



An
Coimisiún
Pleanála

Inspector's Report

ACP-323233-25

Development

a) retention and completion of a detached meeting room including concrete base. b) retention of the opening of an access/entrance in existing stone wall. c) retention of external lighting. d) all associated site works. The works are within the curtilage of a Protected Structure (RPS Reg. No. 183).

Location

Kilcornan Catholic Church, Blossom Hill Kilcornan, Co.Limerick

Planning Authority

Limerick City and County Council

Planning Authority Reg. Ref.

2560464

Applicant(s)

Fr. Tim Wrenn P.P.

Type of Application

Retention Permission

Planning Authority Decision

Split Decision

Type of Appeal

Third Party

Appellant(s)

Patrick Fleming

Observer(s)

None

Date of Site Inspection

08th October 2025

Inspector

Clare Clancy

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1.0 Site Location and Description

- 1.1. The appeal site which comprises of a freestanding double height Catholic Church and car park, is located in in the townland of Kilcornan which is situated between Mungret to the east and Askeaton to the west. It is positioned on the northern side of the N69. There are 3 no. vehicular access points serving the Church. There is a direct access from the Church grounds at the front of the Church onto the adjoining N69. Access to the Church is available from the adjoining local road Blossom Hill road (L69008). The existing car park adjoining the Church grounds to the west is accessed directly from the N69. There is a hardstanding area adjoining the Church to the east that serves as a car park and with access of the L69008.
- 1.2. There are a number of detached dwellings located to the north of the Church along Blossom Hill road which is a cul de sac. Kilcornan Cemetery is located to the southwest of the Church on the southern side of the N69. The wider area is characterised by farm lands and rural one-off housing.
- 1.3. There is a detached pitch roof shed structure adjoining the Church in the western corner of the site and two smaller flat roofed sheds at the rear of the Church. The Church grounds are enclosed by a dry stone boundary wall. It was observed at time of site inspection that the opening in the stone wall adjacent to the concrete slab was reconstructed and closed up.

2.0 Proposed Development

The proposed development comprises the retention of the existing concrete slab base, the completion of the detached structure to accommodate a meeting room and the opening within the existing stone wall. The overall stated site area of the site is 1.270 ha.

2.1.1. Proposed Meeting Room & Ancillary Works:

- Detached meeting room
 - Gross floor area 16.87 m², max roof ridge height 2.771 m.
 - External material finishes – Steeltech shed cladded construction comprising of cladded roof, windows and doors to western and south facing elevations.

- Concrete base – gross floor area approx. 43.27 m².
- Opening to existing stone wall – 1.69 m wide.

2.1.2. Retention of External Lighting

As identified on DWG P25/KC/10401C, this includes for 7 no. existing lamp posts within the existing car park to the west, 4 no. existing lamp posts within the grounds of the Church, 4 no. flood lights 2 of which are fixed to lamp posts within the grounds of the church and 2 which are installed on the grounds to the east and west of the Church. The light poles are stated to be 3.8 m in height (excluding the lamp).

3.0 **Planning Authority Decision**

3.1. **Decision**

By Order dated 11th July 2025, Limerick City and County Council decided to issue a split decision as follows:

- i. Grant permission for the retention of the external lighting subject to one standard condition.
- ii. Refuse retention permission for (a) the completion of the detached meeting room and concrete base, (b) the opening of an access/entrance in the existing stone wall, and (c) all associated site works within the curtilage of a Protected Structure (RPS Reg. 183) for the following reason:

1. The development, by reason of its design and setting is considered inappropriate development within the curtilage and attendant grounds of the Protected Structure RPS 183 and would detract to an undue degree, from the special character and architectural interest of this structure. The extent of the works would be contrary to Objective EH O50 Work to Protected structures of the Limerick Development Plan (2022-2028), Objective EHO52 National Inventory of Architectural Heritage (NIAH) and the proper planning and sustainable development of the area.

3.2. Planning Authority Reports

3.2.1. Planning Reports

One planning report forms the basis of the assessment and recommendation. The following is noted:

- Kilcornan Church is listed as a protected structure and a building of interest on the National Inventory of Architectural Heritage (NIHA).
- Noted the report of the local authority conservation officer in which the subject structure is described as 'low architectural quality' requiring a revised design to respond to the existing setting and building materials of the protected structure, including the reinstatement of the stone wall by way of further information (FI).
- The proposed design which is similar to a mobile home is of inappropriate design and material finishes and would impact negatively on the character of the Church and would be at variance with objective EHO 50 (d) of the development plan. A redesign of the proposed development would be too significant to be addressed by way of a request for FI or by condition.
- No details provided on the works undertaken in respect of the concrete plinth, ramp and the partial removal of the existing stone wall, and would be at variance with objective EHO 50 (c) of the development plan.
- The structure would be visible from the N69 and cul de sac to the rear of the Church which would be contrary to EH O50 of the development plan.
- Notes the issues raised in third party submissions with regard to unauthorised development, impact on built heritage and archaeological heritage and to impacts on wildlife, in particular Lesser Horseshoe Bat.
- The retention of the external lighting was considered to be acceptable. The appeal site was outside of the foraging range of the Lesser Horseshoe Bat associated with the Curraghchase SAC.
- It was concluded that Appropriate Assessment and EIA were not required.

