic and Transport Assessment Guidelines, May 2014). Therefore, no TTA has been submitted. I consider this to be acceptable and in accordance with TII guidance. No traffic survey has been completed as part of the analysis.
- 7.4.8. In terms of increased traffic congestion, I note the Engineering Report which states that due to the nature of the proposed development, it is expected that the traffic generated will be irregular and will occur generally outside of peak times. The result of this will be an increase in traffic volume for trips to the development site followed shortly by an increase in trips leaving over a short time period and then the traffic volume reducing to almost nothing. This scenario as described in the submitted Engineering Report appears reasonable and in line with expectations for such uses. Given that the opening times of the pitch and putt facility are stated to be from 10am to 7pm, seven days a week, I consider it plausible that the proposal may result in a reduction of traffic to the site. Elsewhere in the documentation it is estimated by the applicants that there would be a maximum of 222 traditional burials per year for a period of 30 years, together with an estimated 225 ash burials per year over the same timeframe. I note the phased nature of the development. I consider that the applicant's description of anticipated traffic movements to be reasonable. I have no information before me to believe that the level of traffic congestion resulting from the



proposed development would be great as to warrant a refusal of permission in this instance.

7.4.9. In terms of the stated inadequate sightlines at the Monaleen/Peafield Road junction and the need for junction improvements, I note that the planning authority have not raised concerns in this regard. I visited this junction at the time of my site visit and considered visibility to be adequate. A 50kmph speed limit exists in the general vicinity. I have no information before me to believe that this matter should form the basis for a refusal of permission.

7.4.10. I note Policy TR P11 of the operative Development Plan in relation to safeguarding the carrying capacity and safety of the non-national road network throughout Limerick. I note the existing vehicular entrance at the site; its previous commercial use and I am satisfied that the proposal is in compliance with this policy of the operative Plan.

#### Pedestrian Safety

7.4.11. Section 7 of the submitted Engineering Planning Report notes that there are good quality footpaths on both sides of Monaleen Road and one side of Peafield Road offering good connectivity for pedestrians to the development. The closest bus stop is located 350m north of the development on School House Road near the GAA grounds. I consider that there is good pedestrian connectivity in the area and I have no information before me to believe that the proposal would lead to safety impacts for pedestrians.

#### Parking Provision

7.4.12. In terms of parking provision, the proposed development will have two carpark (one close to the site entrance and one in the centre of the site). It is intended that the carpark at the road entrance will serve as the primary carpark for general everyday operation (21 spaces) while the second carpark at the centre of the site will serve any funeral taking place (39 spaces). The second carpark will have access limited to funeral/burial times only. Of the stated 62 total carparking spaces provided, 4 spaces will be designated for accessible parking. I note that there appears to be no parking standards in the operative Limerick Development Plan for burial grounds/memorial parks. There are standards for funeral homes but this proposal is not for such a development. I note that third-parties state that no study of impact of traffic at

funerals was undertaken. The submitted Engineering Report states that to determine the appropriate level parking to provide as part of the development, other memorial parks and graveyards were examined and a similar level of parking was provided. It is stated that similar recently built cemeteries such as Kilternan Park Cemetery, Dublin and Esker Lawn Cemetery, Dublin had 65 and 40 parking spaces respectively. I consider this approach to be reasonable and consider that the level of parking proposed to be sufficient. I note that the planning authority have not raised concerns in this regard. I consider that a condition should be attached to any grant of permission stipulating that a Mobility Management Plan should be submitted, prior to the commencement of development.

### EV Charging

- 7.4.13. In terms of EV charging, I note the operative Plan which states that for non-residential developments, proposals should provide at least 1 recharging point, and a minimum of 1 space per 5 car parking spaces should be equipped with one fully functional EV Charging Point (see Table DM11 of operative Plan). This would give a requirement of 12 EV charging points (based on 62 spaces stated within the public notices). This matter would appear not to be addressed in the submitted documentation. I note that Drawing No. 221231-PUNCH-01-XX-DR-C-0 appears to indicate 6 no. EV spaces (the green symbol is not annotated but appears to me to indicate EV charging spaces). This matter has not been raised in the appeal submissions nor by the planning authority. An Coimisiún may consider this to be a new issue. An Coimisiún may consider this to be an unidentified material contravention of the Development Plan. The planning authority have not identified it as such. However, they have attached a condition to their grant of permission stipulating that a minimum of 10% of all other car parking on site shall 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. I note that Condition 3(a) of the planning authority does not comply with Table DM11 of the Plan as the condition would result in the provision of 6 EV charging points (10% of 62 spaces)- which have been provided by the applicant. An Coimisiún may consider section 37(2)(a) of the Planning and Development Act, 2000, as amended, relevant in this instance. Condition 3(b) stipulates that the EV chargers/charging spaces shall be provided in

accordance with the Department of Transport Guidelines- Draft Universal Design Guidelines for Electric Vehicle Charging Infrastructure. The parking layout drawings shall be updated having regard the minimum EV parking bay dimensions. I note that 'Table DM 10: Car parking dimensions' of the operative Plan does not specify dimensions for EV charging spaces. I concur with the opinion of the planning authority that this matter could be adequately dealt with by means of condition. I also consider that details of design of, and signage for, the electrical charging points and the provision for the operation and maintenance of the charging points should be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

#### Illegal Parking

- 7.4.14. I have no information before me to believe that the proposal would result in illegal parking in the vicinity of the site. In any event, any such illegal parking is a matter for An Gardai Siochana.

#### Conclusion

- 7.4.15. Having regard to all of the information before me, I am satisfied that the proposed development would be acceptable from a traffic and transportation viewpoint and I have no information before me to believe that the proposal lead to the creation of a traffic hazard or obstruction of road users, subject to condition.

