



<b>Development</b>	Modifications to warehouse and associated site works
<b>Location</b>	Ballyclogh Road & Cloghacloka Road, Raheen Business Park, Raheen, Co Limerick
<b>Planning Authority</b>	Limerick City and County Council
<b>Planning Authority Reg. Ref.</b>	2560995
<b>Applicant(s)</b>	Regeneron Ireland DAC
<b>Type of Application</b>	Permission
<b>Planning Authority Decision</b>	Grant
<b>Type of Appeal</b>	Third Party
<b>Appellant(s)</b>	Tom Ryan
<b>Observer(s)</b>	None
<b>Date of Site Inspection</b>	29 <sup>th</sup> April 2026
<b>Inspector</b>	Clare Clancy

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## 1.0 Site Location and Description

1.1. The appeal site is located in the south western corner of the Raheen Business Park approx. 5.8 km to the southwest of Limerick city centre, as the crow flies. The site which has a stated area of 2.330 ha contains an existing large single storey warehouse unit. The Cloughacloka Road bounds the site to the southeast from which the site has 3 no. access onto. Loughmore Avenue bounds the site to the northeast, and the Ballyclogh Road bounds the site to the northwest which the site also has a further 2 no. access onto. The R510 Ballycummin Avenue road is located to the southwest which connects to the M20 motorway which is located to the south/ southeast of the Raheen Business Park.

## 2.0 Proposed Development

2.1. The proposed development consists of additions, alterations and modifications to the existing warehouse facility which comprises of the following elements:

- Single storey firewater pumphouse (108 m<sup>2</sup>) and 2 no. water storage tanks.
- Canopy over dock area of existing facility.
- 2 no. backup generator buildings (47 m<sup>2</sup> each), and associated flues 13 m in height and a fuel store.
- Perimeter fencing approx. 3.0 m high.
- 5 no. new access gate at existing access points to the site.
- 3 no. ground mounted and illuminated signage to be located in the northern corner, southeastern corner and adjacent to the existing access from Cloughacloka Road.
- Modifications to underground utilities, site lighting, internal roads, footpaths and all associated site works.

2.2. The following is noted:

- Appeal site has a stated area of 2.330 ha.
- Gross floor area of proposed works – 207 m<sup>2</sup>.

- Site is connected to public water and sewer mains.
- Surface water discharges to Raheen Business Park drainage system.

2.3. Documents lodged with the application include:

- Planning Statement (TBP Planning & Development Consultants)
- Appropriate Assessment Screening (Moore Group Environmental Services)
- EIA Screening Report (Trinity Consultants)

2.4. Following a request for further information, the following documents were submitted:

- Revised Appropriate Assessment Screening (Moore Group Environmental Services dated 10<sup>th</sup> December 2025).
- Revised Site Layout Plan providing for bicycle entrance parking and shelter and pedestrian turnstile.

### 3.0 **Planning Authority Decision**

#### 3.1. **Decision**

3.1.1. Following a request for further information, by Order dated 25<sup>th</sup> November 2025, Limerick City and County Council decided to grant permission subject to 8 no. conditions. The following conditions are noted:

- Condition 4 – pre-development condition regarding design details for the proposed bicycle shelter.
- Condition 5 – relates to management of sightlines in relation to proposed landscaping.
- Condition 7 – only the signage shown on the approved drawings is permitted.
- Condition 8 – requires the installation of full retention interceptors in lieu of the by-pass interceptors.

#### 3.2. **Planning Authority Reports**

##### 3.2.1. Planning Reports

Two planning report forms the basis of the assessment and recommendation.

### First Planning Report (24/11/2025)

- The principle of the proposed development was acceptable having regard to the zoning objective for the site.
- No issues were raised regarding the proposed modifications and additions to the existing facility.
- The proposed signage, lighting within the site and perimeter fencing were considered to be acceptable.
- The Appropriate Assessment Screening Report identified a hydrological connection from the Barnakyle River to the Lower River Shannon SAC and clarification was required in relation to whether surface water is being directed to Bunlickey wastewater treatment plant or the Barnakyle River. Further information (FI) was recommended to address same. In addition, further details were sought on the use of existing urban drainage systems or other means to indicate that there is no hydrological connection to the Barnakyle waterbody.
- Revised proposals were sought to address pedestrian and cycle access via Ballyclough and Cloghaclocka roads and provision for bicycle parking within the site.

### Second Planning Report (22/10/2025)

- A revised Appropriate Assessment Screening was provided whereby it was confirmed that there is no direct connectivity between the subject site as a result of the proposal to install Class 1 bypass hydrocarbon interceptors for outfalls from all trafficked areas of the site. The planning officer considered that such interceptor devices are best practice and standard measures for a proposal of this type, and noted the proposal should make use of a full retention interceptor to deal with worst case heavy precipitation events. A condition was recommended in regard to same. Notes that the council ecologist was satisfied with the conclusions of the screening report and that the development could be screened out.
- Revised proposals regarding bicycle parking and pedestrian and bicycle access were considered to comply with Table DM 9 of the development plan.

- Noted the decision of the Commission ACP Ref.323638-25 but was satisfied that the proposed development is on a developed site and would not increase the existing hardstanding area and consequently, the requirement for stormwater drainage calculations was not required.

### 3.2.2. **Other Technical Reports**

- Fire & emergency Department – No objection raised.
- Mid West National Road Design Office – No objection raised.
- Heritage Officer – Recommended FI in regard to the use of existing urban drainage systems to demonstrate that there is no hydrological connection to the Barnakyle River.
- Roads Department – No objection raised subject to conditions related to maintained of sightlines, road markings and surface water management.
- Ecologist – Noted that the conclusion of the AA Screening report was accurate in terms of any potential impacts to the Shannon based European sites and could be screened out. Was satisfied that the proposed bypass interceptors are best practice and a standard measure for the development proposed, and recommended the installation of full retention interceptors in place of bypass interceptors to address worst case scenario heavy precipitation events.

### 3.2.3. **Prescribed Bodies**

- Transportation Infrastructure Ireland – No objection subject to regard to the provisions of official policy for development proposals impacting national roads as per the DoECLG Spatial Planning and National Roads Guidelines for Planning Authorities.

### 3.3. **Third Party Observations**

One Third Party observation was received from Tom Ryan. The issues raised are similar to those raised in the grounds of appeal.

## 4.0 **Planning History**

Appeal Site – most recent:

- P.A. Ref. 17/233 – Granted permission for 2 no. lorry loading bays (14/06/2017).
- P.A. Ref. 08/704 – Permission granted for installation of a 54,000 litre overground fuel storage tank, two fuel dispensing pumps and card reader, construction of a new concrete pump island, concrete apron, new petroleum/oil interceptor and associated drainage and ground works (03/07/2008).

Adjoining the Site – most recent:

*To Southwest*

- P.A. Ref. 25/60418, ACP Ref. PL-500244-LK-25 – Granted permission for an industrial unit and two warehouse units NIS submitted (23/03/2026).

*To West*

- P.A. Ref. 24/60921, ABP Ref. 322560-25 – Granted permission for a storage and distribution warehouse building NIS submitted (19/09/2025).

*To Northwest*

- P.A. Ref. 24/220, ABP Ref. 320261-24 – Permission granted for palisade fencing and access point (19/11/25).

## 5.0 Policy Context

### 5.1. National Policy

➤ **Climate Action Plan 2025**

- The Climate Action Plan 2025 (CAP25) is the third Climate Action Plan to be prepared under the Climate Action and Low Carbon Development (Amendment) Act 2021.
- The purpose of the Climate Action Plan is to lay out a roadmap of actions which will ultimately lead us to meeting our national climate objective of pursuing and achieving, by no later than the end of the year 2050, the transition to a climate resilient, biodiversity rich, environmentally sustainable and climate neutral economy. It aligns with the legally binding economy-wide carbon budgets and sectoral emissions ceilings that were agreed by Government in July 2022.

➤ **National Biodiversity Action Plan 2023-2030**

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

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

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

## 5.3. **Section 28 Guidelines**

- The Planning System and Flood Risk Management Guidelines, Guidelines for Planning Authorities (November 2009)
- Nature based management of urban rainwater and urban surface water discharges, and national strategy 2024.
- Appropriate assessment of plans and projects in Ireland, guidance for planning authorities (Department of Environment, Heritage and Local Government, 2009)
- Guidelines for Planning Authorities and An Bord Pleanála on carrying out environmental impact assessment (Department of Environment, Heritage and Local Government, 2018).

## 5.4. **Limerick Development Plan 2022-2028 (as varied)**

### ➤ **Chapter 5 Strong Economy**

#### Policy ECON P4 – Urban Economy

It is a policy of the Council to:

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

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

It is an objective of the Council to:

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

Objective ECON O18 – Specific Site Requirements

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

- Objective EH O15 Ground Water, Surface Water Protection and River Basin Management Plans

This objective relates to the protection of ground and surface water resources taking account of the requirement of the Waster Framework Directive, implementing the provisions of the *River Basin Management Plan 2022-2028, the Limerick Groundwater Protection Plan*.