3.2.2. Other Technical Reports

- Fire & Building Control – No objection in principle subject to compliance with Building Regulations 1997-2024.
- Conservation Section – Recommended FI in regard to a revised design with respect to the meeting room, the submission of an Architectural Heritage Impact Assessment, and details in relation to the existing stone wall.
- Mid West National Road Design Office – No objection.

3.3. Prescribed Bodies

- Transport Infrastructure Ireland – No objection raised.

3.4. Third Party Observations

Two third party observations were received as follows:

- Stonehall-Kilcornan & District Residents. The issues raised are largely covered by the grounds of appeal.
- Cllr. Ger Ward in support of the applicant.

4.0 Planning History

Appeal Site

- P.A. Ref. 00/1736 – Permission granted for a car park and access to Church.
- Unauthorised Development P.A. Ref. D.C-019-25 – Warning letter issued in regard to partial removal of stone boundary wall, construction of a new concrete slab foundation, new flood lighting.

5.0 Policy Context

5.1. National

5.2. National Inventory of Architectural Heritage (NIAH)

Kilcornan Catholic Church is recorded as a building of interest on the NIAH. The following is noted:

- Catholic Church of Saint John the Baptist, Leonardstown, Limerick.
- Previous name Stonehall Catholic Church.
- Reg. Number 21901124.
- Rating: Regional.
- Categorise of Special Interest: Architectural, Artistic.

5.3. **Architectural Heritage Protection Guidelines for Planning Authorities (2011)**

The guidelines provide guidance to planning authorities in assessing applications involving Protected Structures. The following is relevant:

Section 6.8 General Types of Development

➤ Section 6.8.1

Generally, attempts should not be made to disguise new additions or extensions and make them appear to belong to the historic fabric. The architectural style of additions does not necessarily need to imitate historical styles or replicate the detailing of the original building in order to be considered acceptable. However, this should not be seen as a licence for unsympathetic or inappropriate work. Careful consideration of the palette of materials with which the works are to be executed can mediate between a modern design idiom and the historic fabric of the structure. Extensions should complement the original structure in terms of scale, materials and detailed design while reflecting the values of the present time.

Section 13.5 Development within the Curtilage of a Protect Structure

➤ Section 13.5.1

- Proposals for new development within the curtilage of a protected structure should be carefully scrutinised by the planning authority, as inappropriate development will be detrimental to the character of the structure.
- Where a formal relationship exists between a protected structure and its ancillary buildings or features, new construction which interrupts that relationship should rarely be permitted.

- The relationship between the protected structure and the street should not be damaged. New works should not adversely impact on views of the principal elevations of the protected structure.
- Where a large house or an institutional building has a garden which contributes to the character of the protected structure, subdivision of the garden, particularly by permanent subdividers, may be inappropriate.
- Proposals are often made which combine works to a protected structure, often to allow a new use be made of it, with new development within its curtilage or attendant grounds.

Floodlighting of Buildings

➤ Section 13.5.6

Issues to be considered which may affect the character of a protected structure or of an ACA will include the type and location of light fittings and any associated cabling or posts. The pattern, colouring and intensity of any proposed floodlighting scheme should be given consideration. An uncoordinated patchwork of different floodlighting schemes within a terrace or square may diminish the architectural coherence of the group of buildings.

5.4. Limerick Development Plan 2022-2028

5.4.1. Volume 1 Written Statment

➤ **Chapter 6 Environment, Heritage, Landscape and Green Infrastructure**

- Built Heritage

The following policies and objectives are relevant:

Policy EH P5 Protection of the Built Environment

It is a policy of the Council to promote high standards for conserving and restoring the built environment and promote its value in improving living standards and its benefits to the economy.

Objective EH O50 Work to Protected Structures

It is an objective of the Council to:

- a) Protect structures included on the RPS from any works that would negatively impact their special character and appearance.
- b) Ensure that any development proposals to Protected Structures, their curtilage and setting, shall have regard to the Architectural Heritage Protection Guidelines for Planning Authorities published by the Department of the Arts, Heritage and the Gaeltacht.
- c) Ensure that all works are carried out under the supervision of a qualified professional with specialised conservation expertise.
- d) Ensure that any development, modification, alteration, or extension affecting a Protected Structure and/ or its setting, is sensitively sited and designed and is appropriate in terms of the proposed scale, mass, height, density, layout and materials.
- e) Ensure that the form and structural integrity of the Protected Structure is retained in any redevelopment and that the relationship between the Protected Structure and any complex of adjoining buildings, designed landscape features, or views and vistas from within the grounds of the structure are respected.
- f) Respect the special interest of the interior, including its plan form, hierarchy of spaces, architectural detail, fixtures and fittings and materials.
- g) Support the re-introduction of traditional features on protected structures where there is evidence that such features (e.g. window styles, finishes etc.) previously existed.
- h) Ensure that new and adapted uses are compatible with the character and special interest of the Protected Structure.
- i) Protect the curtilage of Protected Structures and to refuse planning permission for inappropriate development within the curtilage and attendant grounds, that would adversely impact on the special character of the Protected Structure.
- j) Protect and retain important elements of built heritage including historic gardens, stone walls, entrance gates and piers and any other associated curtilage features.
- k) Ensure historic landscapes and gardens associated with Protected Structures are protected from inappropriate development.