### **7.5. Drainage Matters/Suitability of ground conditions/Flooding**

- 7.5.1. This is a matter which was raised as concern by third parties. Concerns relate to pollution from formaldehyde and metals/other materials used in burials and assurances that it is safe to farm their land and grow vegetables, together with seepage concerns. Two studies are quoted in support of their concerns (one from South Africa and one from Middle Tennessee). Concerns have also been raised in relation to flood risk and it is stated that there has been previous flooding on the site. The third parties contends that as UK are not part of EU, standards referenced in the Environmental and Hydrogeological Assessment are not relevant.
- 7.5.2. A response to the appeal was received on behalf of the first party which states that no appeal submission has supplied technical or contrary reports to support the various grounds presented. In terms of the pollution concerns raised, the first party

highlight that they undertook an Environmental and Hydrogeological Assessment (referred to as Verdé report) as part of the FI response to the planning authority. They highlight that the report includes analysis of the likelihood of groundwater contamination and that the subject site was found to be entirely suitable for the proposed development. The first party contend that the veracity of site suitability testing and potential contamination of groundwater have been fully addressed at application stage.

#### Suitability of Ground Conditions

- 7.5.3. These matters were addressed by the planning authority in their request for Further Information and the applicant duly responded. The Senior Executive Scientist in the Environment and Climate Action section of the planning authority (dated 09/08/2024) stated that the wintertime water table is unlikely to rise above the top of the bedrock and will not interact with any burials. They note that there appears to be a relatively consistent depth of soil across the site and in all cases there will be at least a metre of soil between the deepest burial and the top of the bedrock. Because of the depth of soil, recontouring of the site is not significant and there will be sufficient depth of material available for burials. They further state that the site does not interact with any Source Protection Area, with the nearest recorded borehole being 780m distant, separated from the site by a river which would be expected to intercept any groundwater flow. The nearest surface water river is approximately 400m from the site. The planning authority state that this is a significant separation distance from this river and it is unlikely to be impacted by the proposed development. They note that a detailed Quality Risk Assessment has been undertaken by the applicant which concludes that the risk to groundwater from burials is acceptably low. The reports of the planning authority further concludes that the site is considered suitable for development as a cemetery. The Senior Executive Scientist states that the site is suitable for the proposed development and that there will be minimal risk of contamination to either groundwater or surface water.
- 7.5.4. As stated above, an Environmental & Hydrogeological Assessment (EHA) of the proposed burial ground was undertaken by Verdé Environmental Consultants to assess the suitability of the site for development (see Appendix A of submitted Engineering Planning Report). In addition to the EHA, percolation tests were carried out in the two locations on the site where grave plots will be located. Soil samples

were collected from eight no. trial pits excavated in October 2022 and groundwater samples were collected from the installed monitoring wells in March 2023. The EHA involved trial pit excavation, groundwater monitoring, well drilling and installation, soil sampling, groundwater sampling and laboratory analysis. I am satisfied with the level of analysis undertaken. It is stated that sufficient subsoil thickness is available to ensure the required 3.44m of soil depth is present to comply with the Irish Law (this equates to a depth of 2.44m plus 1m of additional cover to bedrock). The required depth to bedrock of 3.44m (2.44m max burial depth + 1m undisturbed soil below) was found to be available across the site. The water table was found to be well below bedrock level and would not be encountered in traditional burials.

- 7.5.5. The Environmental Site Assessment and DQRA report presents information on the relevant guidance in relation to burial requirements in Ireland together with the approach taken in the UK and Northern Ireland (see section 2 of report which sets out guidance references). I do not concur with the assertion by third-parties that, as the UK is no longer part of the EU, guidance documents from the UK should not be referenced. This is somewhat contradictory on the part of third-parties as elsewhere they make reference to studies from South Africa and South Tennessee in support of their argument. The submitted report is detailed in nature and I refer An Coimisiún to same.
- 7.5.6. I note the following information contained within the submitted Environmental Site Assessment and DQRA Report (as contained in the Engineering Report). The GSI describes the sub-soils underlying the site as Till derived from limestone. The subsoil thickness at the site is estimated by the GSI to be approximately 5-10m and the permeability is classified as Moderate. The bedrock aquifer is classified as a Locally Important Aquifer – Bedrock which is Generally Moderately Productive. There is one recorded well located approximately 780m east of the site. The closest GSI Public Supply Source Protection Area is the MURROE PWS and is located 9.5km east of the site. There are no source protection areas for public supply or group schemes within 5km of the site. The closest water course to the site is the Killonan tributary to the Mulkear River (IE\_SH\_25M040590), located approximately 400m east of the site. The Mulkear River (IE\_SH\_25M040590), located approximately 1.4m from the subject site. The Groody River (IE\_SH\_25G050200) is located approximately 670m south of the site. The Mulkear River has been assigned Good status under the Water

Framework Directive (WFD); and the risk of deterioration is recorded as not at risk. See Appendix 4- WFD Assessment of this report.

7.5.7. Concerns were raised in some of the third-party submissions received relating to the potential for formaldehyde to cause pollution and prevent them from growing crops in their lands. A detailed quantitative risk assessment (DQRA) has been completed in two tiers as required by the UK EA guidance. A Tier 3 assessment was also undertaken. It is estimated by the applicants that there would be a maximum of 222 traditional burials per year for 30 years. The Environmental Site Assessment and DQRA Report states that for the traditional corpse burials the potential for release of the following contaminants from the proposed 222 traditional burials per year for 30 years has been assessed- Ammoniacal nitrogen (as Ammonium ( $\text{NH}_4^+$ ), Mercury, Formaldehyde, Calcium ( $\text{Ca}^{2+}$ ) and Phosphorus (as  $\text{P}^{04-}$ ). In addition to the traditional burials, 225 ash burials up to 30 years are also proposed within an ash garden near the centre of the site. Remains to be stored in containers within columbarium have been excluded from this assessment as there is no potential pathway from ashes stored within sealed containers above ground to the ground. This is considered reasonable. Formaldehyde from a corpse is assumed to be completely released within the first year, whereas release from the coffin is at a constant rate for ten years. It has conservatively been assumed within the report that all corpses are embalmed with formaldehyde and that all coffins will be constructed using resins that contain formaldehyde. The results of detailed analysis indicate that the potential risks to groundwater resources from burials at the proposed cemetery are acceptably low. The completed desktop study and site investigations indicates that cemetery development at this location would be compliant with relevant separation distances from groundwater abstraction wells, drainage ditches and watercourses, and with the various ground conditions required in the Irish Law and UK cemetery guidance. Having regard to all of the information before me, I am satisfied in this regard.

