



An
Bord
Pleanála

Inspector's Report

ABP-321828-25

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| Development | Change of use from office space to production. |
| Location | Derryokane Avenue, Raheen Business Park, Raheen, Limerick. |
| Planning Authority | Limerick City and County Council |
| Planning Authority Reg. Ref. | 24384 |
| Applicant | Adhesives Research Ireland |
| Type of Application | Permission |
| Planning Authority Decision | Grant permission |
| Type of Appeal | Third Party |
| Appellants | (1) Tom Ryan (2) Sarah Mulcahy |
| Observers | None |
| Date of Site Inspection | 9/4/2025 |
| Inspector | Siobhan Carroll |

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1.0 Site Location and Description

- 1.1. The appeal site is located within Raheen Business Park which is situated approximately 5km to the south of Limerick City Centre.
- 1.2. The site has a stated area of 2.9 hectares and is located on the western side of Derryokane Avenue opposite a vacant building formerly occupied by Dell. It contains the premises of Adhesive Research Ireland. Adhesive Research is an international pharmaceutical/technological company which has its premises in Ireland, located in Raheen Business Park since 1999. The facility in Limerick has sales, R&D, manufacturing and quality based operations. The products which are manufactured include high-performance adhesives, tapes, specialty films, coatings, laminates, release liners and drug delivery technologies. The facility current employs approximately 65 no. staff.
- 1.3. The site contains an existing 3,413sq m two-storey building with 2,586sq m in use for production and 827sq m in office use. The facility is served by a surface car park located to the south of the building.

2.0 Proposed Development

- 2.1. Permission is sought for a change of use within a current administration area from an open plan office space to a production area. The area proposed for change of use has a floor area of 188.58sq m.

3.0 Planning Authority Decision

3.1. Decision

- 3.1.1. The Planning Authority in an order dated 23rd of January 2025 granted permission for a change of use within the current administration area from an open plan office space to a production area at Derryokane Avenue, Raheen Business Park, Raheen subject to 7 no. conditions.

3.2. Planning Authority Reports

- 3.2.1. Planning Reports

3.2.2. Further Information was requested in relation to the following;

(1) Provide a Planning Statement clearly setting out the processes that are carried out at present and will be carried out on site as a result of this proposal. Clarify existing and proposed staff numbers.

(2)

- (i) Submit a Stage 1 AA Screening for the site.
- (ii) Provide a description of the processes involved in this planning application, specifically regarding discharges and the potential environmental effects.
- (iii) The screening should take into account all annex IV species and the building should be assessed for suitability/use by bats as part of the screening report.

(3)

- (i) Conduct assessments on surface water management, including CCTV surveys, dye testing and an as-built survey of the existing drainage systems on-site. The applicant should also provide details on how the proposed development may impact the surface water network.
- (ii) Outline how surface water and wastewater will be managed during the construction phase.
- (iii) Submit a Resource and Waste Management Plan.

(4)

- (i) Submit a revised Site Layout Plan indicating the location of secure bicycle storage area that is covered, EV charging points and numbered car parking spaces.
- (ii) Cyclists/pedestrians are not provided for within the site layout, a revised site layout is required to provide safe routes for slower modes within the site.
- (iii) Table DM 9(a) of the Limerick Development Plan 2022-2028 sets out the standards for bicycle parking spaces. Details of secure and covered cycle storage for staff and visitors should be provided.

- (iv) Section 11.8.7 of the Limerick Development Plan 2022-2028 concern end of journey cycling facilities that are considered critical to support modal shift. The retention of men's and ladies changing rooms is noted, however showers and lockers in the changing rooms would encourage staff to cycle to work or use other forms of Active Travel.
- (v) A Mobility Management Plan for the entire site should be submitted with detailed and meaningful targets for walking, cycling and public transport for staff and visitors to promote Active Travel and Sustainable Transport.

(5) Submit a Landscaping & Biodiversity Plan for the entire site that includes mature semi-mature tree stands and native planting.

- 3.2.3. Planning Report: dated 22/2/2025 – Following the submission of a response to the further information requested the Planning Authority were satisfied with the details provided and a grant of permission was recommended.
- 3.2.4. Other Technical Reports
- 3.2.5. Active Travel: Report dated 22/11/24 – further information requested.
- 3.2.6. Ecologist: Report dated 21/11/24 – AA screening required.
- 3.2.7. Environment Section – Climate Action: Report dated 19/11/24 – further information requested.
- 3.2.8. Environment Section: Report dated 19/11/24 – No objection. Condition recommended
- 3.2.9. Fire Authority – No objection
- 3.2.10. Conditions
- 3.2.11. Condition no. 2 states: Prior to the commencement of development, a bat survey and report conducted and compiled by a suitably qualified person is required in order to assess the potential impact of this development on any bats that may be using any part of the building as it currently exists, shall be submitted for written agreement of the Planning Authority: Reason – In the interest of the proper planning and habitat protection.

- 3.2.12. The applicant has submitted a Bat Survey as part of the appeal response and I consider that the mitigation measures contained in this survey should be implemented and a condition specifying this should be attached.
- 3.2.13. Condition No. 5 – refers to the requirement to submit a Mobility Management Plan and monitoring reports and revised proposals for cycle storage.
- 3.2.14. Having regard to the nature and scale of the proposal comprising a change of use of 188.58sq m from administrative area to production area and as confirmed by the applicant that the proposal will not generate additional staff. I do not consider that it would be appropriate to attach this condition.