Objective EH O52 National Inventory of Architectural Heritage (NIAH)

It is an objective of the Council to review and update the RPS on foot of any Ministerial recommendations including the NIAH and any future updates. The Ministerial Recommendations, made under Section 53 of the Planning Act, will be taken into account when the Planning Authority is considering proposals for development that would affect the historic or architectural interest of these structures.

Other Relevant Objectives Related to Light Emissions:

Objective EH 024 Light Pollution

It is an objective of the Council to ensure that the design of external lighting schemes minimise the incidence of light spillage or pollution in the immediate surrounding environment. In this regard, developers shall submit lighting elements as part of any design, with an emphasis on ensuring that any lighting is carefully directed, not excessive for its purpose and avoids light spill outside the development and where necessary will be wildlife friendly in design.

Objective EH O25 'Dark Sky' Parks and Reserves

It is an objective of the Council to encourage measures to support Dark-Sky Reserve proposals and the establishment of 'Dark Sky' parks and reserves in Limerick, where appropriate.

5.4.2. Volume 3C Record of Protected Structures

- RPS Reg. 183 Stonehall Catholic Church, Blossomhill, Roman Catholic Church c.1882.

5.5. Natural Heritage Designations

- SAC: 000174 - Curraghchase Woods SAC – approx. 355 m to the south.
- pNHA: 000174 - Curraghchase Woods – approx. 355 m to the south.
- SAC: 002279 - Askeaton Fen Complex SAC – approx. 1.2 km to the east and west.
- pNHA: 001030 - Dromore & Bleach Loughs – approx. 2.2 km to the northeast.

- SPA: 004077 - River Shannon and River Fergus Estuaries SPA – approx. 5.43 km to the north.
- SAC: 002165 - Lower River Shannon SAC – approx. 5.43 km to the north.
- pNHA: 000435 - Inner Shannon Estuary - South Shore – approx. 5.43 km to the north.
- SAC: 000432 - Barrigone SAC – approx. 11 km to the west.

6.0 EIA Screening

The proposed development is not a class for the purposes of EIA as per the classes of development set out in Schedule 5 of the Planning and Development Regulations 2001, as amended (or Part V of the 1994 Roads Regulations). No mandatory requirement for EIA therefore arises and there is also no requirement for a screening determination. Refer to Form 1 appended to this report.

7.0 The Appeal

7.1. Grounds of Appeal

One third party appeal was received from Patrick Fleming Stonehall-Kilcornan & District Residents Group. The grounds of appeal may be summarised as follows:

- The decision to grant retention permission for the external lighting is legally flawed and fails to address material considerations.

EU and National and European Wildlife Law

- The planning authority (PA) ignored confirmed bat activity which is in contravention of Article 12 of the EU Habitats Directive (92/43/EEC) which mandates strict protection of bats, Section 22-23 Wildlife Acts 1976-200 prohibiting disturbance to protected species, and ECJ Case C-258/11 (Sweetman v An Bord Pleanála) which requires Appropriate Assess (AA) where bats may be affected.
- No bat or protected species survey or AA was carried out. In the submission to the planning application, the PA was advised that bats and other endangered

species existed in the area and the Church grounds provide roosting and foraging for bats. A bat survey / wildlife impact assessment is required.

- Artificial lighting impacts on bats. Retention permission should be refused unless an NIS / AA is carried out.

Impact on Residential Amenities

- The current lighting is omni-directional and illuminates in all direction including the south facing bedrooms and ground floor living spaces in existing residential properties north of the Church.
- It is positioned approx. 2.0-3.0 m above ground in multiple locations resulting in limited natural obstacle filtering emitted light resulting in light pollution.
- The light transmitted is mostly LED and no diffusing or filtering is imposed.
- No lighting location plan was submitted by the applicant.
- There is a motion activated light mounted on the northern aspect of the church which triggers repeatedly after dusk due to wildlife traffic resulting in the illumination of the adjoining properties to the north until dawn. This causes sleep disturbance, loss of residential amenities under common law and planning policy in particular Policy ENV-08 'Dark Skies' of the development plan and EPA Guidelines on light pollution (2021) Section 180(1) of the Planning Act requires developments to avoid injury to amenities.
- Requests to enforce ILP/BSL lighting standards e.g. BS 54879-1:2020 on obtrusive light.

Protected Structure

- The Church is a Protected Structure. The PA's submission that lighting "does not detract" is subjective, unsupported, and contradicts Department Guidelines which prohibits "harmful illumination" of historic fabric.
- A conservation report was not provided by the applicant.

Failure to Mitigate

- No mitigation measures were imposed by condition to ensure compliance with Best Practice Guidelines of the Institute of Lighting Professionals on Bats and

lighting per ILP Guidance Note 08/23 i.e. to fit shields / timers to control lighting outside of operational hours.

