



An
Coimisiún
Pleanála

Inspector's Report ACP-323458-25

Development	84 housing units consisting of 20 houses and 64 apartments and all associated site works.
Location	Greenpark Avenue, South Circular Road, Limerick.
Planning Authority	Limerick City and County Council
Planning Authority Reg. Ref.	2560523
Applicant(s)	MGM Partnership
Type of Application	Permission
Planning Authority Decision	Refuse Permission
Type of Appeal	First Party
Appellant(s)	MGM Partnership
Observer(s)	Greenpark Residents c/o Cecilia Madden
Date of Site Inspection	03 rd November 2025
Inspector	Bernadette Quinn

1.0 Site Location and Description

- 1.1. The appeal site, with an area of 1.6ha, is located on Greenpark Avenue, approximately 2km southwest of Limerick City Centre. The site is covered in grass and scrub vegetation and site level fall from east to west.
- 1.2. The southern boundary adjoins the western end of Greenpark Avenue, close to the end point of this road where it terminates in a cul de sac. The southern boundary is defined by a stone wall and mature trees. There are detached single storey houses in the vicinity of the southern boundary as well as semi-detached two storey properties further east along Greenpark Avenue. To the west of the site is a hedgerow and fields in grass and to the southwest there is a large residential development currently under construction and partly occupied. To the north of the site the boundary comprises a high stone wall and mature trees, beyond which is Boreen a Tobair, an overgrown laneway which leads from a cul de sac serving residential properties. Beyond the eastern boundary there are detached residential properties.
- 1.3. Greenpark Avenue comprises a narrow road which ends in a cul de sac to the west of the appeal site. There is a footpath along the northern side of Greenpark Avenue which terminates approximately 30m east of the appeal site boundary.

2.0 Proposed Development

- 2.1. Permission is sought for the construction of 84 housing units consisting of:
 - 2 no. four bedroom detached dwellings
 - 18 no. four bedroom semi-detached dwellings
 - 2 no. four storey apartment blocks consisting of:
 - o 28 no. two bed apartments per block
 - o 4 no. 1 bed apartments per block
 - Associated bin storage, plant compounds
 - New vehicular entrance off Greenpark Avenue
 - Estate roads and footpaths

- Ancillary parking.

3.0 Planning Authority Decision

3.1. Decision

On 29th July 2025 Limerick City and County Council (LCCC) issued notification of the decision to refuse permission for 5 reasons as follows:

1. The proposal, by means of the inclusion of residential development and associated infrastructure including car parking and access roads to facilitate same, within lands located within Flood zones A and B informed by the Strategic Flood Risk Assessment contained in Volume 4 of the Limerick Development Plan (2022-2028), and subject to the Enterprise and Employment zoning would materially contravene the Enterprise and Employment land use zoning objective and Objective ECON O18 of the Limerick Development Plan (2022-2028), and the proper planning and sustainable development of the area.
2. The proposed development, by reason of the poor layout proposed including the access roads, excessive hard standing, the inappropriate relationship between apartments, houses and open space, and poor legibility/permeability fails to respond to the design requirements for placemaking, is considered to be contrary to the Sustainable Residential Development and Compact Settlements – Guidelines for Planning Authorities (2024), the Development Management Standards in Chapter 11 of the Limerick Development Plan (2022-2028) and the New Residential zoning objective and purpose of the Limerick Development Plan (2022-2028).
3. The proposed level of car parking, which would exceed maximum parking standards, is considered to be contrary to Table DM9(a) and Objective TR O49 Car and Cycle Parking of the Limerick Development Plan (2022-2028), and the standards set out in the Sustainable Residential Development and Compact Settlements – Guidelines for Planning Authorities (2024) and Planning Design Standards for Apartments Guidelines for Planning Authorities, 2025 .
4. The proposal, by reason of the failure to provide a Childcare Facility without any justification, is considered contrary to the Childcare Facilities – Guidelines for

Planning Authorities (2001) and Objective SCSI O14 Childcare Facilities of the Limerick Development Plan (2022-2028).

5. In the absence of an Environmental Impact Assessment screening report, Ecological Impact Assessment and Natura Impact Statement, the Planning Authority are not satisfied on the basis of the information provided that the proposed development would not have a significant impact on designated sites, the environment, and species of conservation concern, which is considered to be contrary to Objective EH O1 Designated Sites and Habitats Directive and Objective EH O3 Ecological Impact Assessment of the Limerick Development Plan (2022-2028)

3.2. Planning Authority Reports

3.2.1. Planning Reports

The Planning Officers report dated 21st July 2025 can be summarised as follows:

- Car parking and roads along the west boundary of the site as well as a portion of the apartment blocks are within the lands zoned Enterprise and Employment where residential uses are generally not permitted.
- The differing zoning on the western boundary reflects the Flood zones in the area as per the Development Plan.
- Objective ECON O18 Strategic Employment Locations City and Suburbs (in Limerick), Mungret and Annacotty of the Limerick Development Plan (LDP) and specifically point c) refers to the requirement for the preparation of a masterplan for the Enterprise and Employment zoning at the former racecourse lands at Greenpark which shall include conceptual layout, infrastructure and phasing details. The applicant has not provided any information regarding these lands and has referred to a previous masterplan where the entire site was earmarked for residential development. However, this has been subject to significant changes given the changes to the zoning and flood zones in the areas to the west of the application site as per the current LDP.

- The proposal would be contrary to the Enterprise and Employment land use zoning and the requirements of Objective ECON O18.
- The site is located within 500m of a proposed high frequency bus service and also within 500m of an existing 15m peak hour frequency bus service. The density is in line with the Development Plan and the Sustainable and Compact Settlement Guidelines and is acceptable in principle
- The proposal is haphazard in terms of the layout of the buildings, the access roads and the public open space and fails to respond to the design requirements for placemaking and would be contrary to Development Management Standards.
- There is an excessive amount of parking proposed and hardstanding areas, most notably in what has been demarcated as the 'Pedestrian Priority Area' which would serve five houses and the parking area in the east of the site.
- There is a lack of detail in relation to management of roads and open spaces shared by houses and apartments. Shared public open space is proposed for houses and apartments, it is unclear whether the minimum requirements for houses have been met.
- The Design Statement fails to set out a clear justification for the design approach taken, is lacking in detail and does not include a Sustainability and Social Infrastructure Statement as per the requirements of section 11.1.2 of the Development Plan.
- The proposal is not considered to give rise to material impacts on the residential amenities of adjoining properties
- The proposal does not comply with SPPR 3 – Car Parking as the number of car parking spaces, at 34 spaces for 20 dwellings, exceeds the maximum rate of 1 space per dwelling.
- The apartments are acceptable with regard to minimum internal floor areas, dual aspect, storage, private amenity space.
- In relation to flooding, a justification test has been provided in the FRA that accompanies the application that refers to the zoning of the lands and

provides information on flood risk assessment. Mitigation measures are proposed which include setting the residential development at a level of 8.00m OD.

- No creche facility is proposed and as such the proposal is contrary to Objective SCS1 O14 Childcare Facilities of the Development Plan and the Childcare Guidelines (2001).
- The proposal is contrary to Objective EH O3 Ecological Impact Assessment which requires all developments where there are species of conservation concern to submit an Ecological Assessment.
- The AA screening report contains surveys that were conducted in 2020 and 2021 and are considered to be out of date, relies on mitigation measures to protect ecology which would trigger a NIS, and has failed to consider the cumulative impact of the proposal and the nearby housing development currently under construction which was accompanied by a NIS. It is uncertain whether the proposal will have a significant effect on a European Site.
- The applicant has not submitted any Ecological Impact Assessment or an EIA Screening report and the site is located within 500 metres of a watercourse within the Lower River Shannon SAC. It is concluded that there is significant and realistic doubt regarding the likelihood of significant effects on the environment and the applicant should be requested to submit the Information specified in Schedule 7A for the purposes of a screening determination.

3.2.2. Other Technical Reports

Roads Department: Further information requested

Active Travel: Further information requested

Ecology: Further information requested

Archaeology: No objections

Housing Department: No objections

Fire & Emergency Services: No objections

3.3. **Prescribed Bodies**

Uisce Eireann: No objection subject to conditions

An Taisce: Outlines recommendations relating to Building Lifecycle Report; Artificial Lighting; Nature Based Solutions; Social and Community Infrastructure and AA Screening.

3.4. **Third Party Observations**

Eight third party submissions were made in relation to this application. The main issues raised are summarised in the planning officers report and relate to concerns regarding boundary treatments, traffic, design and layout, tree removal, proximity to septic tank, impacts on residential and visual amenity, pollution, site ownership, lack of consultation, flooding, and impacts on SAC.

4.0 **Planning History**

Appeal Site:

17/1190 / ABP-302015-18: Permission granted by LCCC and ABP for 31 houses.

This permission has not been implemented

16/908 / PL91.248020: Permission granted by LCCC and refused by ABP for 26 houses. Refusal reason relates to substandard layout of the proposed development.

Adjoining Lands to Southwest:

TA91.311588: Strategic Housing Development granted permission by ABP for 371 no. residential units (157 no. houses, 214 no. apartments), creche and associated site works. This permission is currently under construction.