3.3. Prescribed Bodies

- 3.3.1. Transport Infrastructure Ireland (TII) - They request that the Planning Authority has regard to the provisions of official policy for development proposals as follows: proposals impacting national roads, to the DoELG Spatial Planning and National Roads Guidelines for Planning Authorities and relevant TII publications and proposals impacting the existing light rail network, to TII's Code of engineering practice for works on, near, or adjacent the Luas light rail system.

3.4. Third Party Observations

- 3.4.1. The Planning Authority received 2 no. submissions/observations in relation to the planning application. The main issues raised are similar to those set out in the third party appeals.

4.0 Planning History

- 4.1.1. Reg. Ref. 19/156 - Permission was granted for the construction of a workshop/storeroom and all associated works located at the rear of the existing building.
- 4.1.2. Reg. Ref. 17/1185 - Permission was granted for the construction of a workshop/storeroom and all associated works located at the rear of the existing building.

- 4.1.3. Reg. Ref. 10/297 - Permission was granted for revisions to Reg. Ref. 07/2985 permission for two-storey research and development support building. Revised proposed comprised the construction of a single storey research and development building of similar footprint, including associated offices, canteen and ancillary facilities linked to the existing building with car parking and all other associated site works.
- 4.1.4. Reg. Ref. 07/2985 - Permission was granted for the construction of a two-storey research and development extension to the front (north-east) side of the existing building. The proposed extension will comprise of research and development laboratories, with associated support offices and ancillary accommodation all with associated site works and including an extension to the existing carpark located on the north-eastern side of the site.
- 4.1.5. Reg. Ref. 97/872 - Permission was granted for the development of the Adhesive Tape Manufacturing facility.
- 4.1.6. Reg. Ref. 94/966 - Permission was granted for the development of two light industrial warehousing units.

5.0 Policy Context

5.1. Limerick Development Plan 2022-2028

- 5.1.1. The site at Derryokane Avenue, Raheen Business Park is located on lands zoned High Tech/Manufacturing Campus.
- 5.1.2. 'High Tech/Manufacturing Campus' zoning stated Objective: To provide for office, research and development, high technology, regional distribution/ logistics, manufacturing and processing type employment in a high quality built and landscaped campus style environment.
- 5.1.3. Purpose: To facilitate opportunities for high technology, advanced manufacturing including pharmaceutical and food production, major office, regional distribution/ logistics, and research and development-based employment, within high quality, highly accessible, campus style settings. The zoning is for high value-added businesses and corporate facilities that have extensive/specific land requirements, such as those located at Raheen Business Park and the National Technology Park.

These businesses are generally not accessible to members of the public. Retail warehousing will not be acceptable in this zone.

- 5.1.4. The uses in this zone are likely to generate a considerable amount of traffic by both employees and service vehicles. Sites should be highly accessible, well designed and permeable with good pedestrian, cyclist and public transport links. The implementation of mobility management plans will be required to provide important means of managing accessibility to these sites.

5.1.5. Chapter 5 – Strong Economy

5.1.6. Policy ECON P4 – Urban Economy

It is a policy of the Council to:

- (a) Promote, facilitate and enable economic development and employment generating activities in Limerick City Centre, at Strategic Employment Locations and other appropriately zoned locations in a sustainable manner.
- (b) Facilitate the future sustainable economic development of Limerick City and Suburbs (in Limerick), Mungret and Annacotty to optimise the benefits of its strategic location in the Limerick Shannon Metropolitan Area, in accordance with the National Planning Framework and the Regional Spatial and Economic Strategy.

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

It is an objective of the Council to:

- (a) Promote, facilitate and enable a diverse range of employment opportunities by facilitating appropriate development, improvement and expansion of enterprise and industry on appropriately zoned lands, accessible by public and sustainable modes of transport, subject to compliance with all relevant Development Management Standards and Section 28 Guidance at Strategic Employment Locations and other appropriately zoned locations in a sustainable manner.
- (b) Facilitate and support Limerick City Centre, University Hospital Limerick, Raheen Business Park, the National Technology Park, Higher Education Institutes, Public Hospitals, Dock Road, Northside Business Campus, Opera

Centre and Cleeves Site as Strategic Employment Locations, identified in accordance with the Limerick Shannon Metropolitan Area Strategic Plan.

5.1.8. Objective ECON O18 – Specific Site Requirements

It is an objective of the Council to:

- (a) Ensure that a comprehensive framework plan shall be prepared and agreed with the Planning Authority in advance of development on the 'High Tech/Manufacturing' zoned lands to the west of Raheen Business Park. The framework should clearly set out the key infrastructure requirements for the site and identify responsibility and the timeframe for delivery of such infrastructure. The Framework Plan shall be subject to the following:
 - Cognisance of the residential amenities of the properties to the north and western side of the site and the adjacent agricultural land;
 - Access to the 'High Tech/ Manufacturing' zoned land to the west of the R510 will be limited to the existing roundabout to the east of the site. Limited access may be provided off the Patrickswell Road;
 - Applications for development in the low-lying area in the southern section of this zone shall have regard to the attenuation infrastructure and shall include a Site-Specific Flood Risk Assessment, including proposals to mitigate and control the level of run off and attenuation;
- (b) Ensure the provision of a minimum 20m landscaped buffer zone between proposed development and adjoining development/lands in Annacotty Business Park, Northside Business Park and the 'High Tech/ Manufacturing' zoned lands to the west of Raheen Business Park.
- (c) Require the preparation of a Masterplan for the Enterprise and Employment zoning at the former racecourse lands at Greenpark. The Masterplan shall include a conceptual layout, infrastructure and phasing details.
- (d) Ensure all development proposals undertake an appropriate level of transport assessment, including an assessment of the cumulative impact of development, to ensure planned development can be accommodated complementary to safeguarding the strategic function of the national road network and associated junctions.