- To consult affected residents under Section 34(2) of the Act.

Planning History & Unauthorised Development

- The submission to the planning application indicated an unauthorised toilet/bathroom facility and associated tank/soak-pit within the curtilage of the Church site which the PA did not address as part of the retention application.
- The unauthorised construction of a road boundary structure abutting the residential roadway to the east attempts to extinguish established public rights of way and ownership over commonage/community lands. These works were undertaken without the relevant consents. Other unauthorised works include the opening of the roadway margin/ a roadway crossing for the installation of water piping and alleged unauthorised development related to the property of the consulting engineer representing the applicant.

7.2. Applicant Response

None.

7.3. Planning Authority Response

A response was received from the PA noting that no further comments to make outside of the assessment of the planning application.

7.4. Observations

None.

8.0 Assessment

Introduction

- 8.1. This appeal relates to a split decision issued by the PA in relation to the subject development. The PA refused retention permission for works related to the retention and completion of a meeting room to be located at the rear (north) of the existing

Church. The other works refused permission include retention of the concrete base and the opening of an access within the existing stone wall. Retention permission was granted for the existing external lighting within the grounds of the Church.

8.2. I note that the substantive matter is in relation to the grounds for refusal which relate specifically to built heritage conservation matters associated with the Church, which is a protected structure. I note that the decision to refuse permission has not been raised in the grounds of the third party appeal, or by the PA in its response to the appeal. In addition, no response to the grounds of appeal was received by the applicant.

8.3. The grounds of the third party appeal relate solely to the decision to grant retention permission for the external lighting. Notwithstanding, I consider it appropriate that the planning merits of the overall development are considered in the assessment of this appeal. Therefore this assessment represents my *de novo* consideration of all planning issues material to the proposed development for the consideration of the Commission.

8.4. Having examined the application details and all other documentation 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 and national policies and guidance, I consider that the substantive issues in this appeal to be considered are as follows:

- Works Refused
- Retention of External Lighting
- Other Matters

8.5. **Works Refused**

8.5.1. As noted above, the substantive planning issue related to the appeal site concerns the retention and completion of a meeting room, proposed to be located at the rear of the existing Church (protected structure) and the concrete base slab. I note that the assessment and decision of the PA was informed by the report of the council's Architectural Conservation Officer. In this regard, I note that the matters raised relate to the design and material finishes of the proposed structure which were deemed not to be suitable and of low architectural quality, and not appropriate for its location within

the curtilage of a protected structure. A revised design was therefore recommended by way of FI to which the PA concluded that the scale of works required to address the design issues would be too significant to address by FI.

- 8.5.2. I note the design of the proposed structure as outlined in Section 2.1.1 above. At time of site inspection, I observed that the location of the proposed structure is outside of the boundary wall of the Church, and is located within an agricultural field which adjoins the Church to the north. The concrete slab base was in situ and I noted that the opening in the stone wall had been reconstructed and closed up. I further observed that there are other small structures within the grounds of the Church at the rear which include a pitched roof shed and flat roof structure which appear to house a toilet and heating boiler serving the Church.
- 8.5.3. The form and layout of the structure is informed by the use and is therefore small in scale. The material finishes comprise of steeltech cladding and glazing. I would have no objection to the form and scale of the proposed structure given its intended use, however I consider that the proposed material finishes are inappropriate having regard to the structure's location in the context of the Church. Steeltech cladded structures are more synonymous with domestic garden settings and it is my consideration, given the built heritage status afforded to the Kilcornan Church and its attendant grounds, that this requires careful consideration. It is my view that the design and material finishes of the structure fails to address this and I concur with the PA on this matter.
- 8.5.4. The PA further raised that the proposed structure would be visible from the N69 and the Blossom Hill road to the north. I would agree to some extent, however from the N69 I would consider that the views of the proposed structure by cars passing would be intermittent and transient. When viewed from Blossom Hill road to the north, I would consider that due to the presence of mature trees and hedgerow along the northern boundary, that views of the proposed structure would also be intermittent, but more obvious in winter due to bare trees. I would have no objection to the location of a proposed structure in this location, however subject to an appropriate design and material finishes that has regard to the site's context, the protected structure and attendant grounds.
- 8.5.5. Having regard to the foregoing, I concur with the PA's assessment and recommend that the PA's decision to refuse retention permission is upheld by the Commission in

this case, and by extension this would also include for the ancillary site works including the concrete base slab and opening in the stone wall.