5.0 **Policy Context**

5.1. **Development Plan**

- 5.1.1. The Limerick Development Plan 2022-2028 (LDP) is the relevant policy document pertaining to the subject site wherein 3 zoning objectives are applicable as follows:

- The majority of the site is zoned for 'New Residential' with the Objective: To provide for new residential development in tandem with the provision of social and physical infrastructure. The stated purpose is as follows: This zone is intended primarily for new high quality housing development, including the provision of high-quality, professionally managed and purpose built third-level student accommodation. The quality and mix of residential areas and the servicing of lands will be a priority to support balanced communities. New housing and infill developments should include a mix of housing types, sizes and tenures, to cater for all members of society. Design should be complimentary to the surroundings and should not adversely impact on the amenity of adjoining residents. These areas require high levels of accessibility, including pedestrian, cyclists and public transport (where feasible). This zone may include a range of other uses particularly those that have the potential to facilitate the development of new residential communities such as open space, schools, childcare facilities, doctor's surgeries and playing fields etc.
- A small portion of the site is zoned 'Existing Residential' with the Objective: To provide for residential development, protect and improve existing residential amenity. The stated purpose is as follows: This zone is intended primarily for established housing areas. Existing residential amenity will be protected while allowing appropriate infill development. The quality of the zone will be enhanced with associated open space, community uses and where an acceptable standard of amenity can be maintained, a limited range of other uses that support the overall residential function of the area, such as schools, crèches, doctor's surgeries, playing fields etc.
- A portion of land at the sites western boundary is zoned enterprise and employment with the Objective: To provide for and improve general enterprise, employment, business and commercial activities. The stated purpose is: To provide for enterprise, employment and general business activities and acknowledge existing/permitted retailing uses. To accommodate compatible industry and employment activities that are incapable of being situated in the City Centre, in a high-quality physical environment. Marine related industry shall be allowed on Enterprise and Employment zoned lands

on the Dock Road. New enterprise and employment developments shall be provided in high quality landscaped park style environments, incorporating a range of amenities. These zones may accommodate light industry, low input and emission manufacturing, logistics and warehousing, campus style offices and commercial services with high space and parking requirements. The form and scale of development on these sites shall be appropriate to their location, having regard to surrounding uses and scale. A proliferation of retail uses will not be permitted. 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.

- 5.1.2. In Chapter 2 Core Strategy Table 2.4 outlines Limerick's Settlement Hierarchy wherein the site is located in Level 1 Limerick City and Suburbs (in Limerick), Mungret and Annacotty with additional households forecasted 2022-2028 of 11,442 in Table 2.5.

In Table 2.6 the site is in Density Zone 2: Intermediate Urban Locations/Transport Corridors as indicated on Map 2.2 Limerick City & Suburbs Density Zones. A minimum net density of 45+ dwelling units per hectare are required at appropriate locations.

- 5.1.3. In Chapter 3, of relevance is Objective CGR O2 Place-making, Universal Design and Public Realm: It is an objective of the Council to: a) Ensure that all developments are designed to the highest quality with respect to the principles of placemaking, universal design and public realm including the guidance set out under the Urban Design Manual – A Best Practice Guide (2009) and the Design Manual for Urban Roads and Streets (2013) the Whole of Government National Disability Inclusion Strategy (NDIS) 2017-2022 and the 2020 DMURS Interim Advice Note – Covid 19 Pandemic Response.

In Table 3.2: Urban Character and Objectives. The site is within UCA O2 - Surrounding Suburban Area with the following specific objectives: Infill and

brownfield development patterns to be favoured; Building Height Strategy to inform design of higher buildings.

- 5.1.4. In Chapter 5, Objective ECON O18 Specific Site Requirements: It is an objective of the Council to: 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.
- 5.1.5. In Chapter 6, Objective EH O1 refers to Designated Sites and Habitats Directive requirements. Objective EH O3 Ecological Impact Assessment states that it is an objective of the Council to require all developments where there are species of conservation concern, to submit an ecological assessment of the effects of the development on the site and nearby designated sites, suggesting appropriate mitigation measures and establishing, in particular, the presence or absence of the following species: Otter, badger, bats, lamprey and protected plant species such as the Triangular Club Rush, Opposite Leaved Pond Weed and Flora Protection Order Species generally.
- 5.1.6. In Chapter 7, of relevance is Objective TR O49 Car and Cycle Parking: It is an objective of the Council to support the provision of parking and cycle standards in accordance with Section 11.8.3, Table DM 9(a) and 9(b) of Chapter 11: Development Management Standards.
- 5.1.7. In Chapter 9, of relevance is Policy CAF P5 Managing Flood Risk which states it is a policy of the Council to protect Flood Zone A and Flood Zone B from inappropriate development and direct developments/land uses into the appropriate lands, in accordance with The Planning System and Flood Risk Management Guidelines for Planning Authorities 2009 (or any subsequent document) and the guidance contained in Development Management Standards and the Strategic Flood Risk Assessment (SFRA). Where a development/land use is proposed that is inappropriate within the Flood Zone, but that has passed the Plan Making Justification Test, then the development proposal will need to be accompanied by a Development Management Justification Test and Site-Specific Flood Risk Assessment in accordance with the criteria set out under The Planning System and Flood Risk Management Guidelines for Planning Authorities 2009 and Circular PL2/2014 (and any subsequent updates).

- 5.1.8. In Chapter 10, Objective SCSI O14 Childcare Facilities: It is an objective of the Council to: a) Encourage the provision of appropriate childcare facilities as an integral part of proposals for new residential developments and to improve/expand existing childcare facilities. b) Encourage the provision of childcare facilities in a sustainable manner to encourage local economic development and to assist in addressing disadvantage.
- 5.1.9. Chapter 11 sets out Development Management Guidelines. In relation to residential development design principles and standards, Section 11.2.1 Design Criteria states the Council will be guided by current national policy documents and any subsequent national policy guidance in relation to planning within the lifetime of the Plan. Standards relating to residential development are outlined in this section.
- Section 11.3.6 and Table DM 2: Open Space Hierarchy within Residential Estates outlines Open Space Requirements and design considerations.
- Table DM 9(a) sets out Car and Bicycle Parking Standards for Limerick City and Suburbs with a requirement in Zone 2 of 1 space per unit with less than 3 bedrooms and 1.5 spaces per unit with 3+ bedrooms and 1 visitor space per 3 bedrooms.
- 5.1.10. Volume 2a outlines a Settlement Capacity Audit for Limerick City and Suburbs wherein the site is identified as site No. 133 as part of the wider Greenpark site with an overall estimated residential yield of 379 units.

5.2. Ministerial Guidelines

- 5.2.1. Sustainable and Compact Settlements Guidelines for Planning Authorities, 2024 (SRDCSGs)

These Guidelines set out policy and guidance in relation to the planning and development of urban and rural settlements, with a focus on sustainable residential development and the creation of compact settlements. Section 4.4 outlines Key Indicators of Quality Design and Placemaking and Policy and Objective 4.2 states that it is a policy and objective of the Guidelines that the key indicators of quality urban design and placemaking set out in Section 4.4 are applied in the consideration of individual planning applications.

Table 3.2 outlines Density Ranges for City - Urban Neighbourhoods in Limerick, Galway and Waterford City and Suburbs and states that residential densities in the

range 50 dph to 200 dph (net) shall generally be applied in urban neighbourhoods of Limerick, Galway and Waterford.

SPPR 3 – Car Parking: It is a specific planning policy requirement of these Guidelines that: (i) In city centres and urban neighbourhoods of the five cities, defined in Chapter 3 (Table 3.1 and Table 3.2) car-parking provision should be minimised, substantially reduced or wholly eliminated. The maximum rate of car parking provision for residential development at these locations, where such provision is justified to the satisfaction of the planning authority, shall be 1 no. space per dwelling. ... Applicants should be required to provide a rationale and justification for the number of car parking spaces proposed and to satisfy the planning authority that the parking levels are necessary and appropriate, particularly when they are close to the maximum provision. The maximum car parking standards do not include bays assigned for use by a car club, designated short stay on–street Electric Vehicle (EV) charging stations or accessible parking spaces. The maximum car parking standards do include provision for visitor parking.

5.2.2. Planning Design Standards for Apartments Guidelines for Planning Authorities, 2025 (Apartment Guidelines)

These Guidelines outline that matters relating to density and other factors that further inform the principle of undertaking apartment development at an individual site are set out in the SRDCSGs. Section 4.3 refers to Communal Amenity Space with the recommended minimum areas for public communal amenity space, where provided, set out in Appendix 1.

5.2.3. Childcare Facilities Guidelines for Planning Authorities, 2001 (the ‘Childcare Guidelines’).

Applicable policy for the proposed development includes Appendix 2 which recommends the provision of a childcare facility with a capacity of 20 childcare spaces per 75 dwellings units; Section 2.4 outlines the scale and/ or requirement for childcare facilities may depend on the nature of the proposed development.

5.2.4. The Planning System and Flood Risk Management including the associated Technical Appendices, 2009 (the ‘Flood Risk Guidelines’).

The primary aim of these guidelines is to ensure a more consistent, rigorous and systematic approach to the avoidance and minimisation of potential future flood risk and to fully incorporate flood risk assessment and management into the planning system. The guidelines require the planning system to avoid development in areas at risk of flooding, particularly in floodplains, unless there are demonstrable, wider sustainability grounds that justify appropriate development and where the flood risk can be reduced or managed to an acceptable level without increasing flood risk elsewhere. The guidelines provide for a Justification Test to provide clarity as to the appropriate flood risk assessment considerations at various levels of the planning process.