7.5.8. I note Objective SCSI O38 Burial Grounds/Crematoria of the operative Development Plan in particular (e) which states that 'It is an objective of the Council to ensure protection of water quality, in particular drinking water sources, with any proposed development. I am satisfied that the proposal is in compliance with same.

7.5.9. I note Objective EH 015 of the operative Development Plan in relation to the protection of ground and surface water resources. Based on the information before me, I am satisfied that the proposed development is in accordance with Objective EH 105 of the operative Plan, would not be prejudicial health and would be consistent with the proper planning and sustainable development of the area.

#### Flooding

7.5.10. In relation to the matter of flooding, I acknowledge the concerns of third-parties. I note the first party response which states that an updated FRA submitted as part of FI response to the planning authority, which concludes that the site not within area at risk of flooding.

7.5.11. In terms of foul drainage, it is proposed that the foul sewer will discharge by gravity to the Uisce Éireann existing foul sewer on Monaleen Road through a new connection. Uisce Eireann have no objections to the proposal, subject to conditions. They state that the wastewater connections is feasible without any infrastructure upgrade. The proposed surface water drainage system has been designed in accordance with the Department of Environment and Local Government's guidance document "Recommendations for Site Development Works for Housing Areas", with guidance taken from the Greater Dublin Strategic Drainage Study (GDSDS) and the Limerick Development Plan 2022-2028. A new surface water sewer network shall be provided for the proposed development. This will be entirely separate from the foul water sewer network. All surface water run-off from roof areas and hardstanding areas are designed to be collected by a gravity pipe network. SuDS measures are proposed including engineered swales, filter drains and rain garden/bioretention areas. It is proposed to connect to the existing watermain on Monaleen Road, which will provide potable water to the proposed development.

7.5.12. I have examined the photographs submitted by third parties, which shows some level of ponding on the site. I would not consider it to be flooding. The submitted Engineering Report addresses this matter and states that water ponding is as a result of band of low permeability silts and clays present near the surface of the ground. The improved drainage features of the site such as the land drains and bioretention areas are expected to combat this water ponding. This is considered acceptable.

7.5.13. The site has been assessed in accordance with the Planning System and Flood Risk Management Guidelines. I concur with the opinion of the first party that no alternative technical reports were submitted to validate the opinions of third parties in this regard. I have examined the Development Plan mapping, which shows the subject site to be located outside of Flood Zones A and B. I have examined the OPW website [www.floodinfo.ie](http://www.floodinfo.ie), which shows that the subject site is not located within a flood risk area. There is no history of past flood events indicated either on the site or in the immediate vicinity. Based on the information before me, it appears that the site is at low risk of flooding.

#### Conclusion

7.5.14. To conclude this point, I note that the planning authority have not raised concerns in this regard. The Environment Section of the planning authority confirmed that proposal would have minimal impact on ground conditions and surface water, subject to conditions. Uisce Eireann have not raised concerns in this regard. Having regard to all of the information before me, I am satisfied that the subject site can adequately accommodate a development of the nature and scale proposed without negative impact on ground conditions and without causing pollution. I have no information before me to believe that the proposed development would be prejudicial to public health. Additionally, I have no information before to believe that the proposal would result in flooding elsewhere. I am generally satisfied in this regard, subject to conditions.

### **7.6. Other Issues**

#### Allegations

7.6.1. Some of the appeal submissions make allegations against both the local authority and its staff members. I shall make no comment in relation to these allegations.

#### Validation

7.6.2. Matters of validation by the planning authority are considered to be outside the remit of this appeal. Some submissions state that documents, particular at Further Information stage, were not available to view at planning authority stage and that access was not given to other documents. Given the volume of submissions received and level of detail contained therein, I am satisfied that third parties were



aware of the application. The availability of documents on the planning authority website is outside the remit of this appeal. I have viewed the planning authority website and the documents are currently available online.

- 7.6.3. One of the appeal submissions states that the application should be invalidated as the public notices refer to the columbarium walls are 2.3mm high, as opposed to 2.3m high. I consider that it is clear from the submitted drawings and documentation that the walls measure 2.3m in height. It would be virtually impossible for them to fulfil their role at 2.3mm high. Taking a reasonable perspective, I am satisfied that this is a typographical error. In the interests of clarity, I advise An Coimisiún to deal with the matter of clarification of the height of the columbarium walls by way of condition. In addition, one of the submissions states that the proposal is invalid as proposal will not be completed within 5 years. I am satisfied that it is clearly set out in the application documentation that the proposal is phased in nature. I refer An Coimisiún to Figure 7.1 of Environmental Site Assessment and DQRA Report which clearly sets out the phasing of the proposal up to 2060. I consider that there is no ambiguity in this regard.

#### Consultation

- 7.6.4. Some of the appeal submissions state that no consultation was had with local residents prior to the lodging of the application. While consultation may be beneficial, there is no requirement in the legislation for such.

#### Power lines (ESB Network)

- 7.6.5. It is confirmed in the submitted documentation, that following engagement with ESB Networks the existing infrastructure cables will not be affected by the proposed development. I consider that this matter could also be clarified by means of condition, prior to the commencement of any works on site.