➤ **Chapter: 8 Infrastructure**

- Objective IN O12 Surface Water and SuDS

In summary, it is an objective to reduce water pollution, protect surface waters and prevent flooding by ensuring separation of foul and surface water discharges, maintaining and improving drainage infrastructure, promoting and requiring SuDS and Nature Based Solutions, and encouraging green roofs. In particular, the following is noted:

- c) Maintain, improve and enhance the environmental and ecological quality of surface waters and groundwater, including reducing the discharges of pollutants or contaminants to waters, in accordance with the National River Basin Management Plan for Ireland 2018-2021 (DHPLG) and the associated Programme of Measures and any subsequent River Basin Management Plan.
- f) Address the issue of disposal of surface water generated by existing development in the area, through improvements to surface water infrastructure, including for example attenuation ponds, the application of sustainable urban drainage techniques, or by minimising the amount of hard surfaced areas, or providing porous surfaces as the opportunity arises.
- h) Require all planning applications to include surface-water design calculations to establish the suitability of drainage between the site and the outfall point and require all new developments to include SuDS, to control surface water outfall and protect water quality in accordance with the requirements of Chapter 11: Development Management Standards of the Plan.
- j) Require SuDS schemes to be designed to incorporate the four pillars of water quality, water quantity, biodiversity and amenity to the greatest extent possible within the constraints of a given site.

➤ **Chapter 11: Development Management Standards**

• Section 11.3.11 SuDS (Sustainable Drainage Systems)

In summary, the following is noted:

- Previously developed sites which are being redeveloped should aim to achieve greenfield run off rates.
- Storm Water Management Plans should have regard to Department of the Environment, Heritage and Local Government The Planning System and Flood Risk Management (Nov 2009 – Guidelines for Planning Authorities); CIRIA Manual C753 – The SuDS Manual (2015); Greater Dublin Strategic Drainage Study - GDSDS (2005) and current best practise.
- A list of criteria will be considered in assessing proposals for surface water and SuDS schemes as part of planning applications.

➤ **Chapter: 12 Land Use Zoning Strategy**

- Land Use Zoning

**Zoning** – ‘High Tech/Manufacturing Campus’.

**Objective** – To provide for office, research and development, high technology, regional distribution/ logistics, manufacturing and processing type employment in a high quality built and landscaped campus style environment.

**Purpose** – ‘To facilitate opportunities for high technology, advanced manufacturing including pharmaceutical and food production, major office, regional distribution/ logistics, and research and development-based employment, within high quality, highly accessible, campus style settings. The zoning is for high value-added businesses and corporate facilities that have extensive/specific land requirements, such as those located at Raheen Business Park and the National Technology Park. These businesses are generally not accessible to members of the public. Retail warehousing will not be acceptable in this zone.

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’.

## **5.5 Natural Heritage Designations**

- Lower River Shannon SAC 002165 – c. 3.2 km to the north and c.6.6 km to the west.
- River Shannon & River Fergus SPA 00407 – c. 4.2 km to the north and c.6.8 km to the west.
- pNHA Inner Shannon Estuary South Shore 000435 – c. 3.14 km to north.
- pNHA Loughmore Common Turlough 000438 – c. 1.1 km to northwest.

## 6.0 EIA Screening

6.1.1. EIA pre-screening and EIA screening determinations are included in Appendix 1 and 2 of this report. The EIA Screening Determination concludes that the proposed development would not be likely to have significant effects on the environment, and that an EIAR is not required. This conclusion is based on regard being had to the following:

1. The criteria set out in Schedule 7, in particular
  - a) The nature and scale of the proposed development which is below the threshold in respect of Class 10(b)(iv) of Part 2, Schedule 5 of the Planning and Development Regulations 2001 (as amended), and which will occur within a site serviced by public infrastructure,
  - b) Notwithstanding (a) above, and pursuant to Class 15 of the Planning and Development Regulations 2001 (as amended), the nature and scale of the proposed development which is located with the curtilage of an existing established use of site and to which the proposed development is ancillary to that use,
  - c) The absence of any significant environmental sensitivity in the vicinity,
  - d) The nature and use of the existing site context which is located in an established industrial estate/ business park served by public infrastructure,
  - e) The features and measures proposed by the applicant envisaged to avoid or prevent what might otherwise have been significant effects on the environment.
  - f) The location of the development outside of any sensitive location specified in article 109(4)(a) of the Planning and Development Regulations 2001 (as amended)
2. The results of other relevant assessments of the effects on the environment submitted by the applicant i.e. An Appropriate Assessment Screening Report for the proposed development, Schedule 7A information provided in an EIA Screening Report in support of the application,
3. The features and measures proposed by the applicant envisaged to avoid or prevent what might otherwise have been significant effects on the environment.

The proposed development would not be likely to have significant effects on the environment, and an EIAR is not required.

## 7.0 The Appeal

### 7.1. Grounds of Appeal

A Third Party appeal was received from Tom Ryan. The grounds of appeal may be summarised as follows:

#### Discharges to Loughmore Canal

- The Loughmore Canal is located on farm lands in the ownership of the appellant. The Barnakyle stream enters the Barnakyle river through the lands and is connected to the northern outfall for stormwater from the Raheen Industrial Estate. The southern outfall is hydrologically connected to the Barnakyle river and the applicant discharges stormwater to both outfalls in the Raheen Industrial Estate.
- The stormwaters entering the appellant's lands from the Loughmore Canal and from the Barnakyle river are polluted and cause flooding due to the volume of development being allowed where the outfall was these to points.
- Loughmore Canal Environmental Report by Tetra Tech is appended to the appeal, which highlights that the Loughmore Canal is part of the Loughmore Turlough which is polluted and the turlough is connected to drinking water supplies. It outlines a detection of hazardous substances in water, water sediment and soil samples in the Loughmore Canal and southern outfall.

#### Appropriate Assessment Screening & Hydrological Connection

- It was stated in the application details that there was no hydrological connection to the Barnakyle river. Following a request for FI, it was stated that there is no direct connectivity between the site of the proposed development as a result of the proposed installation of Class 1 bypass hydrocarbon interceptors for outfalls from all trafficked areas off the site. A Class 1 bypass hydrocarbon interceptor is designed solely to separate free floating hydrocarbons from stormwater runoff under normal rainfall conditions and does not provide treatment for hazardous substances or removes dissolved hydrocarbons solvents metals. Reliance on a

Class 1 bypass interceptor as a pollution control measure is limited to the mitigation of accidental oil or fuel spills and cannot be relied upon to prevent pollution of receiving waters where hazardous substances may be present.

- The competent authority is required to consider at screening stage for Appropriate Assessment, the condition and sensitivity of the receiving water body where the proposed development is intended to discharge to. This includes waters hydrologically connected to the Loughmore Turlough, a designated European site. The baseline ecological and chemical status of the receiving water body is therefore a material consideration as a water body that is already degraded or under pressure has the reduced capacity to absorb additional impacts, and may be failing to meet the conservation or restoration objectives relevant to the Turlough system.
- A screening determination that does not have regard to the existing condition of the receiving water body cannot objectively exclude the possibility of a likely significant effect and in such circumstances, appropriate assessment cannot lawfully be screened out.

#### European Court of Justice Judgements

- The European Court of Justice found Ireland in breach of multiple obligations under the EU Water Framework Directive the most recent judgment was Case C-204/24 which highlighted Ireland's failure to properly transpose the Water Framework Directive.
- Limerick City and County Council (LCCC) and the Environmental Protection Agency (EPA) have grossly been grossly negligent in the protection of the water bodies under their control and have ignored multiple warnings in relation to the Loughmore Turlough and ignored it as insignificant in planning decisions.

#### Loughmore Turlough & Stormwater Discharge

- The applicant discharges stormwater to the Loughmore Turlough through the existing aged infrastructure in the Raheen Industrial Estate.
- The applicant states 'indirect surface water connectivity to the Loughmore canal via stormwater drainage is intercepted in the Raheen Business Park sustainable

urban drainage system. There is no sustainable urban drainage system in the Raheen Business Park.

- The appeal site lies over karst features. The direct connection between the surface and the underlying high permeability aquifers make aquifers extremely vulnerable to pollution.

#### Description of Development and Nature of Use of Site

- The description of the proposed development focuses solely on the physical works without clearly identifying how the development will be used or operated and does not provide sufficient basis for assessment.
- Deficiencies or ambiguity of the description of use cannot be remedied by condition post permission.
- The applicant does not clearly identify the nature of the proposed use by Regeneron and the council did not seek clarification on this. In the absence of a clear description the applicant does not provide a sufficient paper basis for proper assessment and is therefore materially deficient for the purposes of the Planning and Development Act.

#### EPA

- The applicant currently operates under an integrated pollution control license from the EPA. There was a live compliance investigation by the EPA on the applicants adjacent site which is under investigation. The issue relates to an unknown liquid discharging from a pipe to the stormwater network which is a serious issue.
- The infrastructure within the Raheen industrial estate is known to contain misconnections and deficiencies and does not have the capacity to adequately accommodate the scale intensity of existing and proposed development. Despite this further development has been permitted without comprehensive assessment of cumulative impacts on receiving waters, groundwaters, and designated sites and habitats. There is a failure to properly apply the requirements of habitats directive and the water framework directive as well as objectives of the development plan.