5.3. Other Relevant Guidance

5.3.1. Design Manual for Urban Roads and Streets, 2013 (DMURS)

DMURS seeks to address street design within urban areas and sets out an integrated design approach and includes guidance relating to design of on-street car parking.

5.4. Natural Heritage Designations

5.4.1. The Lower River Shannon SAC (Site Code 002165) is located approx. 520m west of the site and the River Shannon and River Fergus Estuaries SPA (Site Code 004077) is located 1km west of the site.

5.5. EIA Screening

5.5.1. The proposed development has been subject to preliminary examination for environmental impact assessment (refer to Form 1 and Form 2 in Appendices of this report). Having regard to the characteristics and location of the proposed development and the types and characteristics of potential impacts, it is considered that there is no real likelihood of significant effects on the environment. The proposed development, therefore, does not trigger a requirement for environmental impact assessment screening and an EIAR is not required.

6.0 The Appeal

6.1. Grounds of Appeal

A first party appeal in relation to the decision includes an engineer's report, audit of creche capacity report, copy of pre-planning meeting minutes and a revised site layout plan and can be summarised as follows:

Refusal Reason No. 1

- A small portion of the site is zoned Enterprise & Employment. Having regard to the scale of the zoning map it is difficult to determine exact boundaries
- This zoning does not take into account level differences with the Enterprise and Employment Zoned land within the appeal site at an elevation of approx. 4m higher than the remainder of this land use zoning to the west. It would be difficult to incorporate the area in question and its inclusion in the Employment and Enterprise zoning objective may have been as a result of a mapping inaccuracy.
- The Enterprise and Employment Zoning will allow for areas of car parking, the same use that is proposed on this area and residents in the proposed development are likely to seek employment on the adjoining employment zoned lands and as such the proposal is not considered a material contravention of the development plan.
- Dual use between the two adjoining land use zonings is likely.
- The PA's reason for refusal that the extent of car parking is excessive contradicts the reason for refusal that parking to serve residential development on Enterprise and Employment Zoning materially contravenes the development plan.
- The proposed development would not prevent the implementation of the Enterprise and Employment zoning and therefore cannot be considered a material contravention.
- A comprehensive flood risk assessment submitted with the application confirms the proposal will have no adverse impact on the area or on

downstream flooding potential. No vulnerable land uses are proposed in the area and ground levels are to remain unchanged thereby eliminating any risk of water displacement.

- The current zoning does not take account of the ownership boundaries or previous granted development within the boundaries of the MGM Partnership site, and except for a limited area, the site lies outside the flood zone. No sensitive or vulnerable areas are within flood zone B and there is no possibility of displacement of water.

Refusal Reason No. 2

- The layout has been designed to be legible, to concentrate the main area of open space for greatest utility and a paved area provides an attractive feature with pedestrian priority. The layout has been designed to have regard to existing development on adjoining sites.
- The apartment blocks are adequately separated from one another and from nearby housing and it is unclear what the PA reference cited in the refusal reason in this regard is referring to.
- Concerns in the planner's report referring to the layout as haphazard are unjustified and the report fails to explain how the proposal is contrary to development management standards in the Development Plan.
- The open space will be fully accessible to all residents, and the entirety of the estate can be taken in charge or maintained by a management company.

Refusal Reason No. 3

- The number of car parking spaces exceeds the development plan standard by 10 spaces. The developer's experience is that this is necessary to ensure the sale of the apartment units, however a revised site layout plan is submitted reducing the number of car parking spaces by 10 spaces which will also reduce the area of hardstanding and increase the amount of usable green space.

Refusal Reason No. 4

- The requirement of one childcare facility per 75 dwellings is a guideline and should take into account existing childcare facilities and the development proposed which, due to the large number of apartments, is likely to result in demand for a limited number of childcare spaces.
- Development Plan Objective SCSIO4 seeks to encourage childcare facilities rather than to mandate them.
- Details of existing creche spaces available within 1.5km of the site are outlined, there is a creche permitted on the adjoining site where residential development is under construction and the appeal site is an unsuitable location for a childcare facility. One of the residential units could be made available as a creche if required.

Refusal Reason No. 5

- The proposal falls well below the threshold requiring EIA. The development to the west has been the subject of full environmental reports which have been assessed for cumulative effects caused by development on this site.
- A Natura Impact Screening Report was submitted with the planning application, and this is unreasonable as a reason for refusal.
- In relation to the request for a separate ecological report, this issue has been addressed in the AA screening report submitted.
- The AA screening report concludes that no significant effects will arise in relation to any Natura 2000 site, it is hard to see how the site could impact on any of the qualifying interests of the SAC, the site is neither pivotal or integral to habitat diversity of the area given the scale of on-going construction activities.

6.2. Planning Authority Response

A response received from the PA states no further comments to make outside of the assessment found in the planner's report.

6.3. Observations

One observation to the appeal have been received and can be summarised as follows:

- From land registry details it appears that the applicants do not own part of the site along its southern boundary and consent from the owner has not been submitted.
- The extent of Enterprise & Employment zoned lands within the appeal site is unclear and car parking associated with residential development would materially contravene this zoning objective.
- Development Plan flood zone A and B mapping has not been shown on the site layout plan, the area previously flooded, and the Flood Risk Assessment does not take into account the cumulative impact of potential displacement of floodwaters from the adjoining site to the west currently under construction.
- It is unclear where floodwaters will be directed to and details with respect to swales and SUDS have not been proposed.
- The layout is dominated by car parking and ad-hoc.
- The proposed apartment blocks fail to integrate with the area, own door units would be more appropriate.
- The proposal contravenes the residential zoning objective which seeks that design should be complementary to surroundings and not adversely impact amenity of adjoining residents.
- The density is inappropriate and exceeds the development plan recommendation of 45 units/ha.
- The site forms part of designated site No. 133 in the development plan and the proposal along with adjoining development exceeds the recommended residential yield of 379 units.
- Proposed car parking spaces are excessive and exceed SPPR 3 of Compact Settlements Guidelines. Reducing the number of car parking spaces would allow further space to provide a lower rise development more in keeping with the area.

- The audit of childcare spaces submitted is questioned and a number of childcare facilities cited as having capacity are in fact full and have waiting lists.
- The accuracy of the AA Screening Report is questioned, the qualifications of the author are not cited, the report relies on outdated survey results and cites mitigation measures suggesting a Stage 2 NIS is required.
- The cumulative impact of the proposal and adjoining development to the west has not been considered in the AA Screening Report.
- The existing footpath on Greenpark Avenue terminates before the new proposed footpath will commence which is contrary to the continuous footpath shown on the site layout plan.
- Traffic calming works on South Circular Road referred to in the Traffic and Transportation Assessment are not included on drawings and are outside the red line boundary.
- The proposal will be heavily reliant on private car and fails to provide for sustainable transport modes.
- Having regard to the development of 371 units on adjoining lands along with the proposed development, there are concerns in relation to conflicts between vehicular and pedestrian and cyclist traffic.
- Consideration should be given to directing traffic from the proposal through the adjoining development to the west on to the Dock Road rather than South Circular Road.
- A raised table is proposed at the site entrance which will result in a traffic hazard with a private entrance on the opposite side of the road and this raised table is outside the red line boundary.
- Failure to provide sustainable forms of transport on Greenpark Avenue.
- South circular Road is envisaged as a low traffic neighbourhood which the proposal does not align with due to its reliance on private transport.
- The proposal is contrary to SPPR 3 of Sustainable Residential Development for Compact Settlements Guidelines relating to car parking.

- The proposal will be detrimental to residential amenity as a result of increased noise and traffic.

6.4. Further Reponses

6.4.1. An Coimisiún Pleanála (ACP) invited the Limerick Childcare Committee to comment on the application and a submission received can be summarised as follows:

- The current level of childcare provision in the Greenpark Avenue area is below the EU recommendation across all age ranges.
- Given the number of residential units proposed, it can only be concluded that the demand of childcare in this area will increase and as such the need for a childcare facility is clearly established and is in line with current planning guidelines of one childcare facility per 75 dwellings.

7.0 Assessment

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

- Principle of Development
- Flood Risk
- Design and Layout
- Transportation
- Childcare Facility
- Ecology
- EIA
- Other Matters

7.2. This assessment relates to the layout submitted by the first party with the appeal which revises the originally applied for proposal by reducing the number of car

parking spaces by omitting 10 no. spaces along the western boundary and replacing these areas with landscaping. I do not consider that the revised proposal would give rise to material considerations for third parties and the planning authority has been afforded the opportunity to comment on the revised proposal. Accordingly, I consider that the Coimisiún is not precluded from having regard to the revised proposal submitted with the appeal.