8.6. Retention of External Lighting

8.7. Impact on Bats

- 8.7.1. The grounds of appeal raise the matter of impacts arising from the external lighting on bats. It is stated that no assessment of bats was carried out despite the church grounds (buildings, mature trees and stonework) provide roosting / foraging habitat for bats. I note that the PA carried out an Appropriate Assessment Screening. In this regard, the PA noted the conservation objectives of the Curraghchase Woods SAC and concluded that the appeal site was outside of the foraging range, as indicated on the map included in NPWS guidance. This was reflected in the conclusion of the AA Screening carried out by the PA.
- 8.7.2. As part of this assessment, I have carried out an Appropriate Assessment Screening which is a mandatory requirement for projects under Article 6(3) of the Habitats Directive. There is an SAC site located approx. 355m to the south of the appeal site, south of the N69. This European designated site relates to Curraghchase Woods SAC (000174) and the Lesser Horseshoe Bat is listed as one of the Qualifying Interests of this site. I note from Map 4 contained in the Conservation Objectives document has recorded the presence of a hibernation site for the Lesser Horseshoe Bat is recorded within the cellars of the former mansion Curraghchase House.
- 8.7.3. I note from the Conservations Objectives that the extent of potential foraging habitat for Lesser Horseshoe Bats is within the range of 2.5 km of their roots. Therefore a 2.5 km zone is cited as an appropriate distance to foraging areas for the area surrounding a communal bat roost ([NPWS Conservation Objectives Supporting Document - Lesser Horseshoe Bat](#)).
- 8.7.4. Having regard to potential foraging grounds identified on Map 4 appended to the Conservation Objectives, I am satisfied that there is adequate separation distance between the appeal site and those areas identified as the foraging range and the potential foraging grounds associated with the Lesser Horseshoe Bat recorded roots located within the SAC.

- 8.7.5. I note that the Conservation Objective for the Lesser Horseshoe Bat is to restore the favourable conservation condition of Lesser Horseshoe Bat within the SAC. This includes for no significant decline of potential foraging habitat and linear features within 2.5 km of qualifying roosts, and no significant increase in artificial light intensity adjacent to roosts or along commuting routes within 2.5 km of those roosts. Having regard to the foregoing, having carried out an Appropriate Assessment Screening (Appendix 3 appended to this report) I consider that light emissions arising from the existing external lighting within the appeal site will not unduly impact on the Conservation Objective for the Lesser Horseshoe Bat within the Curraghchase Woods SAC located to the south of the site.
- 8.7.6. In terms of other bat species, i.e. all Irish bat species, these are afforded protection under the Wildlife Act 1976 (as amended). It is raised by the appellant that the church grounds provide roosting and foraging habitat however there is no evidence forwarded by the appellant to substantiate same. Notwithstanding, I acknowledge that light pollution has the potential to impact on roosts and foraging behaviour. From the file details I note that the existing lighting has been in situ c. 16 + years and from my site inspection it was evident to me that lights have been in situ for some time given their weathered appearance. A number of the flood lights that are mounted on existing light poles and on the ground along the western boundary of the site, appear however to be later additions. Having regard to the planning history of the site particularly the enforcement history, this would appear to confirm that. It is therefore reasonable to conclude that bats in the area would have modified their behaviour to avoid lit areas in and around the Church grounds. On that basis I am satisfied that the existing lighting does not give rise to significant effects on the receiving environment.
- 8.7.7. The appellant refers to objective EH O25 of the development plan which relates to 'Dark Sky' Parks and Reserves, noting that the light overspill is contrary to this objective. I note the provisions of Section 6.3.14 of the development plan and Objective EH O25, however I do not agree that the existing light within the Church grounds is contrary to this stated objective. The policy on the Dark Sky Initiative as set out in Section 6.3.14 and the aforementioned supporting objective, is an initiative to create and support designated dark skies parks within the region. This in my view does not apply to the appeal site which relates to a Church and ancillary grounds which is used by the public and where there is a necessary requirement for public lighting.

8.8. Impact of Residential Amenities

The grounds of appeal submit that the existing lighting scheme impacts on residential amenities due to light spillage. Other matters raised include failure to consult with affected residents under Section 34(2) of the Act, and no lighting location plan was submitted with the application.

- 8.8.1. In terms of consultation, I am satisfied that the planning application was received by the PA in accordance with the relevant statutory provisions of the Planning and Development Act 2000 (as amended) and the Planning and Development Regulations 2001 (as amended). At the outset, public consultation was invited by way of the statutory public notices. Other than by making a third party submission/observation to a planning application by way of the statutory mechanism to do so, this would be the only obligation on the applicant to facilitate public consultation, and I would note that other public consultation outside of this format would not be a requirement of planning within the statutory framework. In this regard, there is no further action required on behalf of the Commission.
- 8.8.2. In relation to the submission raised that the applicant failed to provide a lighting location plan, the site layout plan DWG Ref. P25/KC/104/01C submitted with the application clearly identifies the existing lighting scheme which is the subject of retention permission. I am therefore satisfied that sufficient information has been submitted with the application and combined with my site inspection, to allow a assessment and determination to be made on the material planning considerations.
- 8.8.3. I note that the car park to the west of the site is illuminated by 7 no. omnidirectional lamps mounted on 3.8 m high poles. Within the Church grounds, there are another 4 no. existing similar lighting structures, 2 of which are located at the front of the Church and have flood lights fixed to the poles. There is a flood light on the ground to the west of the Church directed on the western elevation of the Church, and a similar flood light on the ground approx. midway along the western boundary of the site. I noted at time of site inspection that the flood lights face in the direction of the Church walls thereby illuminating the Church itself.
- 8.8.4. The existing dwellings referred to are located off the Blossomhill road (L69008) which is a cul de sac road north of the Church. The nearest dwelling to the appeal site is the first dwelling at the head of the road. There is a separation distance of approx. 57 m