## 7.2. Applicant Response

The applicant's response to the grounds of appeal may be summarised as follows:

### Nature of the Appeal

- The appeal avoids engagement with the actual description of development as proposed and largely deals with wider environmental issues within the Raheen industrial estate. There is minimal reference to the elements of the proposed development.
- The Commission is required to assess the development before it and not to adjudicate on historic regulatory matters or broader catchment wide environmental disputes.
- The appeal does not demonstrate that the permitted works would materially worsen environmental conditions or introduce new impacts beyond those already regulated through other statutory systems.
- The use of the site is as a warehouse which does not change. The only emissions arising relate to the surface water from roofs on hard standing areas which will drain roof water to the existing surface water network. The volume of surface water does not change in this case. Rainwater from roof runoff is generally considered much cleaner than runoff from tarmac or concrete ground surfaces.
- The content of the appeal relates to alleged pollution within Raheen Industrial Estate and the wider Loughmore Canal and Barnakyle Stream catchment and reference to a Tetra Tech report (July 2024), EPA investigations, groundwater vulnerability and European Court of Justice judgements. Much of the content stated in the appeal relates to matters of a broad, regional and regulatory nature rather than matters directly related to the development permitted.
- The proposed pump house and fire water tanks were indicated to be partly located on existing hardstanding areas and partly on a new area of hardstand at the western corner of the site. The proposed new area of hardstand has no material impacts, however the applicant has requested that the pump house building and fire water tanks are moved entirely onto the existing hardstand area as indicated on DWG No. 25-A-PE-00003\_rev C 'Proposed Site Layout -Overall' appended to the response.

- The site is an established warehouse location and the hardstanding and green spaces around the warehouse structure remain materially unchanged in terms of areas.
- The proposed elements of development are located on existing hardstanding, each with connections to the existing surface water drainage network on site which discharges to the main surface water network of the wider Raheen area.
- The existing surface water drainage network within the site connects into the existing main surface water network outside the site. This is established, authorised, and not reviewable by the Commission under the terms of this appeal. This principle was established in an application under P.A. Ref. 25/60674 and previous decision by the Commission under ACP Ref. 323636-25 which the third party appellant appealed.
- The subject appeal is similar. The areas of hardstanding do not change materially. There are new surface water connections that are short runs from the ancillary water tank pump house and from the proposed new canopy, to the existing internal surface water network (Fig. 2.0).
- Surface water runoff will drain to the existing surface water network. This will be a small volume of rainwater that merely replaces the rainwater that would otherwise have fallen on the hardstanding areas.
- Condition 8 requires the control of discharge of surface water including full interceptors. Full interceptors have no by-pass. All of the water passes through the main interceptor/filter and the filter needs to be maintained to continue working effectively and allow water to flow to the outfall. Fig 2.0 shows the locations of the proposed interceptors.

#### Principle of Development & Nature of Use

- The proposed development is acceptable in principle which the PA confirmed having regard to the zoning objective for the site.
- The subject site is located within an established industrial estate the use of the lands for warehouse purposes is established, and the applicant does not seek permission for change of use nor does it seek to materially intensify the established land use.

- The scope of the proposed development relates to ancillary components to the established use of the existing development on site. No change of use of the existing warehouse development is sought under the permission.

#### Surface Water & Environmental Concerns

- The proposed development does not result in the creation of a new surface water discharge, a new outfall, a new wastewater treatment process or any alteration to the broader drainage infrastructure serving the estate.
- The environmental report (Tetra Tech) does not provide evidence which identifies the subject site as the source of the contamination described, and does not demonstrate that the proposed works would materially alter hydrological conditions or introduce new pollution pathways.
- The matters raised in regard to ongoing investigations by the Environmental Protection Agency regarding alleged contamination events, are not within the remit of the planning system and are subject to compliance and enforcement under separate legislation, not planning legislation. The existence of wider environmental issues does not preclude ancillary development within an industrial estate unacceptable.
- Regarding the judgment of the European Court of Justice, the appeal does not demonstrate how the proposed development would give rise to deterioration of water status or trigger the type of failures identified in that judgment. The appeal references national implementation issues in general terms, but does not link those matters to the specific development before the Commission.

#### Appropriate Assessment & EIA Screening

- The appeal asserts that the planning application is deficient in environmental assessment, however the development is confined to an established warehouse site and comprises ancillary works. It does not introduce a new activity of a scale or type which would trigger mandatory EIA, nor does it intensify the use of the land or lead to new processes, and it does not lead materially to increased surface water discharges.

- The appeal does not identify a specific European site likely to be significantly affected, nor does it demonstrate a scientifically credible pathway for significant effects arising from the minor proposed works.
- In the absence of such evidence these assertions remain generalised and the applicant has carried out an appropriate assessment screening which was updated following the further information request.

#### Other Matters

- Perimeter fencing – the proposed fencing is similar to that permitted under ABP Ref. 320261-24. The submission of a Construction Environmental Management Plan (CEMP) was a condition of that decision. Concerns regarding flooding and water pollution were considered irrelevant by the Council in that case and the Planning Inspector generally agreed. Similar findings can be extended to elements of the proposed development in terms of flooding which do not generate greater surface water discharge volumes from the site than already exists.
- The applicant is agreeable to a condition regarding a CEMP and provision of passes for smaller mammals as per condition 5 of ABP Ref. 320261-24.

A Surface Water Drainage Report (Jacobs 23<sup>rd</sup> February 2026) is appended to the applicant's response to the grounds of appeal.

#### **7.3. Planning Authority Response**

None.

#### **7.4. Further Responses**

A further response was received from the Third-Party appellant Tom Ryan in relation to the first party appeal response, which may be summarised as follows:

##### Interceptors

- The applicant relies on the requirement after planning a condition that full retention interceptors be installed and presents this as the principal environmental mitigation measure for surface water runoff from the site. This is not supported by the technical function of such infrastructure, or by the environmental evidence available regarding contaminants already identified

within the drainage system discharging to the Loughmore canal and the Barnacle water courses.

- A full retention interceptor is a type of oil separator designed to remove free phase hydrocarbons such as petrol, diesel, lubricating oil from surface water runoff. Such systems do not remove dissolved pollutants therefore interceptors are not designed to provide general treatment of contaminated surface water and cannot be relied upon as a comprehensive pollution control measure.
- Environmental investigations of the drainage network associated with Raheen Business Park and the Loughmore Canal have identified contaminants including zinc lead phosphorus ammonia within surface water and sediment samples. These contaminants are not free of hydrocarbons and are therefore not capable of being removed by oil separation technology. A full retention interceptor would not prevent these contaminants from entering the drainage system or reaching downstream water courses.
- Published guidance by environmental regulators consistently recognized that oil interceptors are appropriate only where the principal pollution risk arises from accidental hydrocarbon spills or from runoff contaminated with petroleum products such as petrol filling stations. They are not designed to treat industrial process contaminants, dissolved metals, nutrients are chemically soluble pollutants. They are therefore a limited form of pollution control suitable only for specific categories of contamination risk.
- The reliance on interceptors in this case is technically misplaced. Even if properly designed and maintained they would not remove contaminants already identified within the drainage network. Water leaving the interceptor would still contain dissolved metals nutrients and other compounds and will continue to discharge to the Loughmore canal and ultimately to the Barnkyle stream and the wider river Shannon catchment Which is significant in the context of the Lower River Shannon SAC European designated site. As interceptors are not capable of removing contaminants they cannot eliminate the pathway through which pollution may reach downstream waters.

#### Use of Warehouse

- There is no clarity from the planning application for what the intended use of the existing warehouse will be. It does not specify whether the building will be used for the storage of raw materials, intermediate substances, production inputs or finished pharmaceutical products. In the absence of a clear description of the operational use of the warehouse it is unknown what the potential environmental risks associated with the development are and cannot be properly assessed.
- This uncertainty is relevant to the adequacy of the proposed mitigation measures i.e. the installation of full retention receptors.
- Where the nature of the stored materials has not been defined, it cannot be assumed that the interceptor system will be capable of preventing contamination of downstream water courses.
- Without clarifying the intended use of the building it is not possible to identify potential pollutants or to assess whether the proposed mitigation measures are capable of preventing discharge to the receiving environment.

#### Hydrological Connection

- It was initially submitted by the applicant that there was no hydrological connection between the proposed development and the Barnakyle river. Following a request by the planning authority to clarify, it was determined or acknowledged that such a connection does exist through the surface water drainage network. The applicant sought to argue that the installation of a full retention interceptor would effectively remove this connection. This argument is fundamentally flawed and unsupported by scientific or regulatory evidence.

## 8.0 **Assessment**

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

- Principle of Development

- Nature & Extent of Development Proposed
- Surface Water Management
- Other Matters

## 8.1. Principle of Development

- 8.1.1. The appeal site is located within the established Raheen Business Park, at the south western end. The site is zoned 'High Tech/Manufacturing Campus' and this zoning extends to the overall Raheen Business Park. The site comprises of a single storey warehouse building and the proposed development comprises of a number of additions and modifications to the existing warehouse building and to the ancillary grounds/ car parking area within the overall site.
- 8.1.2. The zoning objective for the site is 'To provide for office, research and development, high technology, regional distribution/logistics, manufacturing and processing type employment in a high quality built and landscaped campus style environment'. There are a number of supporting policies and objectives in the development plan in regard to such development within the Raheen Business Park in particular, Objective ECON O17 Strategic Employment Locations City and Suburbs. I am therefore satisfied that the principle of the proposed development is acceptable at this location.

