



Inspector's Report ABP-323894-25

Development	Proposed Redevelopment of Newcastle West Wastewater Treatment Plant (WwTP)
Location	Newcastle West, Co. Limerick
Planning Authority	Limerick City & County Council
Type of Application	Pre-Application Consultation under Section 37B of the Planning and Development Act 2000, as amended.
Prospective Applicant	Uisce Éireann
Date of Site Inspection	30 th May 2026
Inspector	Donal Donnelly

1.0 Introduction

- 1.1. The Commission received a request dated 20th November 2025 to enter into pre-application consultations under Section 37B of the Planning and Development Act, 2000, as amended, in relation to the proposed redevelopment of Newcastle West Wastewater Treatment Plant (WwTP), in County Limerick.
- 1.2. The prospective applicant sought closure of the pre-application consultation by correspondence dated 19th May 2026.

2.0 Site Location

- 2.1. The subject site is located in the townland of Cloonyscrehane to the south-east of Newcastle West, Co. Limerick. The site comprises the Newcastle West Wastewater Treatment Plant and adjoining lands to the south. The lands are located between the R520 and R522 regional roads. A stream traverses the site which joins with the River Arra downstream before discharging into the River Deel approximately 300m east of the wastewater treatment plant. The subject site boundary also extends east as far as the River Deel. The site is located within a fluvial floodplain.

3.0 Description of the Proposal

- 3.1. Treated sewage from the treatment plant currently discharges via a gravity 900mm diameter pipeline into the River Deel. The treatment plant has a Population Equivalent of 12,368 and serves the Newcastle West agglomeration / catchment area. The WwTP is currently operating over capacity. The redevelopment of the WwTP will provide for a P.E. of 23,700 over the 25-year design period and will include the following:
 - New inlet works (42x10m)
 - New storm tank (41x17m)
 - New Activated Sludge Plant (ASP) tank (29x55m)
 - Two new Final Settlement Tanks (33.9m diameter)
 - New picket fence thickener (11.6m diameter)

- New sludge dewatering building (19.3x10m)
- Refurbished control building
- New final effluent/storm pumping station
- Compensatory flood storage on an adjacent site
- A new 350m outfall to the River Deel (replacing existing)
- All associated works

3.2. The existing plant can continue to operate during construction works. Compensatory flood storage will be required to balance the total volume that will be lost through infilling where the floodplain provides static storage.

4.0 Planning History

Limerick County Council Reg. Ref: 171207

4.1. Permission granted on site for 30 KW of ground mounted solar panels and all associated works.

5.0 Precedent Decisions

5.1. The following relevant Strategic Infrastructure Development cases are referenced by the applicant in the submission to the Commission.

Reference	Description	Decision	Location
ABP-301798-18	10-year permission for development of the Ringsend wastewater treatment plant upgrade project including a regional biosolids storage facility	Permission granted	Ringsend Wastewater Treatment Plant, Pigeon House Road, Dublin 4
ABP-312131-21	Greater Dublin Drainage Project consisting of a new wastewater treatment plant, sludge hub centre, orbital sewer, outfall pipeline and regional biosolids storage facility.	Permission granted	County Fingal and Dublin City

ABP-316168-23	Proposed upgrade of the existing Castletroy Wastewater Treatment Plant	Permission granted	Dromore, Castletroy, County Limerick
ABP-302556-18	Wastewater Treatment Plant	Permission granted	Arklow, Tinahask Lower and Ferrybank, Co. Wicklow

5.2. The following other relevant precedents are contained in the Commission's records:

Reference	Description	Decision	Location
ABP-310202-21	Proposed upgrade to Limerick (Bunlicky) Wastewater Treatment Plant	Consultation has yet to be concluded	Ballykeeffe, Limerick
ABP-306719-20	Extension and upgrade of an existing 5,850 p.e. (approx.) wastewater treatment plant to approximately 14,000 p.e. within the existing site boundary.	Withdrawn	Market Street, Kenmare, Co. Kerry
ABP-311036-21	Proposed upgrade to Nenagh Wastewater Treatment Plant to increase the capacity from the current 12,000 to 22,042 P.E.	Is not Strategic Infrastructure Development	Lower Birr Road, Nenagh, Co. Tipperary
ABP-310201-21	Proposed upgrade of an existing wastewater treatment plant from 39,000 P.E. to 75,500 P.E.	Is a Strategic Infrastructure Development	Castletroy, Co. Limerick
ABP-310980-21	Upgrade of an existing Waste Water Treatment Plant (36,000 P.E. to 58,000 P.E.) at Mortarstown Co Carlow and the upgrade of an existing waste water pumping station, Kilkenny Road Carlow.	Is a Strategic Infrastructure Development	Mortarstown and Kilkenny Road, Co. Carlow
ACP-323900-25	Proposed upgrades to Limerick Wastewater Treatment Plant and Regional Bioresource Centre. The existing design capacity of the plant is 130,000 PE and it is	No decision at the time of writing	Bunlicky, Co. Limerick

	intended to upgrade the plant to 285,000 PE, with provision to meet the +25 -year growth projections of 325,000 PE .		
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6.0 Pre-Application Consultation Meetings Held