#### Financial Matters of Applicant

- 7.6.6. The financial/business matters of the applicant are outside the remit of this planning appeal. Details relating to the business model and operator have been set out in sections 1 and 2 of the submitted CEMP. If An Coimisiún is minded to grant permission for the proposed development, they may wish to seek further details, by way of condition, relating to what plans are in place to secure the future operation

and maintenance of the proposed development, in the event that the developer is no longer in a position to do so.

#### Future Development

- 7.6.7. Concerns were raised in some of the submissions received relating to the future development/expansion of the proposed development. I can only assess the proposal before me at the current time, as contained in the submitted public notices. Any further development of the site would be assessed at that time. Each application is assessed on its own merits.

#### Bond/Development Contributions

- 7.6.8. I do not consider the payment of a bond necessary in this instance, as has been suggested by some of the third-parties. I highlight to An Coimisiún that the planning authority state that in line with section 8.0 Exemptions of the Limerick Development Contribution Scheme 2022, burial grounds are exempt from the requirements to pay development contributions.

#### Consideration of Local Authority Conditions

- 7.6.9. Table 3 below details the reasoning behind my recommended conditions for the proposed development.

Table 3:

PA Condition No.	Subject	Included/Modified/Excluded in Schedule of Conditions and reasons
1	Standard condition plans and particulars	<b>Modified</b> Covered in Condition No.1 (Standard ACP condition)
2	Submission of details relating to (i) Phasing Plan (ii) Boundary treatments (iii) Confirmation from ESB re undergrounding overhead ESB line	<b>Modified</b> Covered in Condition No. 2

3	Traffic and transportation	<b>Modified</b> Covered in Condition No. 5
4	Lighting	<b>Modified</b> Covered in Condition No. 12
5	Surface water	<b>Modified</b> Covered in Condition No. 7
6	Archaeology	<b>Modified</b> Covered in Condition No. 14
7	Archaeology	<b>Modified</b> Covered in Condition No. 14
8	Construction management	<b>Modified</b> Covered in Condition No. 8,10
9	Construction management	<b>Modified</b> Covered in Condition No. 8,10
10	Waste management	Modified Covered in Condition No. 15,16
11	Uisce Eireann	<b>Modified</b> Covered in Condition No. 9

## 8.0 AA Screening

8.1.1. See Appendix 2 below

8.1.2. I have considered the proposed development in light of the requirements S177U of the Planning and Development Act 2000 as amended. The Mulkear River, which is part of the Lower River Shannon SAC, is located c. 1.4km east of the subject site. The subject site is located approximately 1.4km from the Lower River Shannon SAC (Site Code:002165), the nearest designated site. The proposed development comprises the construction of memorial park over 3 phases, together with ancillary site development works. There is no hydrological connectivity between the application site and this SAC.

8.1.3. Having considered the nature, scale and location of the project, 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
- Distance from nearest European site and lack of hydrological 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.

## 9.0 Recommendation

I recommend that permission is GRANTED, subject to conditions

## 10.0 Reasons and Considerations

Subject to conditions set out below, it is considered that the proposed development would not seriously injure the residential or visual amenities of the area; would be acceptable in terms of traffic safety and convenience of pedestrians and road users, would not be prejudicial to public health and would safeguard the ecological value of the site. The proposed development would therefore be consistent and with the proper planning and sustainable development of the area.

## 11.0 Conditions

1.	The development shall be completed in accordance with the plans and particulars lodged with the application, as amended by Further Information received by the planning authority on the 15 <sup>th</sup> day of July 2024, 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
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	<p>development and the development shall be carried out and completed in accordance with the agreed particulars.</p> <p><b>Reason:</b> In the interest of clarity</p>
2.	<p>Prior to the commencement of any works on site, the applicants shall submit for the written agreement of the planning authority, revised details (plans, sections and elevations at an appropriate scale) to include:</p> <p>(a) A minimum 2m buffer zone between the site boundary and any proposed burial plot. This buffer area shall be suitably landscaped with native species, where appropriate.</p> <p>(b) Proposed boundary treatments. Proposed chainlink and timber post and rail fencing along the southern and eastern boundaries (referred to as Site Boundary A and Site Boundary E on Drawing No. 208 received by the planning authority on 15<sup>th</sup> July 2024) shall be replaced with a two-metre block wall, suitably capped on rendered on both sides.</p> <p>(c) Details of measures to protect existing hedgerow on site during the construction phase of development</p> <p>(d) One in five of all proposed car parking spaces shall be provided with functioning electric vehicle charging stations/points. Ducting shall be provided for all remaining car parking spaces on site. Details shall also be submitted of design of, and signage for, the electrical charging points and the provision for the operation and maintenance of the charging points shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.</p> <p>(e) Revised parking bay layout plan showing minimum EV parking bay dimensions</p> <p>(f) Mobility Management Plan</p>

	<p>(g) Confirmation from ESB Networks that there is no requirement to underground the existing overhead power line that traverses the site or alternatively a letter of consent from ESB networks if relocation/undergrounding is required</p> <p>(h) Detailed plan for management of headstone dimensions and plot sizes/alterations</p> <p>(i) Details as to how it is proposed to operate the proposed development in the event that the proposed operator is no longer being in a position to do so</p> <p>(j) A schedule of landscape maintenance, covering a minimum period of three years and shall include details of the arrangements for its implementation</p> <p><b>Reason:</b> In the interests of clarity, traffic safety and in the interests of the proper planning and sustainable development of the area.</p>
3.	<p>(i) The maximum number of traditional burial plots shall be 3335 plots</p> <p>(ii) The columbarium walls shall be a maximum of 2.3m in height.</p> <p><b>Reason:</b> In the interests of clarity</p>
4.	<p>No signage, advertisement or advertisement structure (including that which is exempted development under the Planning and Development Regulations, 2001 (as amended)), other than those shown on the drawings submitted with the application, shall be erected or displayed on the buildings or within the curtilage of the site unless authorised by a further grant of planning permission.</p> <p><b>Reason:</b> In the interest of visual amenity</p>
5.	<p>The developer shall comply with all requirements of the planning authority in relation to roads, access, lighting and parking</p>