## 8.2. Nature & Extent of Development Proposed

- 8.2.1. The grounds of appeal has raised that the nature of the proposed use of the site by the applicant has not been described in the description of the proposed development and a proper assessment cannot be carried out as a result.
- 8.2.2. I note that the public notices have clearly set out the nature of the proposed works which are also reflected in the plans and drawings submitted with the application. I also note that it is clearly described that the development proposed will be carried out to the existing warehouse facility on site. From a review of the planning history of the site, as set out in the planner's report, I am satisfied that the established use of the site is for warehousing, and this has been further clarified in the applicant's response to the grounds of appeal.
- 8.2.3. In terms of the development proposed, a canopy will be constructed to the roof of the loading dock area. I note that the design, scale and finish are in keeping with that of the existing warehouse facility on site. 2 no. generator buildings and a fuel store

proposed on the northern western side of the existing building. The proposed 2 no. chimney stacks associated with the generators will be fixed to the external wall, north western elevation of the building. The drawings submitted indicate that both will have a max height of 13 m. The overall ridge height of the existing building is noted to be 10.10 m. In terms of other development works proposed, these include the provision of new gates to the existing entrances serving the site and new palisade perimeter security fencing (3.0 m high). The proposed development works are consistent with the use of the site and accordingly I consider same to be acceptable.

- 8.2.4. Revised proposals for pedestrian and cyclist access serving the site and bike parking/ storage were provided on foot of an FI request which were considered acceptable by the PA. No design details were provided for the proposed bike shelter and I note that the a pre-development condition was included to address same. In the event of a grant, I recommend the inclusion of a similar condition.
- 8.2.5. A lighting plan was provided for the site, and I note that the PA had no objection in regard to same. In relation to the proposed 3 no advertising signs a condition was included in regard the proposed design of the signage as indicated on the plans and drawings provided. I consider it appropriate to include a similar condition in the event of a grant.

### 8.3. **Surface Water Management**

- 8.3.1. The matters raised by the appellant relate to ongoing water quality issues arising from surface water and storm waters being discharged from the Raheen Business Park to the Loughmore Canal within is located approx. 1.1 km to the northwest of the appeal site, which ultimately conveys to the Barnakyle River. The appellant has provided an environmental report (Tetra Tech) which I note confirms that pollution has occurred in the Loughmore Canal. Concerns are also raised in relation to the effectiveness of Class 1 bypass hydrocarbon interceptors to treat hazardous substances defined under the Water Framework Directive and related EU legislation.
- 8.3.2. Notwithstanding the foregoing, I note that the nature and scope of the works proposed consist of alterations to the existing warehouse building, and additions and modifications to the external area surrounding the building, as described in Section 2.0 above. I note also that the established use of the site is warehouse storage.

- 8.3.3. Regarding the physical condition of the existing storm water system infrastructure in Raheen Business Park as raised in the grounds of appeal, I note for the Commission consideration of this issue is outside of the scope of this application and is not included with the red line boundary.
- 8.3.4. I note that surface water runoff arising from existing development on site discharges to the existing storm water network within the site, which discharges to the existing 'IDA Sewer System' as identified on DWG 'Proposed Site Layout Underground Utilities Dwg. No. 25-C-PW-00001) and the proposed development will do likewise. The PA sought FI in regard to demonstrating that there is no hydrological connecting to the Barnakyle waterbody. The response noted that a revised Appropriate Assessment Screening report indicated that there was no direct connectivity between the subject site as a result of the proposed installation of Class 1 bypass hydrocarbon interceptors for outfall from the trafficked areas of the site.
- 8.3.5. In response to the grounds of appeal, the applicant has provided a Surface Water Drainage Report (23<sup>rd</sup> February 2026). This confirms that surface water currently generated within the site from roofs, channels, gullies is piped below ground to the existing drainage network serving the Raheen Business Park. No alterations to the existing site impermeable surfacing or drainage routes from impermeable areas will occur. Class 1 full retention interceptors are proposed to be installed in place of by-pass interceptors on existing drainage routes from trafficked impermeable areas, and new full retention interceptors are also to be installed within the site boundary at all existing outfalls from paved areas that are exposed to vehicular traffic.
- 8.3.6. In regard to proposed drainage, the applicant has provided an appraisal of each element of the proposed development and consequential drainage impacts. In relation to the proposed new generator area, it is proposed to Install a new monitored Class 1 forecourt interceptor to replace the existing unit on site as part of P.A. Ref. 08/704. I note that this permission related to an overground fuel storage tank with a fuel capacity of 54,000 liters, fuel dispensing pumps and the installation of petrol/ oil interceptor. Surface water arising from the proposed generator area will drain to a central channel drain routed through the proposed new interceptor unit. There will be no increase to impermeable surface area associated with the new generator area. The locations of

the proposed interceptors are shown on 'DWG No. 25-C-PE-00001\_rec B 'Proposed Site Layout Underground Utilities'.

- 8.3.7. The proposed canopy which is to be constructed onto the eastern side of the existing roller shutter door docking area for trucks, will not result in any change to drainage catchment on site.
- 8.3.8. For the proposed bicycle parking and pedestrian and cyclist areas, permeable paving will be used but will not connect to the existing piped drainage of the site.
- 8.3.9. A new hardstanding area was proposed to be constructed to facilitate the new firewater pumphouse and firewater tank area in the north western corner of the site, however in response to the grounds of appeal, I note that it is the applicant's intention to construct these elements on the existing hardstanding area which is shown on a revised site layout plan 'Proposed Site Layout -Overall DWG No. 25-A-PE-00003\_rev C' appended to the submission, so as to mitigate further increased runoff created by a new paved area. I also note that the revised site layout plan shows this element of the development to be integrated into the existing site surface water drainage system 'Proposed Site Layout Underground Utilities DWG No. 25-C-PE-00001\_rev B'.
- 8.3.10. Notwithstanding these revisions, I note that SuDS measures are to be provided on site for all new paved areas which will include for permeable paving, roof water drain diffuser from the pumphouse roof, and a drained swale located to the west of the new paved area. A proprietary silt trap is proposed to be installed prior to the roof water drain diffuser.
- 8.3.11. The applicant has provided calculations in regard to existing site drainage and proposed site drainage. The storage/ attenuation calculations of the site are based on a 1,000 m<sup>2</sup> impermeable area and an impermeable area of 350 m<sup>2</sup> would be required for approx. 30 m<sup>3</sup> to accommodate a 100-yr storm event. In this regard, I note that a permeable pavement sub-base will be provided for approx. 20 m<sup>3</sup> of the required storage for the site, and a 30 m x 3.0 m drain swale will be provided in the adjacent area providing the remaining 10 m<sup>3</sup>.
- 8.3.12. Having regard to the totality of information on the file, I note that there are no changes proposed to the existing below ground surface water infrastructure permitted by earlier permissions relating to this site, other than the replacement of a forecourt petrol/ oil interceptor installed as part of an earlier permission. The footprint of the existing

building will not be altered, and with the modification proposed by the applicant to place the proposed new firewater pumphouse and firewater tank area in the north western corner of the site on the existing hardstanding area, I am satisfied that surface water runoff arising from the proposed development, will not be significant.

8.3.13. Having regard to the totality of the information on the file, I am satisfied that the existing surface water drainage of the subject site drains to the wider surface water system within the Raheen Business Park, and that prior to discharge from the subject site, an existing petrol/ oil interceptor installed as part of an earlier permission captures any surface water pollutants. The proposed development does not propose changes to the existing system other than replacement of the existing petrol/ oil interceptor.

8.3.14. With the addition of the SuDS measures proposed in the Surface Drainage Report and the requirement for the installation of full retention interceptors in lieu of the by-pass interceptors as per condition 8 of the PA's decision, I am satisfied that these proposals will significantly improve the existing surface water drainage of the site and that installation of both Class 1 bypass hydrocarbon interceptor and full retention interceptors will further capture and mitigate potential contaminated surface water runoff than what is already existing on the site. This is an acceptable industry standard practice which would bring down any surface water pollution to a level that is acceptable. The installation of a new monitored interceptor unit would further improve the SuDS and that this together with the inclusion of SuDS features within the site will ensure that surface water will not be discharged at peak flow rates within the existing system. I therefore consider that the proposed development will not negatively impact on the existing drainage system within the Raheen Business Park and will not cause downstream pollution of watercourses. In this regard, should the Commission be minded to grant the development, I recommend the inclusion of a pre-development condition whereby the revised proposals as set out in the response to the grounds of the appeal with regard to the proposed pumphouse and water tanks, together with final surface water drainage details to be agreed with the PA. I note that the PA did not include a condition in regard to a construction management plan for the construction phase of the proposed development. In the event of a grant, I recommend that the Commission includes a pre-development condition requiring the submission of such a plan. I therefore consider that the proposed development is consistent with Objective IN O12 (Surface Water and SUDS) of the development plan.