6.1. A pre-application consultation meeting was held on 25th March 2026. A record of the meeting and the prospective applicant’s presentation is on file for the Commission to consider. The main points discussed were:

- There is a Monument and associated Zone of Notification (ZoN) within the site boundary. An additional monument is located near to the site in an adjacent field. Its ZoN extends within the site boundary.
- Due to the potential for hydrological connections and the proximity of Ehernagh Stream / Deel River, an Appropriate Assessment Screening will be undertaken to determine the requirement for Appropriate Assessment.
- EIA Screening Report has concluded that an EIA is required for the proposed development being of a class listed in Schedule 5, Part 2, 11(c) of the Planning and Development Regulations 2001 (as amended) (i.e., a WwTP with a capacity greater than 10,000PE).
- Objective IUO2 of the Newcastle West Local Area Plan seeks to “*ensure adequate wastewater infrastructure is available to cater for existing and proposed development, in collaboration with Uisce Éireann, avoiding any deterioration in the quality of receiving waters and ensuring discharge meets the requirements of the Water Framework Directive.*” WwTP needs to be upgraded to ensure compliance with the WFD.
- Proposed Development has been subject to Justification Test and Stage 3 FRA (with modelling). Compensatory flood storage will be provided in adjacent field, away from built infrastructure.
- Planning and Development Act 2024 Section 82(1)(b)(i) confirms that “*strategic infrastructure development means a development specified in Schedule 1*”. The

relevant provision in the First Schedule of the 2024 Act is Part 3(f) under the heading of Environmental Infrastructure which states: *‘a waste water treatment plant with a capacity greater than a population equivalent of 10,000 and, for the purpose of this provision, “population equivalent” shall be construed in accordance with paragraph 6 of Article 2 of Council Directive 91/271/EEC of 21 May 1991 concerning urban waste water treatment.’*

- Notwithstanding the above, the Commission’s representatives advised that they were of the preliminary views at the proposed development does not constitute SID; however, it was advised that the final decision lies with the Commission.

7.0 Legislation

7.1. Planning and Development Act 2000 (as amended)

7.1.1. Section 2(1) of the Planning and Development Act 2000, as amended (‘the Act’), defines ‘strategic infrastructure’ as including, inter alia:

(a) any proposed development in respect of which a notice has been served under section 37B(4)(a),

7.1.2. Section 37A of the Act states that:

(1) An application for permission for any development specified in the Seventh Schedule (inserted by the Planning and Development (Strategic Infrastructure) Act 2006) shall, if the following condition is satisfied, be made to the Commission under section 37E and not to a planning authority.

(2) That condition is that, following consultations under section 37B, the Commission serves on the prospective applicant a notice in writing under that section stating that, in the opinion of the Commission, the proposed development would, if carried out, fall within one or more of the following paragraphs, namely—

(a) the development would be of strategic economic or social importance to the State or the region in which it would be situate,

- (b) the development would contribute substantially to the fulfilment of any of the objectives in the National Planning Framework or in any regional spatial and economic strategy in force in respect of the area or areas in which it would be situate,
- (c) the development would have a significant effect on the area of more than one planning authority.

7.1.3. The current SID thresholds are set out within the Seventh Schedule of the Planning and Development Act 2000, as amended. The relevant provision in the Seventh Schedule of the Act is Part 3 under the heading of Environmental Infrastructure which states: *'Development comprising or for the purposes of the following: A waste water treatment plant with a capacity greater than a population equivalent of 10,000'*

7.2. Environmental Impact Assessment

7.2.1. Section 37E(1) of the Planning and Development Act, 2000, as amended requires that an application for permission for development in respect of which a notice has been served under section 37B(4)(a) shall be made to the Commission and shall be accompanied by an environmental impact assessment report in respect of the proposed development.

7.3. Appropriate Assessment

- 7.3.1. The nearest Natura 2000 site is the Stack's to Mullaghareirk Mountains, West Limerick Hills and Mount Eagle SPA c. 6.09km west/ south-west of the site at its nearest point. The Lower River Shannon SAC is c. 9.78km to the west/ south-west.
- 7.3.2. The applicant intends to undertake an Appropriate Assessment Screening to determine the requirement for submission of an Natura Impact Statement.