5.1.9. Chapter 6 – Environment, Heritage, Landscape and Green Infrastructure

5.1.10. Objective EH O15 – Ground Water, Surface Water Protection and River Basin Management Plans – It is an objective of the Council to: (a) Protect ground and surface water resources and to take into account the requirement of the Water Framework Directive when dealing with planning and land use issues.

5.1.11. Chapter 8 – Infrastructure

5.1.12. Objective INO12 – Surface Water and SuDS

(d) Ensure adequate storm water infrastructure to accommodate the planned levels of growth within the Plan area and to ensure that appropriate flood management measures are implemented to protect property and infrastructure.

(h) Require all planning applications to include surface-water design calculations to establish the suitability of drainage between the site and the outfall point and require all new development to include SuDS, to control surface water outfall and protect water quality in accordance with the requirements of Chapter 11: Development Management Standards of the Plan.

5.2. Regional Spatial and Economic Strategy for the Southern Region 2019-2031

5.2.1. Raheen Business Park is also recognised as a key employment location in the Regional Economic and Spatial Strategy (RSES) for the Southern Region.

5.3. Climate Action Plan 2025

5.3.1. The Climate Action Plan 2025 (CAP25) is the third Climate Action Plan to be prepared under the Climate Action and Low Carbon Development (Amendment) Act 2021.

5.3.2. The purpose of the Climate Action Plan is to lay out a roadmap of actions which will ultimately lead us to meeting our national climate objective of pursuing and achieving, by no later than the end of the year 2050, the transition to a climate resilient, biodiversity rich, environmentally sustainable and climate neutral economy.

It aligns with the legally binding economy-wide carbon budgets and sectoral emissions ceilings that were agreed by Government in July 2022.

5.4. National Biodiversity Action Plan 2023 - 2029

- 5.4.1. Ireland's 4th National Biodiversity Action Plan (NBAP) sets the national biodiversity agenda for the period 2023-2030 and aims to deliver the transformative changes required to the ways in which we value and protect nature.

5.5. Natural Heritage Designations

- 5.5.1. Lower River Shannon Special Area of Conservation (Site Code 002165) is located circa 2.8km north of the subject site.
- 5.5.2. River Shannon and River Fergus Estuaries Special Protection Area (Site Code 004077) is located circa 3.4km north of the subject site.
- 5.5.3. Loughmore Common Turlough, a proposed Natural Heritage Area (Site Code 00438), is located circa 970m north-west of the subject site.

5.6. EIA Screening

- 5.6.1. The proposed development does not come within the definition of a 'project' for the purposes of EIA, that is, it does not comprise construction works, demolition or intervention in the natural surroundings. Refer to Form 1 in Appendix 1 of the report.

6.0 The Appeal

6.1. Grounds of Appeal

Third party appeals have been submitted by (1) Tom Ryan and (2) Sarah Mulcahy. The issues raised are as follows;

(1) Tom Ryan

- The appellant Tom Ryan from Ballynoe, Mungret, Co. Limerick is a local farmer.

- The Loughmore canal and Barnakyle stream enters the Barnakyle river on his lands.
- The appellant details the history of the development of the Business Park at Raheen. In 1970 Limerick County Council entered into an agreement with local landowners to facilitate an outfall for storm water from Raheen Industrial Estate.
- The agreement facilitated the construction of the Loughmore, Canal by Limerick County Council and Shannon Free Airport Development Company through Loughmore common which is a turlough. A section of the canal is located on the appellant's land before it outfalls to the Barnakyle River which is also located on his lands.
- The appeal outlines that Loughmore turlough in the context of the Water Framework Directive comes under the category of terrestrial ecosystems that depend directly on bodies of groundwater. Groundwater dependant terrestrial ecosystems are by definition wetland ecosystems.
- The appeal outlines the risk assessment procedures relating to Turloughs under the Water Framework Directive and Habitats directive. The specific requirements for groundwater dependant terrestrial ecosystems including turloughs are listed in Annex II. 'These are a phased process consisting of: An initial characterisation of all groundwater bodies...assess the degree to which they are at risk of failing to meet the objectives for each groundwater body under Article 4.'
- It is stated that Limerick City and County Council have ignored the Water Framework Directive and Habitats Directive in relation to the current planning application Reg. Ref. 24/384 where surface water discharges to the Loughmore Canal/Turlough. It is submitted that they failed to properly risk assess the ecological and hydrological implications of the development on groundwater dependant terrestrial ecosystems.
- It is stated that the existing storm water drains are in operation since the base build of Raheen Business Park and that the subject development connects to this storm water system before it enters the Loughmore Canal.