	<p>arrangements, including facilities for the recharging of electric vehicles. In particular:</p> <p>(a) The roads and traffic arrangements serving the site (including signage) shall be in accordance with the detailed requirements of the Planning Authority for such works and shall be carried out at the developer's expense.</p> <p>(b) 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>(c) 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>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><b>Reason:</b> In the interest of traffic safety and convenience.</p>
6.	<p>The construction of the development shall be managed in accordance with a Final Construction and Environmental Management Plan, which shall be 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</p>

	<p>waste.</p> <p><b>Reason:</b> In the interests of public safety and residential amenity.</p>
7.	<p>The disposal of surface water shall comply with the requirements of the planning authority for such works and services. Prior to the commencement of development, the developer shall submit details for the disposal of surface water from the site for the written agreement of the planning authority. 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> <p><b>Reason:</b> To prevent flooding and in the interests of sustainable drainage.</p>
8.	<p>Site development and building works shall be carried out only between the hours of 0700 to 1900, Mondays to Fridays inclusive, between 0800 to 1400 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><b>Reason:</b> In order to safeguard the residential amenities of property in the vicinity.</p>
9.	<p>During the operational phase of the proposed development the noise level shall not exceed (a) 55 dB(A) rated sound level between the hours of 0700 to 2300, and (b) 45 dB(A) 15min and 60 dB LAfmax, 15min at all other times , (corrected for a tonal or impulsive component) as measured at any point along the boundary of the site. Procedures for the purpose of determining compliance with this limit shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.</p>



	<p><b>Reason:</b> To protect the amenities of property in the vicinity of the site</p>
8.	<p>Water supply and drainage arrangements including the attenuation and disposal of surface water, shall comply with the requirements of the planning authority for such works and services.</p> <p><b>Reason:</b> In the interest of public health and surface water management.</p>
9.	<p>Prior to the commencement of development, the developer shall enter into a water and wastewater connection agreement with Uisce Eireann.</p> <p><b>Reason:</b> In the interests of public health</p>
10.	<p>That all necessary measures be taken by the contractor to prevent the spillage or deposit of clay, rubble, or other debris on adjoining roads during the course of the works.</p> <p><b>Reason:</b> To protect the amenities of the area</p>
11.	<p>The site shall be landscaped in accordance with the detailed comprehensive scheme of landscaping, which accompanied the application submitted, unless otherwise agreed in writing with, the planning authority prior to commencement of development. The developer shall retain the services of a suitably qualified Landscape Architect throughout the life of the site development works. The approved landscaping scheme shall be implemented fully in the first planting season following completion of the development or each phase of the development and any plant materials that die or are removed within <b>5</b> years of planting shall be replaced in the first planting season thereafter with others of similar size and species, unless otherwise agreed in writing with the planning authority.</p> <p>Site clearance works, including the removal of existing vegetation, is not permitted during the bird nesting season (March 1<sup>st</sup> to August 31<sup>st</sup>).</p>

	<p><b>Reason:</b> To ensure a satisfactory completion and maintenance of the development in the interests of residential amenity and in the interests of protecting the environment</p>
12.	<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><b>Reason:</b> In the interests of amenity and public safety</p>
13.	<p>The management and maintenance of the proposed development following its completion shall be the responsibility of a legally constituted management company, or by the local authority in the event of the development being taken in charge. Detailed proposals in this regard shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.</p> <p><b>Reason:</b> To ensure the satisfactory completion and maintenance of this development.</p>
14.	<p>The developer shall facilitate the archaeological appraisal of the site and shall provide for the preservation, recording and protection of archaeological materials or features which may exist within the site. In this regard, the developer shall: (a) notify the planning authority in writing at least four weeks prior to the commencement of any site operation (including hydrological and geotechnical investigations) relating to the proposed development, and (b) employ a suitably-qualified archaeologist prior to the commencement of development. The archaeologist shall assess the site and monitor all site development works. The assessment shall address the following issues: (i) the nature and location of archaeological material on the site, and (ii) the impact of the proposed development on such archaeological material. A report, containing the results of the assessment, shall be submitted to the planning authority and, arising</p>

	<p>from this assessment, the developer shall agree in writing with the planning authority details regarding any further archaeological requirements (including, if necessary, archaeological excavation) prior to commencement of construction works. In default of agreement on any of these requirements, the matter shall be referred to An Coimisiún Pleanála for determination.</p> <p><b>Reason:</b> In order to conserve the archaeological heritage of the area and to secure the preservation (in-situ or by record) and protection of any archaeological remains that may exist within the site.</p>
15.	<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><b>Reason:</b> In the interest of sustainable waste management.</p>
16.	<p>(a) 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>(b) This plan shall provide for screened communal bin stores, the locations and designs of which shall be included in the details to be submitted.</p>

	<b>Reason:</b> To provide for the appropriate management of waste and, in particular recyclable materials, in the interest of protecting the environment.
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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.

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Lorraine Dockery  
Senior Planning Inspector

29<sup>th</sup> October 2025

## Appendix 1- Screening the Need for Appropriate Assessment

### Screening the need for Appropriate Assessment

#### Finding of no likely significant effects

#### Appropriate Assessment: Screening Determination

##### (Stage 1, Article 6(3) of Habitats Directive)

I have considered the proposed development of a memorial park over three phases and ancillary site works at Monaleen Road, Castletroy, Co. Limerick, in light of the requirements of S177U of the Planning and Development Act 2000 as amended.

A screening report for Appropriate Assessment was submitted with this planning appeal case and concluded that significant effects are not likely to arise, either individually or in combination with other plans or projects on the Natura 2000 network. The planning authority notes that given that there is no hydrological connectivity between the application site and the SAC, it is considered that the proposed development, individually or in combination with other plans or projects, will not have a significant effect on any European sites. Therefore, Appropriate Assessment is not required.