8.0 Assessment

8.1. Seventh Schedule Development

- 8.1.1. The proposed development will comprise of the redevelopment of Newcastle West Wastewater Treatment Plant to increase the capacity from a Population Equivalent of 12,368 to a P.E. of 23,700.
- 8.1.2. The current SID thresholds are set out within the 7th Schedule of the Planning and Development Act 2000, as amended. The relevant threshold for the proposed project is *'Development comprising or for the purposes of the following:*
- A waste water treatment plant with a capacity greater than a population equivalent of 10,000'*
- 8.1.3. Having regard to the proposal to increase the capacity by over 10,000 P.E., I am satisfied that the development accords with Section 37A(1) of the Act.

8.2. Section 37A(2) Criteria

- 8.2.1. Under Section 37A(2), the proposed development must also fall within one or more of the following conditions:
- (a) the development would be of strategic economic or social importance to the State or the region in which it would be situate:**
- 8.2.2. The proposed development would give rise to an increase in capacity at Newcastle West Wastewater Treatment Plant of 11,332 P.E. The prospective applicant submits that the treatment plant is currently operating over capacity and needs to be upgraded to ensure compliance with the Wastewater Directive. Furthermore, it is highlighted that the increased capacity is required to cater for expanding population growth. The proposal provides for this growth with a 20% headroom.
- 8.2.3. Newcastle West is one of eight Key Towns¹ identified in the Regional Spatial and Economic Strategy for the Southern Region as *"strategically located urban centres with accessibility and significant influence in a sub-regional context."* The population growth that the proposed development will facilitate is not therefore of regional or

¹ Killarney, Mallow, Nenagh, Thurles, Newcastle West, Clonakilty, Dungarvan, Gorey

national significance given the sub-regional context of Newcastle West. This is also supported by the proposed uplift in capacity of the existing treatment plant of 11,332 in the context of a targeted wider population increase in the region of 340,000 - 380,000 over the lifetime of the RSES.

- 8.2.4. Wastewater Assimilative Capacity (WAC) calculations for the proposed development have determined that a more stringent discharge consent is required to ensure compliance with the Urban Wastewater Treatment Directive. I acknowledge the importance of these environmental standards; however, I do not consider that the proposed upgrade is of strategic economic or social importance to the State or the region given that Uisce Éireann operate over 1,000 public wastewater treatment plants.
- 8.2.5. Having regard to the national and regional policy context and the details of the subject proposal outlined above, I am satisfied that the development would not be of strategic economic importance to the State and the Region and would not, therefore, comply with the condition set out in section 37A(2)(a) of the Act.

(b) the development would contribute substantially to the fulfilment of any of the objectives in the National Planning Framework or in any regional spatial and economic strategy in force in respect of the area or areas in which it would be situate,

- 8.2.6. National Policy Objective 92 of the National Planning Framework – First Revision seeks to *“ensure the alignment of planned growth with the efficient and sustainable use and development of water resources and water services infrastructure, in order to manage and conserve water resources in a manner that supports a healthy society, economic development requirements and a cleaner environment.”*
- 8.2.7. National Strategic Outcome 9 refers to the policy objectives and priorities of the Government regarding the provision of water services to include the following:
- Bringing and maintaining public water and wastewater services to acceptable international benchmarks, verified by independent monitoring and reporting.
 - Ensuring that public and private water services investment decisions are aligned with the broad strategic aims of the NPF.

- Devising detailed network and capacity assessments to support the provision of water services infrastructure that facilitates housing and economic development in the priority towns and urban areas identified in the Regional Spatial and Economic Strategies, in order to ensure plan-led development decisions are underpinned by coordinated investment plans; and
- Supporting the growth of identified settlements where these are prioritised in development plan core strategies at a county/city level.

8.2.8. As noted in the preceding section, one of the reasons for the proposed development is to facilitate compliance with discharge standards and the requirements under the Urban Wastewater Treatment Directive. In this regard, the proposal would comply with National Strategic Outcome 9 and the aim of bringing and maintaining public water and wastewater services to acceptable international benchmarks. This objective, however, is broad and strategic in nature and there is no specific reference to Newcastle West.