- It is stated in the appeal that there have been misconnections in the foul and storm water drainage systems in Raheen Business Park with extension to premises and multiple connections continuing to occur.
- It is stated that there have been ongoing investigations into discharges through this storm water outfall carried out by Limerick City and County Council, the IDA, the EPA, the OPW and NPWS over four years provided no determination in relation to pollution which the appellant states has occurred.
- The appellant states that he commissioned a company Tetra Tech to carry out an independent investigation on the matter. The report states that there has been recent and historic pollution of the Loughmore Canal from Raheen Business Park.
- It is highlighted that the report while included with the objection the appellant submitted to the planning application that it was not considered in the report of the Planning Officer. The Loughmore canal is hydrologically connected to the Barnakyle river which is an assigned waterbody. It is stated that the Loughmore canal must be assessed under the Water Framework Directive.
- The Council requested further information in relation to the application. The Council required a detailed response, the response submitted is considered to be broad in nature. Concern is expressed in relation to the report on storm water which it is stated was not carried out by a bonded Engineer.
- Concern is expressed regarding exceedances in relation to pollution from the subject facility and alleged impacts on the health of livestock.
- It is noted that a provision of a Bat survey was conditioned which was against the advice of the Ecologist.
- The applicant is one of four EPA licensed facilities in Raheen Business Park. It is stated that there does not appear to be an application made to the EPA by the applicant for an amendment to their IPC licence.
- The AER confirms stormwater discharges to the Barnakyle stream and foul discharges to Bunlicky and the Shannon Estuary. The appellant raises the matter of where the treated wastewater is discharged to prior to entering the Shannon Estuary.

- The appellant states that there have been concerns in relation to the capacity of the outfall since 1999 which were raised within the Environment Section of the Council. The appellant raised the matter of flooding which occurs on his lands which is connected to Loughmore Turlough.

(2) Sarah Mulcahy

- The appellant Sarah Mulcahy of Baunacloka, Mungret, Co. Limerick is a local landowner. The outfall of the stormwater infrastructure the Loughmore Canal is located on her lands.
- The family of Sarah Mulcahy entered into a legal agreement which allowed Limerick County Council and Shannon Development outfall storm water from Raheen Industrial Estate on to their lands into Loughmore Canal.
- Loughmore Canal is a man-made drainage channel built in the 1970's. It is stated that today the canal is receiving more storm water than was originally contracted.
- It is stated that the canal is not adequately maintained as originally agreed and that it is a polluted watercourse. It is stated in the appeal that this pollution was verified by Limerick City and County Council and that recent reports state that there are hazardous substances in Loughmore Canal.
- Due to the volume of water being discharged being greater than the capacity of the canal and restrictions at a bridge and other downstream locations has resulted in flooding.
- It is stated that the Council have failed to address the flooding and pollution concerns but that they are approving planning applications which are further exacerbating the issue.
- Regarding the Limerick City and County Council planner's report on the application, the appellant raised concern that sections of the report appear to refer to a different application because the report refers to an enforcement case which is not applicable to any submissions made by third parties.
- Regarding the further information request and information provided the term "the applicant is requested to conduct assessments" was used. This would

strongly suggest the Planning Authority required up to date data. The submitted CCTV survey reports are from 2022/2023, this is considered outdated. It is noted that a recent project the construction of a cycle way and new drainage system was installed in Raheen Business Park. No further documentation was provided in relation to follow ups or inspections.

- It is stated that the applicant has breached conditions of their existing EPA license. It is considered that the Planning Authority did not adequately address this matter.
- It is submitted that the applicant has not sufficiently demonstrated that the proposed change of use will not adversely affect air, water or soil quality. Potential discharges of pollutants, dust emissions and stormwater runoff from waste material removal could affect the local environment and nearby pNHA and potentially Natura 2000 sites.
- The development would likely generate environmental impacts such as waste disposal and stormwater runoff, which have not been adequately assessed or mitigated by the applicant or local authority. The submitted waste management plan states that there is expected to be plasterboard, block, tiles, concrete/rubble to be removed by a local skip company.
- It is submitted that there was a failure to undertake appropriate assessment and a bat survey. The Planning Authority had requested under further information that the applicant carry out stage 1 Appropriate Assessment. The response from the applicant stated that AA screening was unnecessary. The applicant's response which asserts no AA is required ignores the potential indirect effects on local habitats and species.
- The lack of a bat survey and other ecological assessments is a failure to comply with the Wildlife Act 1976, the European Habitats Directive and the Bird Directive (2009/147/EC).
- Concern is expressed that there is a risk of increased pollution from production activities. The applicant proposes to install a cutting machine within the production area. While the applicant states that no discharges will occur, the appellant raises concern that the production process may still

produce airborne pollutants and waste materials that could potentially impact surrounding environment.

- Concern is expressed that the matter of surface water management has not been sufficiently addressed in the application. In particular regarding the risk of contaminated run-off from the skips or other waste material.
- It is stated that the EPA and Limerick City and County Council are carrying out ongoing investigations in relation to the drainage system in Raheen Business Park regarding pollution and flooding. It is the opinion of the appellant that the granting of planning permission for further development could exacerbate pollution.
- The matter of potential impacts on Bats and other protected species is raised. The building's suitability as a habitat for bats and other protected species under the Habitats Directive has not been adequately assessed.
- The appeal refers to the Limerick Development Plan 2022-2028 and Objectives EH P1, EH P2, EH P3, EH P6, chapter 6 of the plan, Objectives IN O12(d) and IN O12(h), Objective EHO 15(a), Objective ECON O13(c) and Objective CAF O21.
- The precautionary principle could be applied meaning that if there is a risk of significant environmental damage and uncertainty regarding the extent of pollution, planning permission should not be granted until the situation is clarified.
- The appeal refers to the precautionary principle in the context of the case – People Over Wind & Sweetman v. Coillte Teoranta CJEU. Ref c-323/17.
- The appellant highlighted that the Board has in previous cases upheld refusal of planning permission where, it was determined that existing pollution levels or environmental degradation would be made worse by the proposed development.
- The appeal refers to recent appeals in relation to Raheen Business Park and surrounding area ABP 317106, ABP 319328, ABP 314921, ABP 314692, ABP 320261, ABP 319334, ABP 316282, ABP 314996, ABP 311267, ABP 318396, ABP 320326, ABP 314693 and ABP 301042.