between the dwelling and the boundary wall at the rear (north) of the Church. At time of site inspection I observed that the northern boundary of the appeal site is defined by mature trees and hedgerow. Given the setback distance of the dwelling relative to the site and to existing vegetation screening along the boundary of the site, these measures would mitigate against significant light overspill and in conjunction with the substantial separation distance, I am satisfied that the residential amenities of this existing property are not unduly impacted upon, and I do not consider that further mitigation measures are warranted in this regard. I would further note that the front elevation of this dwelling has a southeast orientation and does not directly face the rear of the Church.

- 8.8.5. In terms of impacts to the other existing dwellings located further to the west along Blossomhill Road, there is significant separation distances between these dwellings and the car park located to the south. Therefore, coupled with the mature belt of screening along the northern boundary of the appeal site, I am satisfied that the existing lighting does not unduly impact on residential amenities.
- 8.8.6. Reference is made to motion-activated lighting that is fixed to the northern aspect of the Church. I noted at time of site inspection that the lights referred to are outdoor sensor lights which are fixed to the single storey rear return on the northern side of the Church. These are small lights which provide lighting at the rear entrance to the Church and the path around the back of the Church when activated. I note that these lights do not come within the scope of this application and that the retention of the external lighting refers to solely that indicated on DWG Ref. P25/KC/104/01C and the external lighting referred to in the public notices. Having regard to the foregoing, I consider that the retention of the existing external lighting is acceptable in this case.

8.9. **Impact on Protected Structure**

- 8.9.1. In terms of impacts arising from lighting structures to the Church, it is noted that none are mounted on the Church building itself. They are standalone structures within the grounds of the Church, the majority of which appear to have been in situ for a considerable period of time. The newer flood lights, two of which are fitted on existing lamps posts and two which are installed at ground level, are small in scale and in my opinion are relatively discreet installations. They are not overly obvious and therefore I am satisfied that they do not unduly affect the character or setting of the existing

protected structure and would not be contrary to Objective EH O50 of the development plan.

8.10. Other Matters

Unauthorised Development

8.10.1. In the grounds of the appeal, reference is made to unauthorised developments relating to the Church grounds for which an application for retention was made on foot of a warning letter being issued, and other alleged unauthorised development i.e. toilet facilities and associated septic tank. Other developments referenced include inter alia the construction of a road boundary abutting the residential roadway to the east. I note the enforcement history related to the appeal site however the matters raised relating to unauthorised development are matters for the council, to which the Commission has no role in, in this case.

Enforcement of Other Legal Codes & Standards

8.10.2. Reference is made in the grounds of appeal to other legal codes including EPA Guidelines on Light Pollution 2011 and the enforcement of ILP/BSI lighting standards (BS 5489) which I note refers to a British standard for the design of road lighting. I note the matters raised in relation to light emissions and the impact on residential amenities which I have addressed in detail in Section 8.8., however the issue of enforcement and compliance with other legal codes and standards is not within the remit of planning legislation and therefore need not concern the Commission for the purposes of this appeal.

8.11. AA Screening

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

8.11.2. The appeal site comprises of Kilcornan Catholic Church and its grounds.

8.11.3. The closest European site, relative to the appeal site are

- SAC: 000174 - Curraghchase Woods SAC – approx. 355 m to the south.

- SAC: 002279 - Askeaton Fen Complex SAC – approx. 1.2 km to the east and west.

8.11.4. The PA considered that there was no requirement for appropriate assessment, the project was screened out due to the lack of ecological or hydrological connection between the development site and any European site.

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 effect on a European Site. The reason for this conclusion is as follows:

- The relatively minor scale of the development and lack of impact mechanisms that could significantly affect a European Site,
- Distance from and weak indirect connection to the identified European Sites,
- Taking into account the AA Screening determination by the PA.
- To the conclusion of the PA.

I consider that the proposed development, individually or in-combination with other plans or projects, would not be likely to have a significant effect on any European designated site(s). As appropriate assessment is therefore not required.

9.0 Water Framework Directive

9.1.1. The appeal site is located in the rural country side approximately 4.7 km to the east of Askeaton.

9.1.2. The nearest water body relative to the appeal site is the DROMLOHAN_010 and the Groundwater Body is IE_SH_G_245.

The River Waterbody WFD Status 2019-2024 IE_SH_24D330670 status is recorded as 'Moderate'.

The Ground Waterbody WFD Status IE_SH_G_245 is recorded as 'Good'

No water deterioration concerns were raised in the planning appeal.

9.1.3. I have assessed the proposed 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.

- 9.1.4. 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 water bodies either qualitatively or quantitatively.

The reason for this conclusion is as follows:

- The nature and scale of the development.
- The location-distance from the nearest water bodies and lack of hydrological connections.