A detailed description of the proposed development is presented in Section 2 of my report. In summary, the subject site is located outside the existing settlement of Limerick city and suburbs. The site primarily contains amenity grassland and is bound by hedgerows and perimeter walls along its boundary. The site, as outlined in red, has a stated area of 3.3 hectares. Access to the site is from the Monaleen Road. The site is gently undulating. The M7 motorway is located approximately 170m to the north.

There are no drains, streams or other water features within or adjacent to the application site. The closest watercourse to the site is the Killonan Stream and this is located approximately 400m east of the site. This stream flows north and then east towards its confluence with the Mulkear River, which is 1.5km east of the site. The Mulkear River flows north until its confluence with the River Shannon near Castletroy.

The proposed development will be served by public mains connections. SuDS measures are proposed, which are standard measures in all new such developments and are not included to avoid/reduce an effect to a Natura 2000 site. The site is not located within a flood risk area. There are no invasive species stated as being recorded on site. Habitats on site are of local biodiversity value only.

#### European Sites

The proposed development site is not located within or immediately adjacent to any site designated as a European Site, comprising a Special Area of Conservation (SAC) or Special Protection Area (SPA). The proposed development site is located outside the settlement boundary of Limerick city and suburbs. There are a number of one-off dwellings in the vicinity.

The boundary of the nearest European Site to the proposed development is:

- **The Lower Shannon SAC** (Site Code:002165)- approximately 1.4km distant

There are a number of other designated site identified within the submitted Screening Report, stated as being within 15km of the subject site. I consider that the Lower River Shannon SAC, being the nearest designated site, is the only site to be considered to be within the Zone of Influence.

Using the source-pathway-receptor model, it was determined that there is no hydrological connectivity between the proposed development site and any of these designated sites stated as being within 15km of the subject site. In view of this and the lack of any evidence that the development site provides a support to any QI habitats or species of these European sites, no likely significant effects will occur as a result of the proposed development during construction or operational phases.

The planning authority concurs with the conclusion of the submitted AA Screening Report. Uisce Eireann did not raise concerns in this regard. No other reports from Prescribed Bodies raised this as an issue.

As a highly precautionary measure, I will examine the above site (the Lowe Shannon SAC) in further detail. However, given the nature of the development, the distances involved and the lack of hydrological connections, I do not consider it necessary to examine the potential for significant effects on any European Sites beyond those of **Lower Shannon SAC** (Site Code:002165).

<b>Lower River Shannon SAC (Site Code:002165) – 1.4km distant</b> <u>Lower River Shannon SAC   National Parks &amp; Wildlife Service</u> <b>Qualifying Interests</b>	<b>Conservation Objective</b>
Sandbanks which are slightly covered by sea water all the time [1110]	Maintain the favourable conservation condition
Estuaries [1130]	Maintain the favourable conservation condition
Mudflats and sandflats not covered by seawater at low tide [1140]	Maintain the favourable conservation condition
Coastal lagoons [1150]	Restore the favourable conservation condition
Large shallow inlets and bays [1160]	Maintain the favourable conservation condition
Reefs [1170]	Maintain the favourable conservation condition
Perennial vegetation of stony banks [1220]	Maintain the favourable conservation condition
Vegetated sea cliffs of the Atlantic and Baltic coasts [1230]	Maintain the favourable conservation condition
Salicornia and other annuals colonising mud and sand [1310]	Maintain the favourable conservation condition

Atlantic salt meadows ( <i>Glauco-Puccinellietalia maritima</i> ) [1330]	Restore the favourable conservation condition
Mediterranean salt meadows ( <i>Juncetalia maritimi</i> ) [1410]	Restore the favourable conservation condition
Water courses of plain to montane levels with the <i>Ranunculion fluitantis</i> and <i>Callitricho-Batrachion</i> vegetation [3260]	Maintain the favourable conservation condition
<i>Molinia</i> meadows on calcareous, peaty or clayey-silt-laden soils ( <i>Molinion caeruleae</i> ) [6410]	Maintain the favourable conservation condition
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]	Maintain the favourable conservation condition
<i>Margaritifera margaritifera</i> (Freshwater Pearl Mussel) [1029]	Restore the favourable conservation condition
<i>Petromyzon marinus</i> (Sea Lamprey) [1095]	Restore the favourable conservation condition
<i>Lampetra planeri</i> (Brook Lamprey) [1096]	Maintain the favourable conservation condition
<i>Lampetra fluviatilis</i> (River Lamprey) [1099]	Maintain the favourable conservation condition
<i>Salmo salar</i> (Salmon) [1106]	Restore the favourable conservation condition
<i>Tursiops truncatus</i> (Common Bottlenose Dolphin) [1349]	Maintain the favourable conservation condition
<i>Lutra lutra</i> (Otter) [1355]	Restore the favourable conservation condition

#### **Likely impacts of the project (alone or in combination)**

Due to the enclosed nature of the development site, the nature/scale of development, the lack of hydrological connections and the presence of a significant distance between this existing site and the Lower River Shannon SAC, I consider that the proposed development would not be expected to generate impacts that could affect anything but the immediate area of the development site, thus having a very limited potential zone of influence on any ecological receptors.

The proposed development would not have direct impacts on any European site. There are no spatial overlaps with any Natura 2000 site.

During site clearance and construction of the proposed development, possible impact mechanisms of a temporary nature include generation of noise, dust and construction related emissions to surface water. However, the contained nature of the site (serviced, defined site boundaries) and distance from receiving features connected to Lower River Shannon SAC make it highly unlikely that the proposed development could generate impacts of a magnitude that could affect European Sites.

**Likely significant effects on the European sites in view of the conservation objectives**

The construction or operation of the proposed development will not result in impacts that could affect the conservation objectives of the above designated site. Due to distance and lack of meaningful ecological connections there will be no changes in ecological functions due to any construction related emissions or disturbance. SuDs measures are proposed (standard construction practices); the site is not located within a flood zone and the planning authority have raised issue in this regard.