7.3. Principle of Development

- 7.3.1. The PA's first refusal reason considered the proposal would materially contravene the Enterprise and Employment land use zoning objective and Objective ECON O18 of the Development Plan. The site is largely located in an area zoned 'New Residential' whereon 'residential' is a 'generally permitted' use. A small area to the northeast of the site is zoned 'Existing Residential' whereon residential is 'generally permitted'. Sections of the site along the western boundary are zoned 'Enterprise and Employment', with the objective 'To provide for and improve general enterprise, employment, business and commercial activities' whereon residential use is 'generally not permitted'.
- 7.3.2. The appellant acknowledges that a small portion of the site is located on lands zoned Enterprise and Employment and refers to level differences between the site and the adjoining lands and that the proposed development would not prevent the implementation of the objectives of the Enterprise and Employment Zoned land.
- 7.3.3. The appellant has not submitted a map or estimated area of the extent of encroachment into the Enterprise and Employment zoned land. I note that the boundary between the Enterprise and Employment and New Residential zoned lands is irregular and having reviewed the drawings I note that there is, as stated by the first party, a level difference across the site with the site falling from east to west. Having reviewed the zoning map and the application drawings, I estimate that the area of the appeal site within the Enterprise and Employment zoning is in excess of one fifth of the overall appeal site (measured on the Department of Housing, Local Government and Heritage's Zoning Map Viewer, MyPlan¹ as approximately 0.35ha).

¹ [Home - My Plan](#)

- 7.3.4. I note that the area within the appeal site zoned Enterprise and Employment includes car parking, an access road and landscaping and also appears to include a portion of the apartment buildings. I note the irregular configuration of the boundary between the 'New Residential' zoning and the 'Enterprise and Employment' zoning, which the appeal outlines may have been in response to flood risk at this location and may be a mapping inaccuracy. Notwithstanding the reason for the zoning objective, I consider the proposal for car parking and an access road to facilitate residential use and apartment buildings are 'not permitted' on Enterprise and Employment zoned lands and therefore would materially contravene the Enterprise and Employment zoning objective of the site.
- 7.3.5. Development Plan Objective ECON O18 refers to the requirement for a masterplan for the Enterprise and Employment zoning at the former racecourse lands at Greenpark. I note reference to a masterplan which the planning officer states in their report refers to a previous masterplan where the entire Greenpark site was earmarked for residential development. The planning officer notes that this has been subject to significant changes given the changes to zoning and flood zones in the area to the west of the application site as per the current LDP. The Planning Report/Design Statement submitted with the application includes a Masterplan which is stated as relating to the previous residential zoning of the site and no information is attached to the file in relation to a new masterplan to reflect the Enterprise and Employment zoning. In the absence of a Masterplan for the area of the appeal site zoned Enterprise and Employment, I agree with the PA that the proposal would materially contravene Objective ECON O18.
- 7.3.6. The appellant considers that as the proposal would not prevent the implementation of the Enterprise and Employment zoning it cannot be considered a material contravention. The Development Management Guidelines, 2007, (Section 5.12) state that 'in deciding whether any development would materially contravene the plan, the authority should consider whether there would be a departure from a fundamental provision of the plan or whether the development, alone or in conjunction with others, would seriously prejudice an objective of the plan, and that if the answer is no, there is no statutory prohibition on the granting of permission'. Having regard to the extent of the area of land zoned Enterprise and Employment within the appeal site which I consider substantial, and the proposal for residential development thereon, and to

the requirement in Objective ECON O18 to prepare a masterplan, and having regard to my assessment below which further indicates that the site is unsuitable for residential development, I consider the proposal would materially contravene the Development Plan. I do not agree with the appellants case that as the Enterprise and Employment zoned land allows for areas of car parking, or that residents of the proposal will likely seek employment on the adjoining lands, that the proposal would not be considered a material contravention of the LDP and I note the requirement as outlined above for a Masterplan for the entire Enterprise and Employment Zoned land.

7.4. Flood Risk

- 7.4.1. The PA's first refusal reason also refers to the inclusion of residential development and associated infrastructure including car parking and access roads to facilitate same, within lands located within Flood zones A and B and states that this would materially contravene the LDP and the proper planning and sustainable development of the area. The Planning Officer's report notes that the differing zonings on the western boundary of the site reflect the flood zones in the area which were informed by the Strategic Flood Risk Assessment that accompanies the LDP and raises concerns with the development of the Enterprise and Employment zoned lands for residential development. I note that there is no report on file from the water services section of the Local Authority in relation to flood risk.
- 7.4.2. A report titled 'Flood Study Report' prepared by EOB Management was submitted with the planning application. The report states that the purpose of the Site Specific Flood Risk Assessment (SSFRA) is to define the flood risk to the proposed development and demonstrate that, with appropriate mitigation, the site can be safely developed in accordance with the requirements of 'The Planning System and Flood Risk Management' Guidelines. The report states that the River Shannon flows at a distance to the north of the site and a small tributary, the Ballynaclogh River, flows to the west of the site, that both of these rivers can be considered to be tidal at this location, and that there are flood embankments along both the River Shannon and the Ballynaclogh River. The report states that an area of the site along its western boundary is within a defended area for coastal flood risk but that this area is not within any flood zone and that historic flood information shows that the site flooded in 1999. The report notes that the effects of any existing defences must be

ignored when establishing flood zoning and goes on to note that the site is in Flood Zone A and Flood Zone B and that the Flood Guidelines require a justification test for highly vulnerable development.

- 7.4.3. The SSFRA finds that a small portion of the site is at risk of flooding from the 0.5% AEP breach event in a scenario where the existing flood defences are breached. Three breach simulations were modelled in the SSFRA which show the maximum derived water level for the 0.5% AEP flood event at the site was 4.3m OD. Mitigation is proposed to set the development at a level of 8.00m OD to tie in with the surrounding levels to eliminate potential flooding. The report states that the majority of the proposed development is not in a flood plain with less vulnerable parts of the development located in the flood zone. The report outlines a response to the Justification Test required in the Flood Risk Guidelines and concludes that each of the criteria in the Development Management Justification Test have been shown to be satisfied and that the proposal complies with the Flood Risk Guidelines. The SSFRA states that the site is zoned residential wherein the proposed use is generally permitted, and that the development plan was produced taking full account of the Guidelines.
- 7.4.4. I note that the LDP Strategic Flood Risk Assessment includes Appendix D which outlines a flood risk assessment for the Greenpark Masterplan. This masterplan includes the areas of the appeal site zoned Enterprise and Employment. The Development Plan states that the Strategic Flood Risk Assessment has played a key role in informing the appropriateness of the zoning of lands with respect to the vulnerability of uses in the different flood zones, in accordance with the Flood Risk Management Guidelines for Planning Authorities. LDP Policy CAF P5 Managing Flood Risk states that it is a policy of the Council to protect Flood Zone A and Flood Zone B from inappropriate development and direct developments/land uses into the appropriate lands, in accordance with The Planning System and Flood Risk Management Guidelines for Planning Authorities 2009.
- 7.4.5. The Flood Risk Guidelines state that where a planning authority is considering proposals for new development in areas at a high or moderate risk of flooding that include types of development that are vulnerable to flooding, the planning authority must be satisfied that the development satisfies all of the criteria of the Justification Test as it applies to development management outlined in Box 5.1 in the Guidelines.

The first test is that the lands have been zoned for the particular use of development in a development plan which has been adopted taking account of the Guidelines. Whilst the site is partly zoned for residential development, it also contains an area zoned Enterprise and Employment wherein car parking and access road associated with residential development is proposed and also appears to include sections of the apartment buildings. On this basis, I consider the proposal fails to comply with test no. 1 of the justification test as a result of the proposal for residential development within Flood Zone A and B on land that is not zoned for the development proposed.

7.4.6. Reference is made by the appellant to permission granted on the adjoining lands to the west for 371 residential units. I note that this permission was granted under a previous development plan for the area. I have assessed the proposal based on the current development plan for the area and associated Strategic Flood Risk Assessment and having regard to the sites partial location on lands zoned Enterprise and Employment which are within Flood Zones A and B, I consider the proposal contrary to Development Plan Policy CAF P5 Managing Flood Risk and to the Flood Risk Guidelines for Planning Authorities.

7.4.7. In relation to the observers concerns regarding impacts on adjoining properties as a result of flood risk, the SSFRA states that the site is defended from coastal flooding, that levels are being kept as existing, that there will be a residual risk to the proposed development from a breach event, and that the proposed mitigation measures are more than adequate to deal with the risk. I note that the PA did not raise concerns in relation to potential impacts on adjoining properties as a result of flooding and I see no evidence to support the concerns raised by the observer in this regard.

7.5. **Design and Layout**

7.5.1. The proposal provides for 2 no. 4 storey apartment blocks containing 64 apartments, Block A and Block B which are centrally located within the site with an east – west orientation. 18 no. semi-detached and 2 no. detached two storey dwellings are proposed to the south and northeast of the site. Vehicular access is proposed on the southwest corner off Greenpark Avenue and an internal access road with perpendicular car parking on both sides located along the full extent of the western boundary. An area of green space and playground are located towards the eastern

boundary, directly east of Block A. No details are outlined in relation to communal open space to serve the apartments. Shared car parking bays are located throughout the site to serve houses and apartments. The apartment buildings have a flat roof with a ridge height of 13.98m, material finishes are a mix of smooth plaster and selected brick. Proposed houses are two storeys with a pitched roof with a ridge height of 9.63m.