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

Having considered the contents of the application, the provisions of the development plan, the grounds of the appeal and my site inspection and assessment of the planning issues, I recommend that the Commission issue a split decision as follows:

- (i) I recommend that retention permission is granted for the external light subject to the condition(s) set out below.
- (ii) I recommend that retention permission is refused for the completion of the proposed meeting room, concrete base, opening in stone wall for the reasons and considerations set out below.

11.0 (i) Reasons and Considerations

Having regard to the existing use of the site, the nature of the subject development relative to the site context and within the attendant grounds of a protected structure, and to the provisions of the Limerick Development Plan 2022-2028, it is considered that subject to the condition set out below, the retention of the subject development

would not seriously injure the visual amenities of the area or the residential amenities of property in the vicinity, and would not detract from the character and setting of the existing protected structure. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

12.0 Conditions

1.	<p>The development shall be retained in accordance with the plans and particulars lodged with the application, as received by the planning authority on the 19th day of May 2025, except as may otherwise be required in order to comply with the following conditions. Where such conditions require details to be agreed with the planning authority, the developer shall agree such details in writing with the planning authority prior to commencement of development and the development shall be carried out and completed in accordance with the agreed particulars.</p> <p>Reason: In the interest of clarity.</p>
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13.0 (ii) Reasons and Considerations

The proposed development by reason of its overall design and material finishes, would negatively impact the special character and appearance of the existing Church which is listed as a Protected Structure (RPS 183) in the development plan, and a building of interest on the National Inventory of Architectural Heritage (NIAH 21901124), and would not be in accordance with Objective EH O50 (Work to Protected Structures) of the Limerick Development Plan 2022-2028. The proposed development would, therefore be, contrary to the proper planning and sustainable development of the area.

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.

Clare Clancy
Planning Inspector

10th November 2025

Appendix 1 – Form 1 - EIA Pre-Screening

Case Reference	ACP-323233-25
Proposed Development Summary	Retention & completion of a detached meeting room and concrete base, retention of the opening of an access/entrance in existing stone wall, retention of external lighting. All associated site works.
Development Address	Kilcornan Catholic Church, Blosson Hill, Kilcornan, Co. Limerick
	In all cases check box /or leave blank
1. Does the proposed development come within the definition of a ‘project’ for the purposes of EIA? (For the purposes of the Directive, “Project” means: - The execution of construction works or of other installations or schemes, - Other interventions in the natural surroundings and landscape including those involving the extraction of mineral resources)	<input checked="" type="checkbox"/> Yes, it is a ‘Project’. Proceed to Q2. <input type="checkbox"/> No, No further action required.
2. Is the proposed development of a CLASS specified in Part 1, Schedule 5 of the Planning and Development Regulations 2001 (as amended)?	
<input type="checkbox"/> Yes, it is a Class specified in Part 1. EIA is mandatory. No Screening required. EIAR to be requested. Discuss with ADP.	State the Class here
<input checked="" type="checkbox"/> No, it is not a Class specified in Part 1. Proceed to Q3	
3. Is the proposed development of a CLASS specified in Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended) OR a prescribed type of proposed road development under Article 8 of Roads Regulations 1994, AND does it meet/exceed the thresholds?	
<input checked="" type="checkbox"/> No, the development is not of a Class Specified in Part 2,	

<p>Schedule 5 or a prescribed 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>No <input checked="" type="checkbox"/></p>	<p>Pre-screening determination conclusion remains as above (Q1 to Q3)</p>

Inspector: _____ Date: _____

Appendix 2 – Appropriate Assessment Screening

Screening for Appropriate Assessment Test for likely significant effects	
Step 1: Description of the project and local site characteristics	
Case File ACP-323233-25	
Brief description of project	<p>Normal Planning Appeal</p> <p>Retention & completion of a detached meeting room and concrete base, retention of the opening of an access/entrance in existing stone wall, retention of external lighting. All associated site works.</p> <p>Kilcornan Catholic Church, Blossom Hill, Kilcornan, Co. Limerick.</p>
Brief description of development site characteristics and potential impact mechanisms	<p>The site comprises of an existing standalone Church, adjoining car park to west and hardstanding car parking area to the east. Site has a stated area of 1.270 ha. Gross floor area of existing structures 241 m² and gross floor area of structure to be retained 17 m².</p> <p>There are no watercourses or other ecological features of note that would connect it directly to European Sites within the immediate vicinity or the wider area.</p> <p>The area to the southwest comprises of mixed woodland and wetlands which relates to the Curraghchase Woods SAC. The Lesser Horseshoe Bat is recorded in this location.</p> <p>Potential impacts that may be generated include:</p> <ul style="list-style-type: none"> • Construction related noise pollution and disturbance. • Construction related dust generation. • Light pollution during operational phase of the development.
Screening report	<p>No</p> <p>Limerick City & County Council screened out the need for AA.</p>
Natura Impact Statement	No
Relevant submissions	<p><u>Third Party Appellant</u></p> <p>Issues raised in the third party appeal in regard to impacts on the Lesser Horseshoe Bats which are known to forage in the area arising from light pollution.</p>