- The appellant request that the Board overturn the decision to grant permission on the basis of the details set out in the appeal.

6.2. Applicant Response

A response to the third party appeals was received from Adhesive Research Ireland on the 7/3/2025. The issues raised are as follows;

- Adhesive Research Ireland are developers and manufacturers of adhesive tapes, specialty films and coating predominantly for healthcare applications.
- The company's regional headquarters was established in 1999 at the site in Raheen Business Park. The facility is located on a 4.05 hectare site and contains a 24,000sq foot manufacturing building, a 9,000sq foot administration building, a carpark and a grassland area. The facility is a licensed EPA facility within Raheen Business Park.
- The proposed change of use is comprises approximately 135sq m of the existing administrative building to become a clean room to house a cutting/puncing machine (not a laser).
- There are no drains in this clean room, therefore this will not contribute any additional surface water to the Barnakyle stream.
- It is stated that the applicants do not discharge 'process effluent' from the site. This was incorrectly stated in the Tetra Tech report number 632-B064924 Version 2 Section 2.9.1.2 dated July 2024 as quoted by the appellant.
- Adhesive Research Ireland refute in the strongest terms that their activities, either in the past or present have in any way affected the lands or animals inhabiting the areas adjacent to Loughmore canal and Barnakyle stream.
- Adhesive Research Ireland operate under EPA IPPC licence number P0452-01 and are under the enforcement rules and stringent monitoring programmed placed on them by that licence in relation to emissions, waste and overall environmental management of the site. The status on the EPA priority site listing is 'Green'.

- The stormwater discharges from the site comprises rainwater run-off from the carpark and rainwater from the roof of the building.
- It is stated that agreements between Limerick City and County Council and local landowners are outside the control of Adhesive Research Ireland.
- All conditions attached to the permission by Limerick City and County Council will be adhered to prior to the commencement of the clean room works. A bat habitat survey has already been conducted and is included with the appeal response.
- While the building is well sealed and maintained and provides little or no opportunities for roosting bats, the applicants state that they will observe the mitigation measures in the report.
- It is stated that the proposed change of use does not require any new emission point from the facility either through land, air or water. Therefore, there is no new risk of contamination to the local or wider environment.
- The applicant highlights that they do not have control of changes to the drainage system outside their site boundaries.
- Waste management on site is strictly governed by the EPA licence PO452-01 condition 6. For the purposes of this change of use and the required removal of any waste e.g. carpet, plaster board etc, they will use enclosed skips for this to prevent any possible run-off or leachate from the skip through rainwater. The ceiling tiles to be removed will be retained as they match other areas of the building and can be used to replace any damaged tiles in the future.
- The first party appeal response includes a response prepared by AK Planning – Chartered Town Planning Consultant on behalf of the applicant.
- It is stated that the issues raised in the third party appeals are based on unsubstantiated macro surface water issues in the Raheen Area.
- The appeals refer to surface/storm water and alleged pollution of the Loughmore Turlough from surface water infrastructure that may be misconnected with other drainage systems in the wider Business Park.

- Issues raised in the appeals include that the canal has not been maintained per the original agreements, leading to hazardous pollution and flooding due to inadequate discharge capacity. That flood risk was raised as early as 1999 and yet development continued without necessary stormwater studies. That there has been mismanagement of stormwater and foul water with misconnections between foul and storm water systems contributing to ongoing pollution. Environmental and Conservation concerns were raised in relation to Loughmore Turlough, a conservation area, depends on canal water quality and the Barnakyle River has reported poor ecological conditions.
- Development Plan requirements and flood management issues are raised regarding justification tests for development in flood prone areas like Raheen Business Park. Construction related environmental and safety concerns are raised in relation to potential pollution from runoff. Active enforcement and non-compliance are raised.
- Third party reports on the issues are cited by the appellant. It is highlighted that the same format of submission and appeal has been submitted in the case of other commercial and residential planning applications in the wider area over the last number of years.
- For example, under Reg. Ref. 22/803 permission was sought by Analog Devices for a large-scale extension to their R&D pilot line. That application was appealed (ABP 314692-22) by one of the current appellants and they cited similar grounds to the 'Adhesive Research' appeal. The grant of permission was upheld by the Board. The decision of the Board was subject of a Judicial Review to the High Court. A decision was issued on the 27th of February 2025 which dismissed the action. The decision has been included with the appeal response.
- It is highlighted that there are more specific issues raised in the appeal of Sarah Mulcahy which refer to the company's IPC licence and the EPA and suggest alleged breaches.
- It is stated that these specific issues are refuted in absolute terms by the applicant.