- 7.5.2. The PA's second refusal reason states that the poor layout proposed fails to respond to the design requirements for placemaking, is considered to be contrary to the SRDCSG's and the Development Management Standards in Chapter 11 of the LDP and the New Residential zoning objective and purpose of the LDP.
- 7.5.3. Having reviewed the drawings and inspected the site, I agree with the PA that the design and layout fails to provide for a high quality of placemaking, in particular as a result of the dominance of carparking and access roads including a large area of hardstanding, the location of open space adjacent to the side elevations of houses, the absence of communal open space to serve apartments, the poor relationship between apartments and houses, and poor legibility/permeability.
- 7.5.4. I note that the current development plan and Ministerial guidelines, including SRDCSG's, emphasise the importance of the creation of quality urban environments and prioritisation of sustainable transport modes. Section 4.4 of the SRDCSG's outlines Key Indicators of Quality Design and Placemaking, including 'Ensuring places are well connected and accessible by sustainable modes' and 'Placing an emphasis on the creation of a coherent urban structure and design approach that responds to local character and is attractive'. Policy and Objective 4.2 of the Compact Settlements Guidelines requires that the key indicators of quality urban design and placemaking set out in Section 4.4 are applied in the consideration of individual planning applications. Development Plan Objective CGR O2 seeks to ensure that all developments are designed to the highest quality with respect to the principles of placemaking, universal design and public realm including the guidance set out under the Urban Design Manual – A Best Practice Guide (2009) and the Design Manual for Urban Roads and Streets (2013). I consider the design and layout fails to provide for a quality urban environment, noting the layout is dominated by roads and car parking resulting in undue prominence of the private car within the public realm (further addressed in Section 7.6 below). In relation to a large area of

hardstanding, it is unclear from the detail submitted how this will act as a pedestrian priority area as stated in the appeal.

- 7.5.5. An area of open space is proposed which includes a playground and sports area to serve the overall development. No dedicated communal amenity space is indicated for apartments. Table DM 2 of the LDP requires 4sqm per residential unit which is stated as not permitted to the side or rear of dwellings. An area of open space measuring 2084 sqm is proposed which is situated adjoining the side of dwellings. I note the PA assessment that it is unclear whether open space requirements as set out in Table DM 2 of the LDP are provided. Given the absence of communal open space to serve apartments I agree with the PA that there is a lack of clarity in relation to open space and I consider the layout of same, located adjoining the side elevations of dwellings, fails to comply with Table DM 2. Each apartment block includes an internal communal space of 14.6sqm at ground floor which I do not consider provides for a sufficient level of amenity for the purpose of communal amenity space. I note that there is no specific requirement in the LDP for communal open space to serve apartments, however the Apartment Guidelines note the importance of well-designed community amenity space in meeting the needs of residents and outline recommended minimum areas for public communal amenity space in Appendix 1. Having regard to the number of apartments proposed and to the size of the site, I consider the failure to provide communal amenity space is unjustified. I consider that any resolution to this matter would require changes to the design and layout of the scheme, which could not be appropriately addressed by means of a condition of permission.
- 7.5.6. I also consider the design of the apartment blocks, as a result of the lack of variety in material finishes on main elevations, results in a poor design response and that the layout of buildings on the site provides for a poor relationship between houses and apartments. In this regard I note that LDP Objective CGR O2 seeks to ensure that all developments are designed to the highest quality with respect to the principles of placemaking, universal design and public realm including the guidance set out under the Urban Design Manual – A Best Practice Guide (2009).
- 7.5.7. Having regard to the foregoing, I concur with the findings of the PA that the design and layout fails to comply with the SRDCSGs and the LDP. In particular I consider the proposal fails to comply with Objective CGR O2 relating to place making and

compliance with DMURS (discussed further in Section 7.6 below) and to the residential development design principles in Section 11.2.1 which places an emphasis on the quality of the residential environment including layout, open spaces, and accessibility.

- 7.5.8. I note the observer's concerns relating to impacts on residential amenity as a result of increased noise and traffic, that the proposal for apartments fails to integrate with the area and that the proposal will contravene the zoning objective as a result of impacts on amenity of adjoining residents. Having regard to the scale of development proposed I am satisfied that the proposal will not give rise to impacts on the amenities of adjoining residents and I do not consider that in principle, the proposal would contravene the residential zoning objectives relating to the site.
- 7.5.9. The proposal for 84 units on a site area of 1.6ha provides for a density of 52 units per ha which the PA considered to be in line with the Development Plan and the SRCSG. I note the concerns raised by the observer in relation to the proposed density; however, I am satisfied that the density is in accordance with the LDP requirement of 45+ dph and the SRCSG recommendation of a minimum of 50 dph.
- 7.5.10. In relation to concerns by the observer that the proposal will result in the residential yield for the Greenpark lands being exceeded, I note that Volume 2a of the LDP outlines an overall estimated residential yield of 379 units and an assumed density of 45+/35+ units per ha. Noting the assumed density and that the residential yield is an estimate, I am satisfied that the proposed number of units are acceptable in this regard.

7.6. Transportation

- 7.6.1. The PA raised concerns in relation to the proposed level of car parking and the PA's third refusal reason considers the proposal would be contrary to the LDP and SPPR 3 of the SRDCSG. In relation to the number of car parking spaces proposed, a revised layout submitted with the appeal reduces the number of car parking spaces from 125 spaces to 115 spaces by omitting 10 no. spaces along the site's western boundary. This results in a total of 1.3 car parking spaces per residential unit. Whilst I note that the revised proposal for 115 no. car parking spaces provides for the maximum number of spaces permitted for residential development in Table 9(a), I note that the number of car parking spaces exceeds the maximum rate set out in

SPPR 3 of SRDCSG of 1 no. space per dwelling. Having regard to the above I agree with the PA's refusal reason in this regard and I consider there remains an exceedance of car parking spaces provided for the proposed development. I note for the Coimisiún that in accordance with the provisions of Section 34 of the Planning and Development Act, when making a decision in relation to an application that includes a residential element the Coimisiún is required to apply the specific planning policy requirements (SPPRs).

7.6.2. The PA raised concerns that the proposal is dominated by car parking and access roads. I note that DMURS outlines guidance relating to on-street car parking in section 4.4.9 and notes that once densities reach 40-50 dwellings per ha (net) the street will become saturated with parking and reduced parking rates (a max of 1.5 per dwelling) and/or supplementary off-street parking will be required and that if parking is over provided it will conflict with sustainability objectives and can be visually dominant. DMURS states that there are a number of measures that should be used by designers to ensure that parking and loading areas are well designed, including to reduce the visual impact of parking the number of parking spaces per bay should generally be limited to six perpendicular spaces and that perpendicular parking should generally be restricted to one side of the street to encourage a greater sense of enclosure and ensure that parking does not dominate the streetscape. I do not consider the revised layout submitted with the appeal satisfactorily addresses this matter. I consider that the design of parking within the proposed development fails to adhere to the design standards set out in DMURS, noting the provision of directly opposing banks of perpendicular parking along the main internal access road and the provision of up to ten parking spaces per bay and with parking dominating the streetscape. I note that the PA did not specifically refer to compliance with DMURS in their assessment, however I note the concerns raised by the PA in relation to the dominance of car parking and I am satisfied that this is not a new issue in the assessment of this appeal as I consider the quantum and overall design of carparking are intrinsically linked.

7.6.3. A pedestrian link is proposed on the northern boundary from the site to the laneway to the north. The laneway is located outside of the red line boundary. At the time of my site inspection the section of laneway adjoining the northern boundary was heavily overgrown with limited accessibility. No details have been submitted in

relation to proposals to make the laneway accessible. Whilst the proposal to enhance pedestrian connectivity and permeability is welcomed, in its current condition I do not consider it appropriate that pedestrian access be available from the site to this laneway. I note that this matter was not raised by the PA, however having regard to the substantive issues raised above I do not consider it necessary to raise this matter as a new issue.

- 7.6.4. A Traffic and Transport Assessment submitted with the planning application states that a new 2m wide footpath is proposed along the front boundary of the development and that this path connects to the existing footpath on Greenpark Avenue. The PA and the observer raise concerns that a footpath indicated on the site layout plan on Greenpark Avenue is not in existence. Having inspected the site and reviewed the file I note that a section of the road approximately 30 metres in length adjacent to the site's southeastern boundary does not contain any footpath and this area is outside of the site boundary. I note that the Site Layout Plan includes a footpath along this section of road. No proposals are included to address this matter and as a result I consider the proposal fails to provide for appropriate pedestrian connectivity on Greenpark Avenue.
- 7.6.5. The Traffic and Transport Assessment also states that safe pedestrian crossings with suitable tactile paving will be provided at all potential road crossing points. In relation to the proposed raised table at the vehicular entrance, I do not see evidence that this will result in a traffic hazard as outlined by the observer, however I do note that it is outside of the redline boundary and as such it is unclear how this will be implemented.
- 7.6.6. Having regard to the scale of development proposed and to the findings of the Traffic and Transport Assessment, I do not agree with the concerns of the observer that the proposal will give rise to impacts on residential amenity as a result of increased traffic levels and associated noise.
- 7.6.7. In relation to the observer's case that consideration should be given to directing traffic from the proposal to the Dock Road, I note that this does not form part of the proposed development and I do not consider this matter is relevant to the assessment of this appeal.

7.6.8. Having regard to my findings above, I agree with the PA's assessment that the proposal is dominated by car parking and roads and I consider the proposal fails to provide for appropriate pedestrian connectivity on Greenpark Avenue, is likely to result in a high proportion of trips by private car, fails to adhere to DMURS and fails to comply with SPPR 3 of SRDCSG and Objective CGR O2 of the LDP.