8.2.9. With respect to the facilitation of housing and economic development in the priority towns and urban areas identified in the Regional Spatial and Economic Strategies, as noted above, Newcastle West performs a sub-regional role, and the population increase that the proposed development would accommodate is not of significant national or regional scale. It is an objective to strengthen the role of the Limerick-Shannon Metropolitan Area as an international location of scale, a complement to Dublin and a primary driver of economic and population growth in the Southern Region. Any upgrade to wastewater facilities that would facilitate the growth of the metropolitan area might substantially fulfil the strategic growth and development of the Limerick-Shannon Metropolitan Area Spatial Plan. Newcastle West, however, lies outside of the metropolitan area. Overall, the proposed development cannot reasonably be considered to be such as to contribute substantially to the fulfilment of the objectives set out in the NPF as they relate to population and settlement.

8.2.10. The RSES includes a number of general policy objectives related to compliance and investment in water/wastewater facilities, including Regional Policy Objectives, RPO 211, RPO 212 and RPO 214. However, none of these objectives make specific reference to Newcastle West. RPO22 seeks *“to support the delivery of the infrastructural requirements identified for Newcastle West subject to the outcome of*

the planning process and environmental assessments". This would not be considered a dedicated regional policy objective and is one of a number of such policies relating to key towns.

8.2.11. Having regard to the above, I am satisfied that the development would not meet relevant national policy objectives of the NPF and would not serve to fulfil the relevant regional policy objectives of the RSES for the Southern Regional Assembly. The development would not, therefore, satisfy the requirement set out in section 37A(2)(b) of the Act.

(c) the development would have a significant effect on the area of more than one planning authority.

8.2.12. The site of the proposed development is located such that it is not located close to the boundary with any other planning authority. The closest boundary is Cork County Council which is located approximately 12.65km from the site. The proposed wastewater treatment plant upgrade would not serve lands outside of the administrative area of Limerick City and County Council.

8.2.13. On this basis, I am satisfied that the proposed development would not have a significant effect on the area of more than one planning authority. Accordingly, I am of the opinion that the proposal would not come within the scope of this requirement to be considered as complying with section 37A(2)(c) of the Act.

8.3. Prescribed Bodies

8.3.1. In view of the scale, nature, and location of the proposed development, as described in this report, it is recommended that the prospective applicant should consult with the prescribed bodies listed in the attached Appendix in respect of any future application for approval.

8.3.2. **Note:** The prospective applicant should be advised to submit a standalone document (which may form part of the EIAR) with the planning application, which outlines the mitigation measures, in the interest of convenience and ease of reference.

9.0 Recommendation

Based on the foregoing assessment, it can be concluded that the proposed development would exceed the threshold set out in the Seventh Schedule of the Planning and Development Act 2000, as amended, and therefore satisfies Section 37A(1) of the Act. However, it can also be concluded that the development is not of strategic importance by reference to the requirements of Section 37A(2)(a), Section 37A(2)(b) and Section 37A(2)(c) of the Act.

I recommend that the Commission serve a notice on the prospective applicant, pursuant to Section 37(B)(4) of the Planning and Development Act 2000, as amended, stating that it is of the opinion that the proposed development does not constitute a strategic infrastructure development within the meaning of Section 37A of the Act for the reasons and considerations set out below.

REASONS AND CONSIDERATIONS

Having regard to the size, scale and location of the proposed wastewater treatment plant, and to the policy context, it is considered that the proposed development comprising an upgrade of said treatment plant on a site at Cloonyscrehane, Co Limerick constitutes development that falls within the definition of *'Development comprising or for the purposes of the following: A waste water treatment plant with a capacity greater than a population equivalent of 10,000'* in the Seventh Schedule of the Planning and Development Act 2000, as amended, and thereby would satisfy the requirements set out in Section 37A(1) of the Act. However, the proposed development would not be considered to be of strategic importance by reference to the requirements of Section 37A(2)(a), 37A(2)(b) and 37A(2)(c) of the Planning and Development Act 2000, as amended.

An application for permission for the proposed development must therefore be made in the first instance to Limerick City and County Council.

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.

Donal Donnelly
Senior Planning Inspector

31st May 2026

Appendix 1 - Prescribed Bodies

The following is a schedule of prescribed bodies considered relevant for the purposes of Section 37E (3) (c) of the Principal Act.

- i. Minister for Housing, Local Government and Heritage
- ii. Minister for Climate, Energy and Environment
- iii. Limerick City and County Council
- iv. South-Western Regional Assembly
- v. Commission for Regulation of Utilities
- vi. Marine Area Regulatory Authority
- vii. Health Service Executive Environmental Protection Agency
- viii. Inland Fisheries Ireland
- ix. Transport Infrastructure Ireland
- x. The Heritage Council
- xi. An Taisce
- xii. An Chomhairle Ealaíon
- xiii. Failte Ireland
- xiv. Health and Safety Authority
- xv. Geological Survey of Ireland
- xvi. Office of Public Works

Further notifications should also be made where deemed appropriate.