## 8.4. Other Matters

### Ongoing Water Pollution

- 8.4.1. The appellant has raised matters in regard to ongoing water pollution concerning the Loughmore Canal from water being discharged from Raheen Business Park and the consequent impacts to water quality, and how testing and investigations are conducted by LCCC and the EPA, and that the business park is known to contain misconnections and deficiencies. I have addressed the issues raised in the context of the development proposed having regard to the existing site context and the nature of the existing use, as set out in Section 8.2 above. It is my consideration that the matters raised regarding wider water pollution issues related to the Raheen Business Estate and misconnections are outside of the scope of this appeal. In this regard, my assessment of the proposed development relates specifically to the scope of development as described in the public notices, and the impacts associated with same. Other matters raised regarding misconnections to the foul and storm water network within the wider business park or unauthorised development, are for the relevant enforcement authorities to address and are not within the remit of the Commission.

### Appropriate Assessment Screening & Water Framework Directive Considerations

- 8.4.2. It is raised by the appellant that the competent authority is required to consider the existing condition and sensitivity of the receiving waterbody where the proposed development involves discharges to surface water or groundwater, and in this case, where there is a hydrological connection to the Loughmore Turlough which it is submitted is a European designated site. It is further submitted that the baseline ecological and chemical status of the receiving waterbody is a material consideration as a water body that is already degraded or under pressure or has reduced capacity to absorb additional impacts and may be failing to meet conservation or restoration objectives relevant to the Turlough system.
- 8.4.3. While I acknowledge the concerns raised by the appellant, I have dealt with Appropriate Assessment Screening of the proposed development which is attached in Appendix 3 and in Section 9.0 of this report. The Loughmore Turlough is designated as a proposed Natural Heritage Area (pNHA). For the purposes of AA Screening, pNHAs do not come within the scope of AA Screening as they are not designated European Sites. The conclusion of the AA Screening carried out in Appendix 3 of this

report is made on the basis of the information provided with the application and appeal including the applicant's updated AA Screening Report and in view of the conservation objectives for the identified European sites.

- 8.4.4. I have also carried out an assessment of the proposed development having regard to the Water Framework Directive as per Appendix 4 of this report. I have concluded that any potential for surface water discharge that may give rise to accidental discharge of contaminant runoff at either construction stage or operational stage, that such impacts are mitigated for by the implementation of a CEMP at construction stage. At operational stage, I have further concluded and recommend the implementation of conditions of planning in relation to SuDS measures as proposed, and the installation of full retention interceptors in lieu of by-pass interceptors, as per condition 8 of the PA's decision, which will ensure that the proposed development will not negatively impact on the existing drainage system of the Raheen Business Park piped drainage system.

#### Condition

- 8.4.5. Condition 5 of the decision to grant relates to the management of sightlines. I note that the Roads Department recommended the inclusion of this condition so that sightlines are not impeded by the proposed hedgerow landscaping or advertising signage. I consider this condition appropriate and in the event of a grant, I recommend that the Commission include this condition.

## 9.0 **AA Screening**

- 9.1. 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) sites, in view of the Conservation Objectives of those sites and Appropriate Assessment is therefore not required.

This determination is based on:

- The nature and scale of the proposed works on fully serviced lands
- Scientific information provided in the AA Screening report

- Distance from and weak indirect connections to the European sites
- No ex-situ impacts on wintering birds
- Possible impacts identified would not be significant in terms of site-specific conservation objectives for the Lower River Shannon SAC (002165) and River Shannon and River Fergus Estuaries (SPA 004077) sites, and would not undermine the maintenance of favourable conservation condition or delay or undermine the achievement of restoring favourable conservation status for those qualifying interest features of unfavourable conservation status.

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

## 10.0 Water Framework Directive

10.1. An assessment of the proposed development has been carried out in accordance with Article 4 of the Water Framework Directive and relevant EPA guidance, including best practice in sustainable drainage design.

10.2. The nearest waterbodies are the following:

- Riverwater body BARNAKYLE\_020 (IE\_SH\_24B050600)

This river waterbody is classed as ‘moderate ecological status’ and ‘at risk’ of not achieving its WFD objectives as per the 2019-2024 monitoring report.<sup>1</sup>

- Groundwater Body Limerick City Southwest (IE\_SH\_G\_141)

The above groundwater body underlies the subject site which is classed as ‘good ecological status’ but ‘at risk’ of not achieved its WFD objective as per the 2019-2024 monitoring period <sup>2</sup>.

10.3. Water deterioration concerns have been raised in the grounds of appeal in regard to the appeal site and the wider Raheen Business Park. I note that the Geological Survey Ireland (GIS) mapping tool does not appear to identify any karst feature within the appeal site <sup>3</sup>.

<sup>1</sup> [https://www.catchments.ie/data/#/waterbody/IE\\_SH\\_24B050600?k=fjsfd7](https://www.catchments.ie/data/#/waterbody/IE_SH_24B050600?k=fjsfd7)

<sup>2</sup> [https://www.catchments.ie/data/#/waterbody/IE\\_SH\\_G\\_141?k=feazep](https://www.catchments.ie/data/#/waterbody/IE_SH_G_141?k=feazep)

<sup>3</sup> <https://gsi.geodata.gov.ie/portal/apps/webappviewer/index.html?id=f1b130022e7146a7b76e1010c7efb2a9>

- 10.4. The development incorporates appropriate surface water management measures, including Sustainable Drainage Systems (SuDS), designed to replicate greenfield runoff rates and provide treatment of surface water prior to discharge.
- 10.5. These measures ensure that there will be no increase in pollutant loading, no alteration of the receiving waterbody's hydrological regime, and no risk of deterioration in water quality or ecological status. Any residual risks identified during the assessment are capable of being addressed through standard mitigation measures and best practice construction management, including through the implementation of appropriate Construction Environmental Management Plan at construction stage, and the Implementation of conditions of permission related to surface water management (SuDS) and installation of full retention interceptors in lieu of the by-pass interceptors. for operational stage.
- 10.6. I have assessed the proposed development and have considered the objectives as set out in Article 4 of the Water Framework Directive which seek to protect and, where necessary, restore surface & ground water waterbodies in order to reach good status (meaning both good chemical and good ecological status), and to prevent deterioration. Having considered the nature, scale and location of the project, I am satisfied that it can be eliminated from further assessment because there is no conceivable risk to any surface and/or groundwater water bodies either qualitatively or quantitatively.
- 10.7. I conclude that on the basis of objective information, that the proposed development will not result in a risk of deterioration on any water body (rivers, lakes, groundwaters, transitional and coastal) either qualitatively or quantitatively or on a temporary or permanent basis or otherwise jeopardise any water body in reaching its WFD objectives and consequently can be excluded from further assessment.

## 11.0 Recommendation

I recommend that permission is granted for the proposed development subject to conditions, for the reasons and considerations set out below.

## 12.0 Reasons and Considerations

Having regard to:

- a) the planning history and the established use of the site,
- b) its location within the existing Raheen Business Park,
- c) the zoning objective of the subject site,
- d) the nature, scale and layout of the proposed development,
- e) the installation of full retention interceptors and to the use of sustainable drainage systems (SuDS) features on site, prior to discharge of surface water to the existing drainage system,

it is considered that, subject to compliance with the conditions set out below, the proposed development would not have a significant impact on surface water discharge from the subject site, and would adequately integrate with the existing building on site in terms of design, scale, layout and finish. Accordingly, the proposed development would be in accordance with Objective ECON O17 (Strategic Employment Locations) and Objective IN O12 (Surface Water and SuDS) of the Limerick Development Plan 2022-2028 (as varied). The proposed development, would, therefore, be in accordance with the proper planning and sustainable development of the area.

## 13.0 Conditions

1.	The development shall be carried out and completed in accordance with the plans and particulars lodged with the application on 01 <sup>st</sup> October 2025, as amended by the further plans and particulars submitted on 19 <sup>th</sup> December 2025 except as may otherwise be required in order to comply with the following conditions. Where such conditions require details to be agreed with the planning authority, the developer shall agree such details in writing with the planning authority prior to commencement of development and the development shall be carried out and completed in accordance with the agreed particulars.
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	<p><b>Reason:</b> In the interest of clarity.</p>
2.	<p>The proposed pumphouse and 2 no. water tanks shall be relocated onto the existing hardstanding area within the site, as illustrated on Proposed Site Layout Overall DWG No. 25-A-PE-00003_rev C. Prior to commencement of development, the developer shall submit revised plans and drawings for the written agreement of the planning authority.</p> <p><b>Reason:</b> In the interest of surface water management.</p>
3.	<p>Drainage runoff arising from all hardstanding areas and roof surfaces shall discharge to existing site drainage, following passage through full retention oil/petrol interceptors, unless otherwise agreed in writing with the planning authority. Prior to commence of development, the developer shall provide design and installation details and locations of full retention oil/petrol interceptors and the proposed Class 1 by-pass interceptor for the written agreement of the planning authority.</p> <p><b>Reason:</b> In the interest of public health and surface water management.</p>
4.	<p>25 no. safe and secure bicycle parking spaces shall be provided within the site and a dedicated bicycle shelter shall be provided. Details of the layout and marking demarcation of these spaces and the proposed bicycle storage shelter/facility shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.</p> <p><b>Reason:</b> To ensure that adequate bicycle parking provision is available to serve the proposed development, in the interest of sustainable transportation.</p>
5.	<p>No advertisement or advertisement structure, the exhibition or erection of which would otherwise constitute exempted development under the Planning and Development Regulations 2001 (as amended), shall be displayed or erected on the building exterior or within the curtilage of the site without a prior grant of planning permission.</p>