7.7. **Childcare Facility**

7.7.1. The PA's fourth refusal reason relates to the failure to provide a childcare facility without any justification which is considered contrary to the Childcare Facilities Guidelines and Objective SCSO O14 Childcare Facilities of the Development Plan.

7.7.2. Development Plan Objective SCSO O14 Childcare Facilities states that it is an objective of the Council to encourage the provision of appropriate childcare facilities as an integral part of proposals for new residential developments. The appeal outlines a justification for not providing a childcare facility on the site, including details of existing creche spaces available within 1.5km of the site and reference to a permitted creche on the adjoining site where residential development is currently under construction. The appeal states that a condition could be attached requiring one of the proposed dwellings be replaced with a creche if required.

7.7.3. Limerick Childcare Committee was invited to comment on the appeal and a response received notes that current level of childcare provision in the Greenpark Avenue area is below the EU recommendation, that the demand for childcare will increase as a result of the proposal and as such the need for a childcare facility is clearly established and is in line with current planning guidelines of one childcare facility per 75 dwellings.

7.7.4. I note that a creche with capacity for 65 children was permitted and forms part of the adjoining residential development for 371 residential units currently under construction (ref ABP-311588-21) and the appellant argues that this, along with existing childcare facilities in the area can accommodate childcare demand from the site.

7.7.5. The Apartment Guidelines state that 'notwithstanding the Planning Guidelines for Childcare Facilities (2001), which are subject to review, and which recommend the provision of one child care facility (equivalent to a minimum of 20 child places) for every 75 dwelling units, the threshold for provision of any such facilities in apartment

schemes should be established having regard to the scale and unit mix of the proposed development, the existing geographical distribution of childcare facilities and the emerging demographic profile of the area. One-bedroom or studio type units should not generally be considered to contribute to a requirement for any on-site childcare provision and subject to the factors above, this may also apply in part or whole, to units with two or more bedrooms'. I note that the overall proposal includes a total of 8 no. one bed apartments with the remainder of the units comprising 2 or more bedrooms.

- 7.7.6. I agree with the PA that the proposal is likely to give rise to demand for childcare places and this is confirmed in the submission to the appeal of the Limerick Childcare Committee. I note that LDP Objective SCSi O14 states that it is an objective of the Council to encourage the provision of appropriate childcare facilities and as such I do not consider the absence of a childcare facility to materially contravene Objective SCSi O14. However, I note that Childcare Guidelines recommends the provision of a childcare facility with a capacity of 20 childcare spaces per 75 dwellings units, the Coimisiún is required to have regard to Section 28 guidelines, that the requirements of the guidelines are supported by LDP Objective SCSi O14, and I consider the failure to provide for a childcare facility on the site is unjustified. In relation to the appellant's suggestion that a condition could be attached requiring one of the proposed dwellings be replaced with a creche, I do not consider this appropriate, noting a creche would have different operational requirements which would materially impact the layout, car parking and open space requirements which I do not consider appropriate to address by way of a condition.

7.8. **Ecology**

- 7.8.1. The potential for impacts on Natura 2000 sites is considered separately in Section 8 and Appendix 3 of this report. This section considers the other potential ecological impacts having regard to the concerns raised by the planning authority and observers.
- 7.8.2. The PA's fifth refusal reason includes reference to the absence of an Ecological Impact Assessment and that the PA is not satisfied on the basis of the information provided that the proposed development would not have a significant impact on the

environment which the PA considered to be contrary to Objective EH O3 Ecological Impact Assessment of the Development Plan.

- 7.8.3. Objective EH O3 of the Development Plan states that it is an objective of the Council to require all developments where there are species of conservation concern to submit an ecological assessment of the effects of the development on the site and nearby designated sites, suggesting appropriate mitigation measures and establishing, in particular, the presence or absence of species including otter, badger, bats, lamprey and protected plant species such as the Triangular Club Rush, Opposite Leaved Pond Weed and Flora Protection Order Species generally.
- 7.8.4. The appeal states that a separate ecological report is not required as this issue has been addressed in the AA screening report submitted and that the site is neither pivotal nor integral to habitat diversity of the area given the scale of on-going construction activities.
- 7.8.5. I note that the site is covered in grass and scrub and that boundaries comprise stone walls, mature trees and hedgerows, that the existing pattern of development to the north, south and east comprises existing residential development, that a large residential development is currently under construction to the southwest and there are undeveloped lands to the west. The appellant refers to ecological surveys completed across the entire former racecourse site between June 2020 and August 2021. The PA considered these surveys are out of date.
- 7.8.6. I note that Objective EH O3 of the Development Plan requires all developments where there are species of conservation concern, to submit an ecological assessment. Having regard to the characteristics of the site and surrounding land uses, I consider it reasonable that an ecological assessment be carried out to determine whether species of conservation concern may be present on the site.
- 7.8.7. In relation to the PA's concerns in regard to the reliance on surveys conducted in 2020 and 2021, I note that the Chartered Institute for Ecology and Environmental management (CIEEM, 2019) Advice note on the lifespan of ecological reports and surveys, advises that reports more than three years old may be out of date/ unlikely to still be valid. The likelihood of surveys needing to be updated increases with time and is greater for mobile species such as bats or in circumstances where the habitat or its management has changed significantly since the surveys were undertaken. I

note that the AA Screening Report states that no suitable structures or natural features capable of supporting roosting bats were identified on the proposed development site or on the adjoining lands under the applicant's ownership. Having inspected the site and reviewed the file I note the presence of stone walls and mature trees on site boundaries which require partial removal to facilitate the development proposed. Given that all bat species are listed on Annex IV of the Habitats Directive (species requiring strict protection), in the absence of any information of bat use of the site or any mitigation to prevent impacts, I consider that the application risks not being in alignment with the requirements of Section 51 of the European Communities (Birds and Habitats) Regulations 2011. I consider it appropriate that an updated bat survey be required to determine the presence of bat roosts and mitigation measures if required.

- 7.8.8. Having regard to the above I consider submission of an Ecological Assessment would be appropriate for the site and in the absence of same there is insufficient information on the file for the purposes of an Ecological Impact Assessment. In the absence of same I consider the proposal fails to comply with Objective EH O3 of the Development Plan. I note for the Coimisiún that the PA considered the proposal contrary to this objective and did not consider the proposal would represent a material contravention of the Development Plan. If the Coimisiún decide to grant permission I do not consider this matter represents a material contravention and I do not consider it necessary to justify the proposal having regard to the provisions of Section 37 (2)(b) of the Planning and Development Act.

7.9. **Environmental Impact Assessment**

- 7.9.1. The PA's fifth refusal reason refers to the absence of an Environmental Impact Assessment screening report and states that the Planning Authority are not satisfied on the basis of the information provided that the proposed development would not have a significant impact on the environment. In assessing the proposal, the PA referred to the potential cumulative impact given the proximity of an existing development for 371 units which is currently under construction, the potential presence of ecologically sensitive species including bats and the proximity to features that are connected to Natura 2000 sites. The PA considered that in the absence of this information it cannot be reasonably determined that the proposal would not have a significant effect on the environment.

- 7.9.2. The first party appeal outlines that the proposal falls well below the threshold requiring EIA and that the development under construction to the west has been the subject of environmental assessment which included assessment of cumulative effects.
- 7.9.3. Having regard to Form 2 in Appendix 2 I am satisfied that there is sufficient information on file to conclude no significant impact on the environment and as such I do not consider this aspect of the PA's refusal reason no. 5 is reasonable. I note that the PA's refusal reason considers the proposal is contrary to Objective EH O1 Designated Sites. Objective EH O1 requires developments where there are species of conservation concern, to submit an ecological assessment of the effects of the development on the site and nearby designated sites. I have addressed this matter as it relates to Ecology in Section 7.8 and Appropriate Assessment in Section 8 and Appendix 3 of this report. I consider this matter can be addressed by an Ecological Impact Assessment and Appropriate Assessment and is not reliant on the preparation of an EIA screening report or an EIAR.
- 7.9.4. I also note for the Coimisiún that the PA considered the proposal contrary to objective EH O1 and did not consider the proposal would represent a material contravention of the Development Plan. If the Coimisiún decide to grant permission I do not consider this matter represents a material contravention and I do not consider it necessary to justify the proposal as it relates to Objective EH O1 having regard to the provisions of Section 37 (2)(b) of the Planning and Development Act.

7.10. Other Matters

- 7.10.1. The observer raises concerns that the application site includes lands along the southern boundary of the site which appear to be outside of the applicant's ownership. In this regard, I note that Section 5.13 of the Development Management Guidelines for Planning Authorities (June 2007) states the planning system is not designed as a mechanism for resolving disputes about title to land or premises and these are ultimately matters for resolution in the Courts. I also note that Section 34(13) of the Planning Act (as amended) states that a person is not be entitled solely by reason of a permission to carry out any development. Having regard to the above I do not consider the matter of land ownership is relevant to the assessment of this appeal.

7.10.2. The observer raises concerns that details with respect to swales and SUDS have not been proposed. I note that details submitted in the planning application state that it is proposed that surface water will discharge to an existing filter drain via bioretention swales and that an overflow pipe provided in the swales will discharge surface water via a flow control device to the existing public sewer. Drawings indicate an attenuation tank in the area of open space and permeable paving to parking bays. Whilst I note that there is limited information on the file in relation to surface drainage and SuDS, I note that there is no report on file from the PA Water Services Section and that no concerns were raised in the Planning Officers report and I do not consider the proposal should be refused permission on these grounds.