- Adhesive Research Ireland are seeking to add a process which requires the introduction of new plant that will function in a clean room environment. Due to the area required and the absence of available space in the existing manufacturing section of the facility the company requires the location of the clean room within an existing disused administrative area.
- The proposal is of a small scale in relative terms and it will not utilise any drainage or result in any overt intensification of operations.

6.3. Planning Authority Response

- None received

6.4. Further Responses

6.4.1. A further response was submitted from Sarah Mulcahy. The issues raised are as follows;

- The appellant stated that they emailed the applicant in advance of submitting the appeal and they also made an objection to the application. Therefore, the applicant was aware of objections to the proposal.
- The appellant referred to previous permission Reg. Ref. 19156 and condition no. 6 of the permission which referred to the installation of a commercial water meter. It is stated that the applicant for 2023 stated that no water usage was recorded.
- The submission reiterated concerns referring to Loughmore Canal and the EPA license of the subject facility.

7.0 Assessment

Having examined the application details and all other documents on file, including all of the submissions received in relation to the appeal, the reports of the local authority, and having inspected the site, and having regard to the relevant local/regional/national policies and guidance, I consider that the substantive issue in this appeal to be considered is as follows:

- Compliance with Development Plan policy
- Surface water drainage
- Ecology
- Other issues

7.1. Compliance with Development Plan policy

- 7.1.1. The proposed development comprises the change of use within a current administration area from an open plan office space to a production area. The applicant Adhesive Research Ireland are developers and manufacturers of adhesive tapes, specialty films and coating predominantly for healthcare applications.
- 7.1.2. The site is zoned objective 'High Tech/Manufacturing Campus' with the stated objective to provide for office, research and development, high technology, regional distribution/ logistics, manufacturing and processing type employment in a high quality built and landscaped campus style environment. The purpose of the zoning objective is to facilitate opportunities for high technology, advanced manufacturing including pharmaceutical and food production, major office, regional distribution/ logistics, and research and development-based employment, within high quality, highly accessible, campus style settings. The proposed change of use entails the provision of an area of 188.58 for production use and specifically as detailed in the appeal response to become a clean room to house a cutting/punching machine in an area previously used as office space. Accordingly, the proposal is in line with the zoning objective of the site, and it will facilitate the stated purpose to facilitate opportunities for high technology and advanced manufacturing including of pharmaceuticals.
- 7.1.3. There are a number of Development Plan policies and objectives which also support the subject development including Policy ECON P4 which refers to – Urban Economy and sets out that it is policy to promote, facilitate and enable economic development and employment generating activities. Objective ECON O17 refers to Strategic Employment Locations City and Suburbs (in Limerick), Mungret and Annacotty and it seeks to facilitate and support employment in specific locations including Raheen Business Park.

- 7.1.4. Therefore, the proposed change of use is in accordance with the zoning objective of the site and is supported by Policy ECON P4 and Objective ECON O17 of the Limerick Development Plan 2022-2028.

7.2. Surface water drainage

- 7.2.1. The grounds of appeal primarily refer to concerns in relation to surface water drainage and specially the existing surface water drainage serving Raheen Business Park. The two appeals raise the matter of the Loughmore canal and Barnakyle stream/river in relation to its connection to the existing surface water drainage system serving Raheen Business Park and potential deterioration in water quality arising from pollution. The appeals also refer to flooding occurring on the appellants' lands and raised concerns in relation to misconnections in the foul and storm water drainage systems in Raheen Business Park.
- 7.2.2. The Planning Authority sought further information on a number of matters including in relation to surface water management. They requested the submission of CCTV surveys, a Dye test report and details of how surface water and wastewater will be managed during the construction phase.
- 7.2.3. In response to those matters the applicant submitted a CCTV report with photos of the existing drainage system and a Dye test report. The Dye test confirmed that all gullies, aco drains, down pipes and manholes connect to the main surface water line within the site boundaries and that there are no leaks. It was confirmed in the response that there will be no disruption to the existing surface water network during the construction phase as all the proposed works are internal. The response confirmed all foul and surface water connections are entering the correct infrastructure from the site. The report of the Planning Officer dated 22/2/2025 confirmed that they were satisfied with the details submitted in respect of surface water drainage.
- 7.2.4. The appeal response from the first party in relation to surface water stated that the stormwater discharges from the site comprises rainwater run-off from the carpark and rainwater from the roof of the building and they confirmed that the proposed change of use to provide a production area comprising a clean room to

accommodate a cutting/punching machine does not contain any drains and that it will not generate any additional surface water.

- 7.2.5. Having regard to the nature and scale of the subject proposal which comprises a change of use of 188.58sq m within an existing industrial premises within Raheen Business Park and specifically that the proposal does not increase the footprint of the building, therefore it would not result in an increase in surface water run-off externally. Furthermore, I would highlight that the proposal would not result in the generation of any additional surface water within the building as the applicant has confirmed that there are no drains proposed in the clean room.
- 7.2.6. The proposed change of use will not generate additional surface water and therefore it will not result in any increase in surface water entering the wider surface water network from Raheen Business Park and specifically Loughmore canal and Barnakyle stream/river.
- 7.2.7. Accordingly, I consider that the proposal would not cause a deterioration of water quality within the waterbodies adjacent to the development, nor would the proposal prevent the objectives of good water status being achieved. Furthermore, I consider that the proposal would not exacerbate any potential risk of flooding of the appellants' lands.
- 7.2.8. It is raised in the ground of appeal that Limerick City and County Council did not adequately address the Water Framework Directive and Habitats Directive in relation to the current planning application. These matters are further addressed in sections 8 and 9 of this report.