There will be no direct or ex-situ effects from disturbance on mobile species, including ex-situ foraging and roosting habitat during construction or operation of the proposed development due to the location of the development site and the absence of suitable habitat.

**In combination effects**

The proposed development will not result in any effects that could contribute to an effect with other developments in the area.

No mitigation measures are required to come to these conclusions. Mitigation measures put forward in the documentation are considered to be standard measures to prevent ecological impacts and are not a mitigation measure for the purpose of avoiding or preventing impacts to the designated sites.

**Overall Conclusion****Screening Determination**

In accordance with Section 177U of the Planning and Development Act 2000 (as amended) and on the basis of the information considered in this AA screening, I conclude that the proposed development individually or in combination with other plans or projects would not be likely to give rise to significant effects on any European Site, including Lower River Shannon SAC and is therefore excluded from further consideration. Appropriate Assessment is not required.

This determination is based on:

- The scale of the development and lack of impact mechanisms that could significantly affect a European Site
- Distance from and weak connections to the European sites
- Taking into account screening determination by LPA

**Inspector:** Lorraine Dockery **Date:** 29/10/2025



## Appendix 2- Form 1 - EIA Pre-Screening

<b>Case Reference</b>	ABP-320729-24
<b>Proposed Development Summary</b>	Memorial Park over three phases and associated site development works
<b>Development Address</b>	Monaleen Pitch and Putt Course, Monaleen Road, Castletroy, Limerick
	<b>In all cases check box /or leave blank</b>
<b>1. Does the proposed development come within the definition of a 'project' for the purposes of EIA?</b>  (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.
<b>2. Is the proposed development of a CLASS specified in Part 1, Schedule 5 of the Planning and Development Regulations 2001 (as amended)?</b>	
<input type="checkbox"/> Yes, it is a Class specified in Part 1.  <b>EIA is mandatory. No Screening required. EIAR to be requested. Discuss with ADP.</b>	
<input checked="" type="checkbox"/> No, it is not a Class specified in Part 1. Proceed to Q3	
<b>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?</b>	
<input type="checkbox"/> No, the development is not of a Class Specified in Part 2, Schedule 5 or a prescribed type of proposed road	

<p>development under Article 8 of the Roads Regulations, 1994.</p> <p><b>No Screening required.</b></p>	
<p><input type="checkbox"/> Yes, the proposed development is of a Class and meets/exceeds the threshold.</p> <p><b>EIA is Mandatory. No Screening Required</b></p>	<p><b>State the Class and state the relevant threshold</b></p>
<p><input checked="" type="checkbox"/> Yes, the proposed development is of a Class but is sub-threshold.</p> <p><b>Preliminary examination required. (Form 2)</b></p> <p><b>OR</b></p> <p><b>If Schedule 7A information submitted proceed to Q4. (Form 3 Required)</b></p>	<p>Class 10(b)(iv)</p> <p>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><b>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)?</b></p>	
<p>Yes <input type="checkbox"/></p>	<p><b>Screening Determination required (Complete Form 3)</b></p>
<p>No <input checked="" type="checkbox"/></p>	<p><b>Pre-screening determination conclusion remains as above (Q1 to Q3)</b></p>

**Inspector:** Lorraine Dockery **Date:** 29/10/2025

## Appendix 3- Form 2 - EIA Preliminary Examination

<b>Case Reference</b>	ABP-320729-24
<b>Proposed Development Summary</b>	Memorial Park over three phases and associated site development works
<b>Development Address</b>	Monaleen Pitch and Putt Course, Monaleen Road, Castletroy, Limerick
<b>This preliminary examination should be read with, and in the light of, the rest of the Inspector's Report attached herewith.</b>	
<b>Characteristics of proposed development</b>  (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>Whilst a change of land use is proposed, the development is proposing a memorial park within the grounds of an existing pitch and putt course with minimal impact on the existing vegetation across the site. The development includes ancillary welfare/reception and maintenance buildings which are of a relatively modest scale. The overall site is stated as having an area of 3.3 ha.</p> <p>The development comes forward as a stand-alone project, does not require the use of substantial natural resources, or give rise to significant risk of pollution or nuisance. The development, by virtue of its type, does not pose a risk of major accident and/or disaster, or is vulnerable to climate change. It presents no risks to human health.</p>
<b>Location of development</b>  (The environmental sensitivity of geographical areas likely to 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>This is a greenfield site within an unzoned area. Its most recent use is as a pitch and putt course.</p> <p>No designations apply to the subject site. The development would be connected to the public wastewater services.</p> <p>The development is removed from sensitive natural habitats, centres of population and designated sites and landscapes of identified significance in the Development Plan. It is considered 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.</p>
<b>Types and characteristics of potential impacts</b>  (Likely significant effects on environmental parameters, magnitude and spatial extent,	<p>Having regard to the nature of the proposed development, its location removed from sensitive habitats/features, its location, likely limited magnitude and spatial extent of effects, and absence of in-combination effects, there is no potential for significant</p>

nature of impact, transboundary, intensity and complexity, duration, cumulative effects and opportunities for mitigation).	effects on the environment factors listed in section 171A of the Act
<b>Conclusion</b>	
<b>Likelihood of Significant Effects</b>	<b>Conclusion in respect of EIA</b>
There is no real likelihood of significant effects on the environment.	EIA is not required.