8.0 AA Screening

8.1. 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 Lower River Shannon SAC (002165) and River Shannon and River Fergus Estuaries SPA (004077) or any other European site, in view of the Conservation Objectives of those site and Appropriate Assessment (and submission of a NIS) is not therefore required.

This determination is based on:

- Information provided in the AA Screening report
- The scale of the development on serviced lands
- Distance from and weak indirect connections to the European sites
- No ex-situ impacts on wintering birds

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

9.0 Recommendation

I recommend that permission be refused for the reasons and considerations set out below.

10.0 Reasons and Considerations

1. The proposal, by means of the inclusion of residential development and associated infrastructure including car parking and access roads to facilitate same, within lands located within Flood zones A and B informed by the Strategic Flood Risk Assessment contained in the Limerick Development Plan (2022-2028), and subject to the Enterprise and Employment zoning objective, would materially contravene the Enterprise and Employment land use zoning objective, Objective ECON O18 and Policy CAF P5 Managing Flood Risk of the Limerick Development Plan (2022-2028), would be contrary to the precautionary approach outlined in the Planning System and Flood Risk Management Guidelines for Planning Authorities and would be contrary to the proper planning and sustainable development of the area.
2. The proposed development, by reason of the design and layout proposed, including excessive car parking spaces and hard standing, proposed layout and design of car parking spaces, proposed layout of public open space and failure to provide for communal open space, and poor pedestrian permeability to the surrounding area, would be contrary to Objective CGR O2 Place-making, Universal Design and Public Realm and the Development Management Standards in Section 11.2.1 of the Limerick Development Plan (2022-2028), fails to comply with Sustainable Residential Development and Compact Settlements Guidelines (2024) SPPR 3 relating to car parking standards and Policy and Objective 4.2 relating to quality urban design and placemaking, fails to comply with the Design Manual for Urban Roads and Streets, 2013 relating to design of car parking spaces, and fails to comply with the Planning Design Standards for Apartments Guidelines for Planning Authorities, 2025 and would be contrary to the proper planning and sustainable development of the area.

3. The proposal, by reason of the failure to provide a Childcare Facility, is considered contrary to the Childcare Facilities – Guidelines for Planning Authorities (2001) and Objective SCS1 O14 Childcare Facilities of the Limerick Development Plan (2022-2028).
4. In the absence of an Ecological Impact Assessment, it is not possible to preclude that the proposed development will not result in impacts on species of conservation concern and the proposal is therefore considered to be contrary to Objective EH O3 Ecological Impact Assessment of the Limerick Development Plan (2022-2028).

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.

Bernadette Quinn
Planning Inspector

25th November 2025

Appendix 1

Form 1 - EIA Pre-Screening

Case Reference	ACP-323458-25
Proposed Development Summary	84 housing units consisting of 20 houses and 64 apartments and all associated site works
Development Address	Greenpark Avenue, South Circular Road, Limerick
In all cases check box /or leave blank	
1. Does the proposed development come within the definition of a 'project' for the purposes of EIA? (For the purposes of the Directive, "Project" means: - The execution of construction works or of other installations or schemes, - Other interventions in the natural surroundings and landscape including those involving the extraction of mineral resources)	<input checked="" type="checkbox"/> Yes, it is a 'Project'. Proceed to Q2.
	<input type="checkbox"/> No, No further action required.
2. Is the proposed development of a CLASS specified in Part 1, Schedule 5 of the Planning and Development Regulations 2001 (as amended)?	
<input type="checkbox"/> Yes, it is a Class specified in Part 1. EIA is mandatory. No Screening required. EIAR to be requested. Discuss with ADP.	State the Class here
<input checked="" type="checkbox"/> No, it is not a Class specified in Part 1. Proceed to Q3	
3. Is the proposed development of a CLASS specified in Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended) OR a prescribed type of proposed road development under Article 8 of Roads Regulations 1994, AND does it meet/exceed the thresholds?	
<input type="checkbox"/> No, the development is not of a Class Specified in Part 2, Schedule 5 or a prescribed type of proposed road	

<p>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 checked="" type="checkbox"/> Yes, the proposed development is of a Class but is sub-threshold.</p> <p>Preliminary examination required. (Form 2)</p> <p>OR</p> <p>If Schedule 7A information submitted proceed to Q4. (Form 3 Required)</p>	<p>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: _____

Appendix 2

Form 2 - EIA Preliminary Examination

Case Reference	ACP-323458-25
Proposed Development Summary	84 housing units consisting of 20 houses and 64 apartments and all associated site works
Development Address	Greenpark Avenue, South Circular Road, Limerick
This preliminary examination should be read with, and in the light of, the rest of the Inspector's Report attached herewith.	
<p>Characteristics of proposed development</p> <p>(In particular, the size, design, cumulation with existing/proposed development, nature of demolition works, use of natural resources, production of waste, pollution and nuisance, risk of accidents/disasters and to human health).</p>	<p>Briefly comment on the key characteristics of the development, having regard to the criteria listed.</p> <p>The development proposed is located on a green field site and comprises the construction of 20 no. 2 storey houses and 64 apartments in two blocks of four storeys. The proposal has a modest footprint, is located adjacent to existing residential development, is not out of context at this suburban location and will not give rise to any significant waste or pollutants. The development, by virtue of its type and scale, does not pose a risk of major accident and/or disaster and presents no risks to human health.</p>
<p>Location of development</p> <p>(The environmental sensitivity of geographical areas likely to be affected by the development in particular existing and approved land use, abundance/capacity of natural resources, absorption capacity of natural environment e.g. wetland, coastal zones, nature reserves, European sites, densely populated areas, landscapes, sites of historic, cultural or archaeological significance).</p>	<p>Briefly comment on the location of the development, having regard to the criteria listed</p> <p>The development is situated on zoned and serviced lands in a populated suburban area on a greenfield site and is located at a remove from sensitive landscapes of significance identified in the DLR CDP 2022-2028.</p> <p>The Lower River Shannon SAC (Site Code 002165) is located approx. 520m west of the site and the River Shannon and River Fergus Estuaries SPA (Site Code 004077) is located 1km west of the site. The Ballynaclogh River is located 390m south of the site.</p> <p>I note that the site is a greenfield site with site boundaries comprising mature trees and hedgerows and stone walls which require partial removal with the potential to result in impacts on bats, see discussion of this matter in section 7.8 of this report and further discussion below.</p>
<p>Types and characteristics of potential impacts</p>	<p>Having regard to the characteristics of the development and the sensitivity of its location, consider the potential for SIGNIFICANT effects, not just effects.</p>

<p>(Likely significant effects on environmental parameters, magnitude and spatial extent, nature of impact, transboundary, intensity and complexity, duration, cumulative effects and opportunities for mitigation).</p>	<p>I am satisfied that sufficient information is on the file to conclude no significant effects on the environment and I do not consider refusal reason no. 5 of the PA is reasonable.</p> <p>Having regard to the modest nature of the proposed development, its location relative to sensitive habitats/features, likely limited magnitude and spatial extent of effects, and absence of in combination effects, there is no potential for significant effects on the environmental factors listed in section 171A of the Act. I consider matters relating to potential ecological impacts can be addressed by way of an Ecological Impact Assessment as discussed in Section 7.8 of this report and I consider there is, otherwise, no real likelihood of significant effects on the environment.</p>
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Conclusion

Likelihood of Significant Effects	Conclusion in respect of EIA
There is no real likelihood of significant effects on the environment.	EIA is not required.
There is significant and realistic doubt regarding the likelihood of significant effects on the environment.	Schedule 7A Information required to enable a Screening Determination to be carried out.
There is a real likelihood of significant effects on the environment.	EIAR required.

Inspector: _____ Date: _____

DP/ADP: _____ Date: _____

(only where Schedule 7A information or EIAR required)

Appendix 3
Screening for Appropriate Assessment
Test for likely significant effects

Step 1: Description of the project and local site characteristics

Brief description of project	84 residential units consisting of 20 houses and 64 apartments and all associated site works.
Brief description of development site characteristics and potential impact mechanisms	<p>The proposal relates to residential development on a greenfield site measuring 1.6ha. The site is located adjacent to existing residential development in a zoned and serviced suburban area characterized by detached and semi-detached dwellings. A development of 371 no. residential units is under construction on adjoining lands to the southwest. Fields covered in grass and scrub are located to the west. Site boundaries comprise stone walls, mature trees and hedgerows.</p> <p>The Lower River Shannon SAC (Site Code 002165) is located approx. 520m west of the site and the River Shannon and River Fergus Estuaries SPA (Site Code 004077) is located 1km west of the site. The Ballynaclogh River is located 390m south of the site. The site survey drawing indicates a drain on the site which is shown extending into the adjoining lands to the west and site levels indicate that the land falls towards the west.</p>
Screening report	Y prepared by EOB Management
Natura Impact Statement	N
Relevant submissions	<p>A third-party observation raises concerns regarding the accuracy of the AA Screening Report and questions the qualifications of the author, refers to outdated survey results, that the screening report cites mitigation measures and that cumulative impacts have not been considered.</p> <p>The PA's fifth reason for refusal refers to the absence of a NIS and concern in relation to potential significant impacts on designated sites.</p>