7.3. Ecology

- 7.3.1. The grounds of appeal refer to potential impacts on ecology and specifically the absence of a bat survey. The further information request issued by the Planning Authority included a requirement that the building be assessed for suitability of use by bats. Condition no. 2 attached by the Planning Authority to the grant of permission required the submission of a bat survey and report conducted and compiled by a suitably qualified person prior to the commencement of development. This was required in order to assess the potential impact of this development on any bats that may be using any part of the building as it currently exists.

- 7.3.2. In response to the matter the first party stated in their appeal response that the existing building is well sealed and maintained and that it does not offer opportunities for roosting bats. However, the applicant stated that they will observe the mitigation measures in set out the report.
- 7.3.3. The appeal response included a Bat report dated the 6th of March 2025 prepared by Dr. Will O'Connor. It was concluded in the report that the area where the works are proposed is not considered to offer any bat roosting potential. It was also concluded that the overall potential of the site for roosting bats is low and therefore it is not predicted that any bat roost would be affected. It is advised in the report that no specific mitigation measures to protect bats are required. General recommendations in the report include the installation of a small number of bat boxes be installed on the site as an optional biodiversity enhancement measure. Whilst I note that the survey indicates a low potential for bat roosts on the overall site, it is recommended in the mitigation measures that bat boxes are provided as it is considered good ecological practice and that it will promote biodiversity on the site. Therefore, I consider that the provision of bat boxes in this context would be appropriate.
- 7.3.4. Accordingly, I would recommend the attachment of a condition specifying that the mitigation measures as detailed in the Bat Survey Report submitted to Board on the 7th of March 2025 shall be implemented in full as part of the development.

7.4. Other issues

- 7.4.1. The grounds of appeal refer to the EPA license held by Adhesive Research Ireland, and it is alleged that there have been breaches in the conditions of the license. In response to the matter Adhesive Research Ireland have stated that they operate under EPA IPPC licence number P0452-01 and are under the enforcement rules and stringent monitoring programme placed on them by that licence in relation to emissions, waste and overall environmental management of the site. They confirm that the status on the EPA priority site listing is 'Green'. I would highlight that the licensing of the facility is separate to the planning process, and it is outside of the remit of the Board. Furthermore, having regard to the nature and scale of the

proposal I am satisfied that it has no significant impact on the main operations of the overall site.

- 7.4.2. The grounds of appeal raised the matter of dust emissions from the removal of waste materials arising during the construction phase. In response to the matter the first party confirmed in their appeal response that the proposed change of use would entail the required removal of waste e.g. carpet, plaster board etc. They confirm that they proposed to use enclosed skips for this to prevent any possible run-off or leachate from the skip through rainwater. In relation to the ceiling tiles to be removed they confirmed that will be retained and can be used to replace any damaged tiles in the future. Should the Board decide to grant permission for the proposal I would recommend the attachment of condition requiring the submission of construction waste and demolition management plan to be agreed in writing with the planning authority prior to commencement of development in order to ensure all waste is managed in a sustainable manner.

8.0 AA Screening

- 8.1. I have considered the proposed development in light of the requirements S177U of the Planning and Development Act 2000, as amended.
- 8.1.1. Lower River Shannon Special Area of Conservation (Site Code 002165) is located circa 2.8km north of the subject site. River Shannon and River Fergus Estuaries Special Protection Area (Site Code 004077) is located circa 3.4km north of the subject site.
- 8.2. The proposed development comprises a change of use within a current administration area from an open plan office space to a production area. The area proposed for change of use has a floor area of 188.58sq m, all on a 2.9 hectare site, located on serviced lands within Raheen Business Park.
- 8.3. No streams/watercourses are identified on site.
- 8.4. Having considered the nature, scale and location of the project, I am satisfied that it can be eliminated from further assessment because there is no conceivable risk to any European site. The reason for this conclusion is as follows:
- The nature of the works proposed which are located on fully serviced lands

- The distance to the nearest European sites, and the weak indirect connections to the European sites
- Taking into account the screening report by the Planning Authority

8.5. I conclude on the basis of objective information, that the proposed development would not have a likely significant effect on any European Site either alone or in combination with other plans or projects.

8.6. Likely significant effects are excluded and therefore Appropriate Assessment (stage 2) under Section 177V of the Planning and Development Act 2000, as amended, is not required.

9.0 **Water Framework**

9.1. The subject site is located on Derrokane Avenue within Raheen Business Park. The grounds of appeal have raised the matter of the Water Framework Directive. It is situated circa 5km to the south of Limerick City. Loughmore Common Turlough is located 970m to the north-west. Loughmore Canal is located 974m to the north-west. Barnakyle River is located 2.5km to the west.

9.2. The proposed development comprises a change of use within a current administration area from an open plan office space to a production area. The area proposed for change of use has a floor area of 188.58sq m, all on a 2.9 hectare site, located on serviced lands within Raheen Business Park.