	<p><b>Reason:</b> To allow further assessment of the impact of the permitted advertisement on the amenities of the area and in the interest of visual amenity.</p>
6.	<p>(a) The developer shall ensure that the proposed hedgerows do not impede sightlines to oncoming vehicles and pedestrians.</p> <p>(b) The developer shall ensure the proposed monument signs do not impede sightlines.</p> <p>(c) All surface water run-off from the public road which flows into the site shall continue to be accommodated within the site unless alternative arrangements acceptable to Limerick City &amp; County Council are carried out. Full details of any such alternative arrangements shall be submitted to the Planning Authority and agreed prior to commencement of development.</p> <p><b>Reason:</b> In the interest of pedestrian and vehicular safety.</p>
7.	<p>(a) Lighting shall be provided in accordance with the details submitted with the planning application. Certification that the lighting has been erected, as per the approved design, shall be submitted to the planning authority within three months of the completion of the development.</p> <p>(b) All external lighting shall be designed and installed using best practice to reduce impacts on bats and other wildlife in accordance with ‘Bat and Lighting, Guidance Notes for: Planners, Engineers, Architects and Developers December 2010’.</p> <p><b>Reason:</b> In the interest of amenity and public safety and the protection of bats.</p>
8.	<p>Drainage arrangements, including the attenuation and disposal of surface water, shall comply with the requirements of the planning authority for such works and services.</p> <p>Within three months of the date of this Order, the developer shall submit the following for the written agreement of the planning authority:</p>

	<p>a) A maintenance plan for the Surface Water/SuDS system.</p> <p>b) A Stage 2 – Detailed Design Stage Stormwater Audit.</p> <p>c) Upon completion of the development, a Stage 3 – Completion Stormwater Audit to demonstrate that Sustainable Urban Drainage System measures have been installed, and are working as designed and that there has been no misconnections or damage to storm water drainage infrastructure during construction.</p> <p>d) Upon completion of the development, certification confirming that the surface water / Sustainable Urban Drainage System measures are constructed in accordance with the approved design.</p> <p><b>Reason:</b> In the interest of public health and proper planning and sustainable development of the area.</p>
9.	<p>A Construction and Environmental Management Plan (CEMP) shall be submitted to and agreed in writing with the planning authority prior to the commencement of development. The CEMP shall include but not be limited to construction phase controls for dust, noise and vibration, waste management, protection of soils, groundwaters, and surface waters, site housekeeping, emergency response planning, site environmental policy, and project roles and responsibilities.</p> <p><b>Reason:</b> In the interest of environmental protection.</p>
10.	<p>Site development and building works shall be carried out between the hours of 07:00 am to 7:00 pm Mondays to Fridays inclusive, between 08:00 am to 2:00 pm on Saturdays and not at all on Sundays and public holidays. Deviation from these times shall only be allowed in exceptional circumstances where prior written agreement has been received from the planning authority.</p> <p><b>Reason:</b> To safeguard the amenity of property in the vicinity.</p>

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 me, directly or indirectly, following my professional assessment and recommendation set out in my report in an improper or inappropriate way.”

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Clare Clancy

Planning Inspector

30<sup>th</sup> April 2026

## Appendix 1 – Form 1 EIA Pre-Screening

<b>Case Reference</b>	PL-500699-LK
<b>Proposed Development Summary</b>	Modifications, alterations, additions to the existing warehouse and associated site works
<b>Development Address</b>	Ballyclogh Road & Cloghacloka Road, Raheen Business Park, Raheen, Co Limerick
<b>IN ALL CASES CHECK BOX / OR LEAVE BLANK</b>	
<b>1. Does the proposed development come within the definition of a ‘Project’ for the purposes of EIA?</b>	<input checked="" type="checkbox"/> Yes, it is a ‘Project’. Proceed to Q.2.
	<input type="checkbox"/> No, No further action required.
(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)	
<b>2. Is the proposed development of a CLASS specified in Part 1, Schedule 5 of the Planning and Development Regulations 2001 (as amended)?</b>	
<input type="checkbox"/> Yes, it is a Class specified in Part 1.  <b>EIA is mandatory. No Screening required. EIAR to be requested. Discuss with ADP.</b>	<b>State the Class here</b>
<input checked="" type="checkbox"/> No, it is not a Class specified in Part 1. Proceed to Q3	
<b>3. Is the proposed development of a CLASS specified in Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended) OR a prescribed type of proposed road development under Article 8 of Roads Regulations 1994, AND does it meet/exceed the thresholds?</b>	

<input checked="" type="checkbox"/> No, the development is not of a Class Specified in Part 2, Schedule 5 or a prescribed type of proposed road development under Article 8 of the Roads Regulations, 1994. <b>No Screening required.</b>	
<input type="checkbox"/> Yes, the proposed development is of a Class and meets/exceeds the threshold. <b>EIA is Mandatory. No Screening Required</b>	<b>State the Class and state the relevant threshold</b>
<input checked="" type="checkbox"/> Yes, the proposed development is of a Class but is sub-threshold.  <b>Preliminary examination required. (Form 2)</b> <b>OR</b> <b>If Schedule 7A information submitted proceed to Q4. (Form 3 Required)</b>	<b>State the Class and state the relevant threshold</b> Class 10 Infrastructure projects (a) Industrial estate development projects, where the area would exceed 15 ha.  Class 15 Any project listed in this Part which does not exceed a quantity, area or other limit specified in this Part in respect of the relevant class of development but which would be likely to have significant effects on the environment, having regard to the criteria set out in Schedule 7
<b>4. Has Schedule 7A information been submitted AND is the development a Class of Development for the purposes of the EIA Directive (as identified in Q3)?</b>	
<b>Yes</b> <input checked="" type="checkbox"/>	<b>Screening Determination required</b>
<b>No</b> <input type="checkbox"/>	

Inspector: \_\_\_\_\_

Date: \_\_\_\_\_

## Appendix 2 – Form 3 - EIA Screening Determination

A. CASE DETAILS		
<b>An Bord Pleanála Case Reference</b>	PL-500699-LK-26	
<b>Development Summary</b>	Modifications, alterations, additions to the existing warehouse and associated site works. A detailed description is set out in Section 2.0 of this report.	
	<b>Yes / No / N/A</b>	<b>Comment (if relevant)</b>
<b>1.</b> Was a Screening Determination carried out by the PA?	Yes	The PA carried out a preliminary determination which concluded that the proposed development was not a type of development included under Schedule 5 of the Planning and Development Regulations 2001, as amended, and that a screening determination was not required.
<b>2.</b> Has Schedule 7A information been submitted?	Yes	The application was accompanied by an EIA screening report which included Schedule 7a information (Trinity Consultants).
<b>3.</b> Has an AA screening report or NIS been submitted?	Yes	Stage 1 Screening for Appropriate Assessment submitted (Moore Group Environmental Services).
<b>4.</b> Is a IED/ IPC or Waste Licence (or review of licence) required from the EPA? If YES has the EPA commented on the need for an EIAR?	No	

<p>5. Have any other relevant assessments of the effects on the environment which have a significant bearing on the project been carried out pursuant to other relevant Directives – for example SEA</p>	<p>Yes</p>	<p>The Limerick Development Plan 2022-2028 has been subject to Strategic Environmental Assessment Screening (SEA) and Strategic Flood Risk Assessment (SFRA).</p>	
<p><b>B. EXAMINATION</b></p>	<p><b>Yes/ No/ Uncertain</b></p>	<p><b>Briefly describe the nature and extent and Mitigation Measures (where relevant)</b></p> <p>(having regard to the probability, magnitude (including population size affected), complexity, duration, frequency, intensity, and reversibility of impact)</p> <p><b>Mitigation measures</b> –Where relevant specify features or measures proposed by the applicant to avoid or prevent a significant effect.</p>	<p><b>Is this likely to result in significant effects on the environment?</b></p> <p><b>Yes/ No/ Uncertain</b></p>
<p><b>This screening examination should be read with, and in light of, the rest of the Inspector’s Report attached herewith</b></p>			
<p><b>1. Characteristics of proposed development (including demolition, construction, operation, or decommissioning)</b></p>			
<p><b>1.1</b> Is the project significantly different in character or scale to the existing surrounding or environment?</p>	<p>No</p>	<p>The appeal site has a stated area of 2.33 ha which is not exceptional in the context of the wider c. 180 ha business park. The nature and scale of the project is limited and is ancillary to the existing development on site. It does not differ from the surrounding area in terms of character (existing industrial/business park).</p>	<p>No</p>