Step 2. Identification of relevant European Sites using Source-pathway-receptor model				
European Site (code)	Qualifying interests ¹ Link to conservation objectives (NPWS, date)	Distance from proposed development (km)	Ecological connections ²	Consider further in screening ³ Y/N
SAC: 000174 - Curraghchase Woods SAC	<ul style="list-style-type: none"> 1016 Desmoulin's Whorl Snail <i>Vertigo moulinsiana</i> 1303 Lesser Horseshoe Bat <i>Rhinolophus hipposideros</i> 91E0 Alluvial forests with <i>Alnus glutinosa</i> and <i>Fraxinus excelsior</i> (Alno-Padion, <i>Alnion incanae</i>, <i>Salicion albae</i>) 91J0 <i>Taxus baccata</i> woods of the British Isles Conservation Objectives	Approx. 355 m	No direct connection, Potential indirect	Y
SAC: 002279 - Askeaton Fen Complex SAC	<ul style="list-style-type: none"> 7210 Calcareous fens with <i>Cladium mariscus</i> and species of the <i>Caricion davallianae</i> * Alkaline fens Conservation Objectives	Approx. 1.2 km	No direct connection	N
<p>1 summary description / cross reference to npws website is acceptable at this stage in the report</p> <p>2 Based on source-pathway-receptor: Direct/ indirect/ tentative/ none, via surface water/ ground water/ air/ use of habitats by mobile species</p> <p>3 if no connections: N</p> <p>Further Commentary / Discussion</p>				
Step 3. Describe the likely effects of the project (if any, alone <u>or</u> in combination) on European Sites				

AA Screening Matrix

Site Name	Possibility of significant effects (alone) in view of the conservation objectives of the site*	
Site	Impacts	Effects
SAC: 000174 - Curraghchase Woods SAC <ul style="list-style-type: none"> 1016 Desmoulin's Whorl Snail <i>Vertigo moulinsiana</i> 1303 Lesser Horseshoe Bat <i>Rhinolophus hipposideros</i> 91E0 Alluvial forests with <i>Alnus glutinosa</i> and <i>Fraxinus excelsior</i> (Alno-Padion, Alnion incanae, Salicion albae) 91J0 <i>Taxus baccata</i> woods of the British Isles 	Direct: None Indirect: Increase activity on site during construction phase including from lighting. Light emissions at operational stage.	Potential disturbance impacts to commuting/foraging Lesser Horseshoe Bat
	Likelihood of significant effects from the proposed development (alone): No	
	If No, is there likelihood of significant effects occurring in combination with other plans or projects? No	

Further Commentary / discussion

Due to the enclosed nature of the development site (serviced) and the presence of a significant buffer between the site and the nearest watercourse, I consider that the subject 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.

In relation to light emissions vis a vis impact on bat commuting and foraging, the appeal site is located over 3 km from the roost location within the SAC site. Map 4 contained in the Conservation Objectives Series clearly identifies the potential foraging grounds that the Lesser Horseshoe Bats are known to frequent and which are located c. 850 m to the south of the appeal site. Light pollution is identified as an impact and the target to achieve the conservation objective for the Lesser Horseshoe Bat is that no significant increase in artificial light intensity adjacent to the named roost or along commuting routes within 2.5 km of the roost identified on Map 4. Given

the site's location at a remove from the commuting route and foraging grounds, there will be no direct impact on the roosting site or identified foraging grounds of the Lesser Horseshoe Bat.

Step 4 Conclude if the proposed development could result in likely significant effects on a European site

I conclude that the proposed development (alone or in combination with other plans and projects) would not result in likely significant effects on a European Site.

No mitigation measures are required to come to these conclusions.

Screening Determination

Finding of no likely significant effects

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 the SAC: 000174 - Curraghchase Woods SAC or other European site in view of the Conservation Objectives for the site, and is therefore excluded from further consideration. Appropriate Assessment is not required.

This determination is based on:

- The relatively minor scale of the development and lack of impact mechanisms that could significantly affect a European Site
- Distance from and weak indirect connection to the identified European Sites;
- Taking into account the AA Screening determination by the PA.

No mitigation measures aimed at avoiding or reducing impacts on European sites were required to be considered in reaching this conclusion.

Appendix 3 – Water Framework Directive – Stage 1 Screening

WFD IMPACT ASSESSMENT STAGE 1: SCREENING			
Step 1: Nature of the Project, the Site and Locality			
An Comisiún Pleanála ref. no.	ACP-323233- 25	Townland, address	Kilcornan Catholic Church, Blossom Hill, Kilcornan, Co. Limerick
Description of project		Retention & completion of a detached meeting room and concrete base, retention of the opening of an access/entrance in existing stone wall, retention of external lighting. All associated site works.	
Brief site description, relevant to WFD Screening,		The site comprises of an existing standalone Church, adjoining car park to west and hardstanding car parking area to the east. Site has a stated area of 1.270 ha. Gross floor area of existing structures 241 m ² and gross floor area of structure to be retained 17 m ² .	
Proposed surface water details		Surface water will be discharged to soakpit.	
Proposed water supply source & available capacity		Existing	
Proposed wastewater treatment system & available capacity, other issues		Existing	
Others?		Not applicable	