9.3. I have assessed the proposed change of use of 188.58sq m within a current administration area from an open plan office space to a production area at Adhesive Research Ireland and have considered the objectives as set out in Article 4 of the Water Framework Directive which seek to protect and, where necessary, restore surface & ground water waterbodies in order to reach good status (meaning both good chemical and good ecological status), and to prevent deterioration. Section 7.2 of the assessment of this report refers to surface water drainage. The matter of potential deterioration in water quality arising from pollution is addressed and it is concluded that change of use will not generate additional surface water and therefore it will not result in any increase in surface water entering the wider surface water network from Raheen Business Park and specifically Loughmore canal and

Barnakyle stream/river. Therefore, the proposal would not cause a deterioration of water quality within the waterbodies adjacent to the development, nor would the proposal prevent the objectives of good water status being achieved.

9.4. Having considered the nature, scale and location of the project, I am satisfied that it can be eliminated from further assessment because there is no conceivable risk to any surface and/or groundwater waterbodies either qualitatively or quantitatively.

9.5. The reason for this conclusion is as follows:

- The proposal comprises a change of use of 188.58sq m within a current administration area from an open plan office space to a production area. The proposal would not increase the footprint of the building and therefore would not result in an increase in surface water run-off. The proposal would not result in the generation of any additional surface water within the building as the applicant has confirmed that there are no drains proposed in the clean room.

9.6. **Conclusion**

9.7. I conclude that on the basis of objective information, that the proposed development will not result in a risk of deterioration on any water body (rivers, lakes, groundwaters, transitional and coastal) either qualitatively or quantitatively or on a temporary or permanent basis or otherwise jeopardise any water body in reaching its WFD objectives and consequently can be excluded from further assessment.

10.0 **Recommendation**

10.1.1. I recommend that permission be granted for the following stated reasons and considerations.

11.0 **Reasons and Considerations**

11.1.1. Having regard to the planning history and the zoning objective of the subject site, its location with the existing Raheen Business Park and the nature and scale of the proposed development, it is considered that, subject to compliance with the

conditions set out below, the proposed development involving a change of use from office to production area within an established use at the site would be acceptable in terms of public health and traffic, would not seriously injure the amenities of the area, would not exacerbate any potential risk of flooding, and would not cause a deterioration of water quality in water bodies adjacent to the site. The proposed development, would therefore be in accordance with the proper planning and sustainable development of the area.

12.0 Conditions

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application, as amended by the further plans and particulars submitted on the 20th day of December 2024 as except as may otherwise be required in order to comply with the following conditions. Where such conditions require details to be agreed with the planning authority, the developer shall agree such details in writing with the planning authority prior to commencement of development and the development shall be carried out and completed in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. The mitigation measures as detailed in the Bat Survey Report submitted to An Bord Pleanála on the 7th day of March 2025 shall be implemented in full as part of the development.

Reason: In the interest of wildlife protection.

3. Site development and building works shall be carried out between the hours of 7am to 7pm Mondays to Fridays inclusive, between 7am to 2pm on Saturdays and not at all on Sundays and public holidays. Deviation from these times shall only be allowed in exceptional circumstances where prior written agreement has been received from the planning authority.

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

4. 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.

Reason: To prevent flooding and in the interests of sustainable drainage.

5. 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.

Reason: In the interest of sustainable waste management.

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.

Siobhan Carroll
Planning Inspector

19th of May 2025

Appendix 1

Form 1 - EIA Pre-Screening

| | |
|---|--|
| Case Reference | ABP 321828-25 |
| Proposed Development Summary | change of use within the current administration area from an open plan office space to a production area |
| Development Address | Derryokane Avenue, Raheen Business Park, Raheen, Limerick. |
| | In all cases check box /or leave blank |
| 1. Does the proposed development come within the definition of a 'project' for the purposes of EIA? (For the purposes of the Directive, "Project" means: - The execution of construction works or of other installations or schemes, - Other interventions in the natural surroundings and landscape including those involving the extraction of mineral resources) | <input type="checkbox"/> Yes, it is a 'Project'. Proceed to Q2. |
| | <input checked="" type="checkbox"/> No, No further action required. |
| 2. Is the proposed development of a CLASS specified in Part 1, Schedule 5 of the Planning and Development Regulations 2001 (as amended)? | |
| <input type="checkbox"/> Yes, it is a Class specified in Part 1. EIA is mandatory. No Screening required. EIAR to be requested. Discuss with ADP. | State the Class here |
| <input type="checkbox"/> No, it is not a Class specified in Part 1. Proceed to Q3 | |
| 3. Is the proposed development of a CLASS specified in Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended) OR a prescribed type of proposed road development under Article 8 of Roads Regulations 1994, AND does it meet/exceed the thresholds? | |
| <input type="checkbox"/> No, the development is not of a Class Specified in Part 2, Schedule 5 or a prescribed | |

| | |
|---|--|
| <p>type of proposed road development under Article 8 of the Roads Regulations, 1994.</p> <p>No Screening required.</p> | |
| <p><input type="checkbox"/> Yes, the proposed development is of a Class and meets/exceeds the threshold.</p> <p>EIA is Mandatory. No Screening Required</p> | <p>State the Class and state the relevant threshold</p> |
| <p><input type="checkbox"/> Yes, the proposed development is of a Class but is sub-threshold.</p> <p>Preliminary examination required. (Form 2)</p> <p>OR</p> <p>If Schedule 7A information submitted proceed to Q4. (Form 3 Required)</p> | <p>State the Class and state the relevant threshold</p> |

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

Inspector: _____ Date: _____