<p><b>1.2</b> Will construction, operation, decommissioning or demolition works cause physical changes to the locality (topography, land use, waterbodies)?</p>	<p>No</p>	<p>No demolition works or excavations work are proposed.</p> <p>The site is brownfield and contains an existing warehousing unit. The site is already developed and therefore there is no further loss to land.</p> <p>The proposed works will be located within the site boundary and carried out on existing hardstanding areas within the site.</p>	<p>No</p>
<p><b>1.3</b> Will construction or operation of the project use natural resources such as land, soil, water, materials/minerals or energy, especially resources which are non-renewable or in short supply?</p>	<p>Yes</p>	<p>The project will use standard construction methods, materials, equipment, and the process will be managed through the implementation of a Construction Environmental Management Plan (CEMP).</p> <p>Water and fuel will be required during construction phase.</p> <p>Construction material will be used for the proposed elements of the development.</p> <p>The loss of natural resources as a result of the proposed development are not considered to be significant in nature. The site is serviced by public water mains.</p> <p>Operational demands are associated with the existing use of the site.</p>	<p>No</p>
<p><b>1.4</b> Will the project involve the use, storage, transport, handling or production of substance which would be harmful to human health or the environment?</p>	<p>No</p>	<p>Plant/ machinery require the use of potentially harmful materials such as fuels and other substances. Use of such materials would be typical for construction stage. Any impacts would be local and temporary in nature and the implementation of standard construction practice measure in a CEMP would satisfactorily mitigate potential impacts.</p>	<p>No</p>

<p><b>1.5</b> Will the project produce solid waste, release pollutants or any hazardous / toxic / noxious substances?</p>	<p>Yes</p>	<p>Construction phase would require the use and temporary storage of potentially harmful materials e.g. fuels, oils, paint or other similar substances giving rise to solid waste for disposal. The use of such materials would be typical for construction stage. Construction phase would be short term duration so significant and extended construction impacts would be unlikely and temporary in nature. The implementation of a CEMP would satisfactorily mitigate the potential impacts.</p> <p>It is not anticipated that significant operational emissions will be generated. Waste oils associated with the proposed generators may be generated infrequently.</p>	<p>No</p>
<p><b>1.6</b> Will the project lead to risks of contamination of land or water from releases of pollutants onto the ground or into surface waters, groundwater, coastal waters or the sea?</p>	<p>No</p>	<p>Construction activities will take place within the footprint of the existing developed site.</p> <p>There will be a requirement to store oils, chemicals, paints, sediment etc which would have potential to cause pollution.</p> <p>On site welfare facilities will be provided which will be collected by a licensed waste sewerage contractor.</p> <p>Surface water runoff will be managed from and controlled during construction phase.</p> <p>No significant impact is considered likely subject to the implementation of a CEMP.</p> <p>At operational stage, surface water from the proposed development will drain into the existing site surface water drainage system.</p>	<p>No</p>

		Fuels stored on site to operator generators will be banded steel tank(s). Generators will be banded and fitted with bund leak detection and shutoff valves through an existing oil interceptor prior to discharge from site. Runoff from the location of the proposed generator containers will pass through interceptors prior to discharge.	
<b>1.7</b> Will the project cause noise and vibration or release of light, heat, energy or electromagnetic radiation?	No	<p>There is potential for construction activity to give rise to noise and vibration emissions. Such emissions will be localised and short term in nature and their impacts would be suitably mitigated by the operation of standard measures implemented by a CEMP.</p> <p>At operational stage, the generators when operating will generate noise and air emissions. It is anticipated that this would occur one a week for one hour during normal daytime working hours. Noise levels will be in keeping with the surrounding industrial nature of the area. The location is within an established business park with no significant noise sensitive receptors. The nearest residential properties would be c.550 m to the west.</p> <p>New lighting is proposed within the overall site. During operation, lighting will be designed to be in keeping with bat-friendly lighting guidance.</p>	No
<b>1.8</b> Will there be any risks to human health, for example due to water contamination or air pollution?	No	Construction activity may give rise to dust emissions. Such impacts would be temporary and localised in nature and the application of	No

		standard measures through the implementational of a CEMP would satisfactorily address potential risks on human health.		
<b>1.9</b> Will there be any risk of major accidents that could affect human health or the environment?	No	Having regard to the nature of the proposed development within the existing site, no significant risks are anticipated.  No Seveso/COMAH are noted to be in the vicinity.  The site is not located within an identified flood risk area.	No	
<b>1.10</b> Will the project affect the social environment (population, employment)	Yes	At construction stage, employment will be generated. No negative social environmental impacts are anticipated.	No	
<b>1.11</b> Is the project part of a wider large scale change that could result in cumulative effects on the environment?	No	The development comprises of a number of elements that are associated with the existing warehouse facility on site that is located within an established industrial estate. Having regard to the size of the proposed development on a site zoned for 'High Tech / Manufacturing Use' in the Limerick Development Plan 2022-2028 (as varied), the potential for significant impacts on the environment are not anticipated.	No	
<b>2. Location of proposed development</b>				
<b>2.1</b> Is the proposed development located on, in, adjoining or have the potential to impact on any of the following: - European site (SAC/ SPA/ pSAC/ pSPA)	Yes	<b>Site</b>	<b>Location</b>	No
		Lower River Shannon SAC 002165	c. 3.2 km to the north and c.6.6 km to the west	

<ul style="list-style-type: none"> <li>- NHA/ pNHA</li> <li>- Designated Nature Reserve</li> <li>- Designated refuge for flora or fauna</li> <li>- Place, site or feature of ecological interest, the preservation/conservation/ protection of which is an objective of a development plan/ LAP/ draft plan or variation of a plan</li> </ul>		River Shannon & River Fergus SPA 004077	c. 4.2 km to the north and c.6.8 km to the west	
		pNHA Inner Shannon Estuary South Shore 000435	c. 3.14 km to north	
		pNHA Loughmore Common Turlough 000438	c. 1.1 km to northwest	
	<p>The conservation objectives for the above European sites relate to breeding and wintering birds and coastal habitats.</p> <p>An Appropriate Assessment Screening was provided in support of the application. This concluded that the proposed development will not undermine the conservation objectives of the European sites, and there will not be any significant adverse effects on any European designated sites.</p> <p>The pNHA Loughmore Common Turlough lies c. 1.1 km to the northwest. The applicant states in the updated AA Screening Report that there is indirect surface water connectivity to the Loughmore Canal via the existing storm water drainage intercepted in the Rahneen Business Park SuDS. It is noted that there is ongoing environmental investigations related to pollution of the Loughmore Canal. Construction drainage and</p>			

		wastewater management will be managed on site by practices such as sediment control and the storage of hazardous wastes. No wastewater arises at operational stage and it is proposed to managed the storage of potential pollutants by bunded steel containers, however at construction stage, welfare facilities for works will be provided and managed by waste removal contractor off site. Having regard to the nature of the development proposed and the clean nature of surface water from roofs and hardstanding areas that will be discharged to the existing network and to installation of oil/ fuel interceptors, no significant effects are anticipated on the pNHA.	
<b>2.2</b> Could any protected, important or sensitive species of flora or fauna which use areas on or around the site, for example: for breeding, nesting, foraging, resting, over-wintering, or migration, be affected by the project?	No	The appeal site is located in an suburban area in Raheen Park which consists of buildings and artificial surfaces with limited natural vegetation such as trees, planting.  There is no loss to or encroachment of sensitive habitats.  The wintering and breeding birds identified from the conservation objectives would feed, roost, breed on intertidal habitats. Significant effects of roosting or foraging activity are not considered likely.	No
<b>2.3</b> Are there any other features of landscape, historic, archaeological, or cultural importance that could be affected?	No	Having reviewed the National Monument Service (NMS) Historic Environment Viewer, the subject site is not located within any Sites and Monuments Records (SMR) designated zones.	No

<b>2.4</b> Are there any areas on/around the location which contain important, high quality or scarce resources which could be affected by the project, for example: forestry, agriculture, water/coastal, fisheries, minerals?	No	Given the scale of the works, there is generally no significant requirement for scarce resources. It is unlikely that flooding and pollution of farms lands raised by the appellant will not be exacerbated by the proposed development due to surface water runoff being directed to the existing drainage system in the Raheen Business Park. The levels of surface water runoff related to the proposed development would not be significant and would be negligible.	No
<b>2.5</b> Are there any water resources including surface waters, for example: rivers, lakes/ponds, coastal or groundwaters which could be affected by the project, particularly in terms of their volume and flood risk?	No	The proposed development is not located within Flood Zone A or B.  The nature and scale of the development within the wider site is not significant, therefore it is not anticipated that it would give rise to flooding. The development will implement measures to control surface water runoff. The development is unlikely to result in significant increased risk of flooding to downstream areas.  There is no direct hydrological connectivity from the subject site to the Barnakyle River.  The subject site is not located proximate to the coastline.	No
<b>2.6</b> Is the location susceptible to subsidence, landslides or erosion?	No	No evidence of these risk having reviewed the Geological Survey of Ireland (GSI) Landslide database. The topography of the area is low-lying and the immediate area is developed.	No