Step 2. Identification of relevant European sites using the Source-pathway-receptor model

European Site (code)	Qualifying interests ¹ Link to conservation objectives (NPWS, date)	Distance from proposed development (m)	Ecological connections ²	Consider further in screening ³ Y/N
Lower Shannon River SAC (Site Code: 002165)	<p>Sandbanks which are slightly covered by sea water all the time [1110]</p> <p>Estuaries [1130]</p> <p>Mudflats and sandflats not covered by seawater at low tide [1140]</p> <p>Coastal lagoons [1150]</p> <p>Large shallow inlets and bays [1160]</p> <p>Reefs [1170]</p> <p>Perennial vegetation of stony banks [1220]</p> <p>Vegetated sea cliffs of the Atlantic and Baltic coasts [1230]</p> <p>Salicornia and other annuals colonising mud and sand [1310]</p> <p>Atlantic salt meadows (Glaucopuccinellietalia maritimae) [1330]</p> <p>Mediterranean salt meadows (Juncetalia maritimi) [1410]</p> <p>Water courses of plain to montane levels with the Ranunculion fluitantis and Callitriche-Batrachion vegetation [3260]</p>	520m	<p>No spatial overlap, therefore no direct connection with this SAC.</p> <p>The site does not support the habitats relevant to this SAC.</p> <p>Potential weak indirect hydrological connection to the Ballynaclogh River via surface water networks.</p>	Y

	<p>Molinia meadows on calcareous, peaty or clayey-silt-laden soils (Molinion caeruleae) [6410]</p> <p>Alluvial forests with Alnus glutinosa and Fraxinus excelsior (Alno-Padion, Alnion incanae, Salicion albae) [91E0]</p> <p>Margaritifera margaritifera (Freshwater Pearl Mussel) [1029]</p> <p>Petromyzon marinus (Sea Lamprey) [1095]</p> <p>Lampetra planeri (Brook Lamprey) [1096]</p> <p>Lampetra fluviatilis (River Lamprey) [1099]</p> <p>Salmo salar (Salmon) [1106]</p> <p>Tursiops truncatus (Common Bottlenose Dolphin) [1349]</p> <p>Lutra lutra (Otter) [1355]</p>			
<p>River Shannon and River Fergus Estuaries SPA (Site Code 004077)</p>	<p>Cormorant (Phalacrocorax carbo) [A017]</p> <p>Whooper Swan (Cygnus cygnus) [A038]</p>	<p>1km</p>	<p>No spatial overlap, therefore no direct connection with this SPA.</p> <p>The site does not support the species or habitats relevant to this SPA.</p>	<p>Y</p>

Link to Conservation Objectives: [Site specific cons obj](#)

	<p>Light-bellied Brent Goose (Branta bernicla hrota) [A046]</p> <p>Shelduck (Tadorna tadorna) [A048]</p> <p>Teal (Anas crecca) [A052]</p> <p>Pintail (Anas acuta) [A054]</p> <p>Scaup (Aythya marila) [A062]</p> <p>Ringed Plover (Charadrius hiaticula) [A137]</p> <p>Golden Plover (Pluvialis apricaria) [A140]</p> <p>Grey Plover (Pluvialis squatarola) [A141]</p> <p>Lapwing (Vanellus vanellus) [A142]</p> <p>Knot (Calidris canutus) [A143]</p> <p>Dunlin (Calidris alpina) [A149]</p> <p>Black-tailed Godwit (Limosa limosa) [A156]</p> <p>Bar-tailed Godwit (Limosa lapponica) [A157]</p> <p>Curlew (Numenius arquata) [A160]</p> <p>Redshank (Tringa totanus) [A162]</p>		<p>Potential weak indirect hydrological connection to the Ballynaclogh River via surface water networks.</p>	
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	<p>Greenshank (Tringa nebularia) [A164]</p> <p>Black-headed Gull (Chroicocephalus ridibundus) [A179]</p> <p>Wigeon (Mareca penelope) [A855]</p> <p>Shoveler (Spatula clypeata) [A857]</p> <p>Wetland and Waterbirds [A999]</p>			
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Link to Conservation Objectives: [Site specific cons obj](#)

Step 3. Describe the likely effects of the project (if any, alone or in combination) on European Sites

- In relation to potential discharge / run off of surface waters containing sediment, silt, oils and / or other pollutants during the construction phase from the proposed development site to the SAC and SPA, I note construction mitigation measures proposed which the CEMP states are standard best practice site construction measures, which are applied in accordance with best practice guidelines; *Environmental Good Practice on site guide (5th edition) CIRIA 2023*. The applicant's AA Screening Report conclusion states that no likely significant effects are anticipated as a result of the proposed development due to the relatively minor scale of the works, the construction phase site management approach (in the OCEMP) and the proposed connection to existing services. I am satisfied that mitigation measures are standard measures that are not relied upon to prevent pollution entering nearby watercourses including the Ballynaclogh River.
- Having regard to the significantly modified habitat in the intervening area between the proposed development site and the receiving river (comprising residential development currently under construction) which would attenuate / divert surface water I am satisfied that significant effects are unlikely.
- The AA Screening Report states that no open drains or watercourses intersect or closely adjoin the application site. I note the presence of a drain as indicated on the Site Survey drawing which is located partially within the site and partially on the adjoining site and which appears to be an artificial drain associated with the former racecourse whereon residential development is currently under construction. I consider there is no potential hydrological connection via this drain from the site to nearby watercourses.
- I am satisfied that the AA Screening report prepared by the applicant has given adequate consideration to planned or proposed projects in the area and that the proposal is not likely to give rise to significant in combination effects.

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 European sites. No further assessment is required for the project.

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 Lower River Shannon SAC (002165) and River Shannon and River Fergus Estuaries SPA (004077) or any other European site, in view of the Conservation Objectives of those site and Appropriate Assessment (and submission of a NIS) is not therefore required.

This determination is based on:

- Information provided in the AA Screening report
- The scale of the development on serviced lands
- Distance from and weak indirect connections to the European sites
- No ex-situ impacts on wintering birds

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

Appendix 5: WFD IMPACT ASSESSMENT STAGE 1: SCREENING

Step 1: Nature of the Project, the Site and Locality

An Coimisiún Pleanála ref. no.	ACP-323458-25	Townland, address	Greenpark Avenue, South Circular Road, Limerick
Description of project		84 housing units consisting of 20 houses and 64 apartments and all associated site works.	
Brief site description, relevant to WFD Screening,		The site has an area of 1.6 hectares, is located on a relatively flat site with the topography undulating down from east to west. The site is approximately 2 km southwest of Limerick City Centre. The area is characterised by residential uses to the east and south, residential development under construction to the west, and agricultural land to the west. The site is covered in grass and scrub vegetation. Part of the site is located within Flood Zone A and Flood Zone B. The site survey drawing indicates the presence of a drain on the site which extends into the adjoining lands to the west. Site levels fall from east to west.	
Proposed surface water details		Proposed SuDS and connection to mains.	
Proposed water supply source & available capacity		Proposed connection to mains.	

Proposed wastewater treatment system & available capacity, other issues	Proposed connection to mains sewer.
Others?	

Step 2: Identification of relevant water bodies and Step 3: S-P-R connection

Identified water body	Distance to (m)	Water body name(s) (code)	WFD Status	Risk of not achieving WFD Objective e.g.at risk, review, not at risk	Identified pressures on that water body	Pathway linkage to water feature (e.g. surface run-off, drainage, groundwater)
River	Located 390 m south of the site	BALLYNACLOG H_010 IE_SH_24B0408 00	Moderate	Review	None	Potential for surface water drainage
Groundwater Waterbody	Underlying site	Limerick City Southwest IE_SH_G_141	Good	At risk	Agriculture	Surface water run-off to groundwater

Step 4: Detailed description of any component of the development or activity that may cause a risk of not achieving the WFD Objectives having regard to the S-P-R linkage.

CONSTRUCTION PHASE

No.	Component	Water body receptor (EPA Code)	Pathway (existing and new)	Potential for impact/ what is the possible impact	Screening Stage Mitigation Measure*	Residual Risk (yes/no) Detail	Determination** to proceed to Stage 2. Is there a risk to the water environment? (if 'screened' in or 'uncertain' proceed to Stage 2.
1.	Site clearance /construction	BALLYNAC LOGH_010	Hydrological pathway across site	Water Pollution by siltation and/or chemicals	Standard best construction; Construction, demolition and environmental management plan (condition)	No	Screened out
2.	Site clearance /construction	Limerick City Southwest	Drainage through soil/bedrock	Hydrocarbon and other spillages	Standard best construction; Construction, demolition and environmental	No	Screened out

					management plan (condition)		
OPERATIONAL PHASE							
4.	Surface water run-off	BALLYNAC LOGH_010	Hydrological pathway across site	Surface water run-off	Drainage collection and disposal measures (silt collector / petrol bypass, SUDS measures to collect clean storm water and discharge to SW main drain)	No	Screened out
5.	Groundwater discharge	Limerick City Southwest	None	Surface water run-off to groundwater	Drainage collection and disposal measures (silt collector / petrol bypass, SUDS measures to collect clean	No	Screened out

					storm water and discharge to SW main drain).		
DECOMMISSIONING PHASE							
7.	N/A	N/A	N/A	N/A	N/A	N/A	N/A