**Inspector:** Lorraine Dockery **Date:** 29/10/2025

## Appendix 4: WFD Impact Assessment Stage 1: Screening

WFD IMPACT ASSESSMENT STAGE 1: SCREENING			
Step 1: Nature of the Project, the Site and Locality			
<b>An Bord Pleanála ref. no.</b>	ABP-320729-24	<b>Townland, address</b>	Monaleen Pitch & Putt Course, Monaleen Road, Castletroy, Limerick
<b>Description of project</b>		Construction of memorial park over 3 phases. Phase 1 to have 1048 burial plots, Phase 2 to have 850 burial plots, Phase 3 to have 1437 burial plots and all associated site development works.	
Brief site description, relevant to WFD Screening,		<p>See section 1 above.</p> <p>The subject site is located outside the existing settlement of Limerick city and suburbs. The site primarily contains amenity grassland and is bound by hedgerows and perimeter walls along its boundary. The site, as outlined in red, has a stated area of 3.3 hectares. It is gently undulating. The M7 motorway is located approximately 170m to the north.</p> <p>There are no drains, streams or other water features within or adjacent to the application site. The closest watercourse to the site is the Killonan Stream and this is located approximately 400m east of the site.</p>	
<b>Proposed surface water details</b>		<p>A new surface water sewer network shall be provided for the proposed development. This will be entirely separate from the foul water sewer network. All surface water run-off from roof areas and hardstanding areas are designed to be collected by a gravity pipe network. SuDS measures are proposed</p>	

Proposed water supply source & available capacity			Connect to existing supply. Uisce Eireann have no objections.			
Proposed wastewater treatment system & available capacity, other issues			Foul sewer will discharge by gravity to the Uisce Éireann existing foul sewer on Monaleen Road through a new connection. Uisce Eireann have no objections to the proposal, subject to conditions. Wastewater connection is feasible without any infrastructure upgrade.			
Step 2: Identification of relevant water bodies and Step 3: S-P-R connection						
Identified water body	Distance to (m)	Water body name(s) (code)	WFD Status	Risk of not achieving WFD Objective e.g.at risk, review, not at risk	Identified pressures on that water body	Pathway linkage to water feature (e.g. surface run-off, drainage, groundwater)
River Waterbody	670m	Groody_010 IE_SH_25G050200	Moderate	At Risk	Ag, UR	No
River Waterbody	1.4km	Mulkear (Limerick)_050 IE_SH_25M040590	Good	Not at Risk	None	No

Groundwater Waterbody		Underlying site	Limerick City East IE_SH_G_138	Good	At Risk	Ag, DWTS	Free draining soil conditions
Transitional Waterbody		N/A	N/A	N/A	N/A	N/A	N/A
Step 4: Detailed description of any component of the development or activity that may cause a risk of not achieving the WFD Objectives having regard to the S-P-R linkage.							
CONSTRUCTION PHASE							
No.	Component	Waterbody receptor (EPA Code)	Pathway (existing and new)	Potential for impact/ what is the possible impact	Screening Stage Mitigation Measure*	Residual Risk (yes/no) Detail	Determination** to proceed to Stage 2. Is there a risk to the water environment? (if ‘screened’ in or ‘uncertain’ proceed to Stage 2.
1.	Surface	Groody_010  IE_SH_25G050200	None	None	None	No	Screened Out
	Surface	Mulkear (Limerick)_050	None	None	None	No	Screened Out

		IE_SH_25M 040590					
2.	Ground	Limerick City East  IE_SH_G_1 38	Drainage	Hydrocarbon Spillages	Standard Construction Measures / Conditions	No.	Screened Out
3.	Transitional	Lough Mahon  IE_SW_060 _0750	Yes. Pathway via drainage characteristics.	Spillages	As above	Yes – drainage characteristics warrant further assessment.	Screened in.
<b>OPERATIONAL PHASE</b>							
1.	Surface	Groody_010  IE_SH_ 25G050200	None	None	None	No	Screened Out
	Surface	Mulkear (Limerick)_0 50  IE_SH_25M 040590	None	None	None	No	Screened Out
2.	Ground	Limerick City East  IE_SH_G_1 38	Drainage	Hydrocarbon Spillages	Standard Construction Measures / Conditions	No.	Screened Out



DECOMMISSIONING PHASE							
5.	N/A						
STAGE 2: ASSESSMENT							
Details of Mitigation Required to Comply with WFD Objectives							
Surface Water							
Development/Activity y e.g. culvert, bridge, other crossing, diversion, outfall, etc	<u>Objective 1:Surface Water</u>  Prevent deterioration of the status of all bodies of surface water	<u>Objective 2:Surface Water</u>  Protect, enhance and restore all bodies of surface water with aim of achieving good status	<u>Objective 3:Surface Water</u>  Protect and enhance all artificial and heavily modified bodies of water with aim of achieving good ecological potential and good surface water chemical status	<u>Objective 4: Surface Water</u>  Progressively reduce pollution from priority substances and cease or phase out emission, discharges and losses of priority substances	Does this component comply with WFD Objectives 1, 2, 3 & 4? (if answer is no, a development cannot proceed without a derogation under art. 4.7)		
	Describe mitigation required to meet objective 1:	Describe mitigation required to meet objective 2:	Describe mitigation required to meet objective 3:	Describe mitigation required to meet objective 4:			

Development Activity 1	N/A	N/A	N/A	N/A	
<b>Details of Mitigation Required to Comply with WFD Objectives</b>					
<b>Groundwater</b>					
<b>Development/Activity e.g. abstraction, outfall, etc.</b>	<b><u>Objective 1: Groundwater</u></b>  Prevent or limit the input of pollutants into groundwater and to prevent the deterioration of the status of all bodies of groundwater	<b><u>Objective 2: Groundwater</u></b>  Protect, enhance and restore all bodies of groundwater, ensure a balance between abstraction and recharge, with the aim of achieving good status*	<b><u>Objective 3: Groundwater</u></b>  Reverse any significant and sustained upward trend in the concentration of any pollutant resulting from the impact of human activity	<b>Does this component comply with WFD Objectives 1, 2, 3 &amp; 4? (if answer is no, a development cannot proceed without a derogation under art. 4.7)</b>	
Development Activity 1	N/A	N/A	N/A	N/A	

**Inspector:** Lorraine Dockery

**Date:** 29/10/2025