<p><b>2.7</b> Are there any key transport routes(eg National primary Roads) on or around the location which are susceptible to congestion or which cause environmental problems, which could be affected by the project?</p>	<p>No</p>	<p>The site is served by a local road network. No significant contribution to traffic congestion is anticipated to arise as a result of the proposed development.</p>	<p>No</p>
<p><b>2.8</b> Are there existing sensitive land uses or community facilities (such as hospitals, schools etc) which could be affected by the project?</p>	<p>No</p>	<p>The site is located within the Raheen Business Park and is not in close proximity to any schools/ hospitals. There is no negative impact anticipated on sensitive land uses or community facilities as a result of the proposed project.</p>	<p>No</p>
<p><b>3. Any other factors that should be considered which could lead to environmental impacts</b></p>			
<p><b>3.1 Cumulative Effects:</b> Could this project together with existing and/or approved development result in cumulative effects during the construction/ operation phase?</p>	<p>Yes</p>	<p>Existing and/ or approved planning consents in the vicinity of the site and the wider area of the Raheen Business Park have been noted in the application documentation (Appendix A of the EIA Screening Report provides a list of permitted developments within the vicinity).</p> <p>Mitigation measures for permitted developments within the vicinity of the subject site entail CEMP and RWMP which were conditioned as part of those developments to address noise, dust, pollution, biodiversity, and traffic management. Subject to the mitigation measures being implement during the course of the carrying out these development projects, and the mitigation measures related to the proposed development being implemented, it is unlikely that there will be significant cumulative impacts during the course of construction of the subject development in conjunction with other projects.</p>	<p>No</p>

3.2 Transboundary Effects: Is the project likely to lead to transboundary effects?	No		
3.3 Are there any other relevant considerations?	No		
<b>C. CONCLUSION</b>			
No real likelihood of significant effects on the environment.	✓	EIAR Not Required	
Real likelihood of significant effects on the environment.	<input type="checkbox"/>	EIAR Required	
<b>D. MAIN REASONS AND CONSIDERATIONS</b>			
<p><b><i>EG - EIAR <u>not</u> Required</i></b></p> <p>Having regard to: -</p> <ol style="list-style-type: none"> <li>1. The criteria set out in Schedule 7, in particular <ol style="list-style-type: none"> <li>a) The nature and scale of the proposed development which is below the threshold in respect of Class 10(b)(iv) of Part 2, Schedule 5 of the Planning and Development Regulations 2001 (as amended), and which will occur within a serviced by public infrastructure,</li> <li>b) Notwithstanding (a) above, and pursuant to Class 15 of the Planning and Development Regulations 2001 (as amended), the nature and scale of the proposed development which is located with the curtilage of an existing established use of site and to which the proposed development is ancillary to that use,</li> <li>c) The absence of any significant environmental sensitivity in the vicinity,</li> <li>d) The nature and use of the existing site context which is located in an established industrial estate/ business park served by public infrastructure,</li> <li>e) The features and measures proposed by the applicant envisaged to avoid or prevent what might otherwise have been significant effects on the environment.</li> <li>f) The location of the development outside of any sensitive location specified in article 109(4)(a) of the Planning and Development Regulations 2001 (as amended)</li> </ol> </li> </ol>			

2. The results of other relevant assessments of the effects on the environment submitted by the applicant i.e. An Appropriate Assessment Screening Report for the proposed development, Schedule 7A information provided in an EIA Screening Report in support of the application,
3. The features and measures proposed by the applicant envisaged to avoid or prevent what might otherwise have been significant effects on the environment.

The Commission concluded that the proposed development would not be likely to have significant effects on the environment, and that an environmental impact assessment report is not required.

Inspector \_\_\_\_\_

Date \_\_\_\_\_

Approved (DP/ADP) \_\_\_\_\_

Date \_\_\_\_\_



## Appendix 3 – Appropriate Assessment Screening

Screening for Appropriate Assessment Test for likely significant effects	
<b>Step 1: Description of the project and local site characteristics</b>	
<b>Case File: PL-500699-LK</b>	
<b>Brief description of project</b>	Modifications, alterations, additions to the existing warehouse and associated site works. A detailed description is set out in Section 2.0 of this report.
<b>Brief description of development site characteristics and potential impact mechanisms</b>	<p>The appeal site is located in the south-western corner periphery of Raheen Industrial/ business estate. There is an existing warehouse on site. The proposed works will be carried out within the curtilage of the site and individual structures are small in scale and are ancillary to the existing warehouse on site.</p> <p>There is an existing stream (Barnakyle Stream) to the south of the site which flows to the River Maigue.</p> <p>Loughmore Canal is located approx. 1.1 km to the northwest of the site. There is indirect surface water connectivity to the Loughmore Canal via the existing storm water drainage network which intercepts drainage in the Raheen Business Park.</p>
<b>Screening report</b>	Yes – updated Appropriate Assessment Screening Report (Moore Group Environmental Services) following a request for FI.
<b>Natura Impact Statement</b>	No
<b>Relevant submissions</b>	<ul style="list-style-type: none"> <li>• Ecologist Report Limerick City &amp; County Council</li> <li>• Third party appeal</li> </ul>
<b>Step 2. Identification of relevant European Sites using Source-pathway-receptor model</b>	
<p>2 no. European sites are within a zone of influence of the proposed development as set out in the below table. I note that the updated AA Screening Report identified further European sites (Figure 4) in a 15 km radius of the appeal site but were ruled out for further examination on the basis that there was no connectivity to the sites from the appeal site. Therefore having reviewed same, I am satisfied that these sites can</p>	

be excluded from further consideration due to distance and lack of/ weak ecological connections.

European Site (code)	Qualifying interests <sup>1</sup> Link to conservation objectives (NPWS, date)	Distance from proposed development (km)	Ecological connections <sup>2</sup>	Consider further in screening <sup>3</sup> Y/N
<b>Lower River Shannon SAC</b> <a href="#">(002165)</a>	<ul style="list-style-type: none"> <li>• Estuaries [1130]</li> <li>• Mudflats and sandflats not covered by seawater at low tide [1140]</li> <li>• Coastal lagoons [1150]</li> <li>• Large shallow inlets and bays [1160]</li> <li>• Reefs [1170]</li> <li>• Perennial vegetation of stony banks [1220]</li> <li>• Vegetated sea cliffs of the Atlantic and Baltic coasts [1230]</li> <li>• Salicornia and other annuals colonising mud and sand [1310]</li> <li>• Atlantic salt meadows (Glaucopuccinellietalia maritima) [1330]</li> <li>• Mediterranean salt meadows (Juncetalia</li> </ul>	c. 3.2 km to the north and c.6.6 km to the west	No direct connection/pathway  Indirect hydrological connection via existing Raheen Business Park stormwater drainage system outfall – Loughmore Canal	Y

	<p>53aritime) [1410]</p> <ul style="list-style-type: none"> <li>• Water courses of plain to montane levels with the Ranunculion fluitantis and Callitricho-Batrachion vegetation [3260]</li> <li>• Molinia meadows on calcareous, peaty or clayey-silt-laden soils (Molinion caeruleae) [6410]</li> <li>• Alluvial forests with Alnus glutinosa and Fraxinus excelsior (Alno-Padion, Alnion incanae, Salicion albae) [91E0]</li> <li>• Margaritifera margaritifera (Freshwater Pearl Mussel) [1029]</li> <li>• Petromyzon marinus (Sea Lamprey) [1095]</li> <li>• Lampetra planeri (Brook Lamprey) [1096]</li> </ul>			
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	<ul style="list-style-type: none"> <li>• Lampetra fluviatilis (River Lamprey) [1099]</li> <li>• Salmo salar (Salmon) [1106]</li> <li>• Tursiops truncatus (Common Bottlenose Dolphin) [1349]</li> <li>• Lutra lutra (Otter) [1355]</li> </ul>			
<b>River Shannon and River Fergus Estuaries SPA</b> <a href="#">(004077)</a>	<ul style="list-style-type: none"> <li>• Cormorant (Phalacrocorax carbo) [A017]</li> <li>• Whooper Swan (Cygnus cygnus) [A038]</li> <li>• Light-bellied Brent Goose (Branta bernicla hrota) [A046]</li> <li>• Shelduck (Tadorna tadorna) [A048]</li> <li>• Wigeon (Anas penelope) [A050]</li> <li>• Teal (Anas crecca) [A052]</li> <li>• Pintail (Anas acuta) [A054]</li> <li>• Shoveler (Anas clypeata) [A056]</li> <li>• Scaup (Aythya marila) [A062]</li> <li>• Ringed Plover (Charadrius hiaticula) [A137]</li> </ul>	c. 4.2 km to the north and c.6.8 km to the west	No direct connection/ pathway  Indirect hydrological connection via existing Raheen Business Park stormwater drainage system outfall – Loughmore Canal	Y

	<ul style="list-style-type: none"> <li>• Golden Plover (Pluvialis apricaria) [A140]</li> <li>• Grey Plover (Pluvialis squatarola) [A141]</li> <li>• Lapwing (Vanellus vanellus) [A142]</li> <li>• Knot (Calidris canutus) [A143]</li> <li>• Dunlin (Calidris alpina) [A149]</li> <li>• Black-tailed Godwit (Limosa limosa) [A156]</li> <li>• Bar-tailed Godwit (Limosa lapponica) [A157]</li> <li>• Curlew (Numenius arquata) [A160]</li> <li>• Redshank (Tringa totanus) [A162]</li> <li>• Greenshank (Tringa nebularia) [A164]</li> <li>• Black-headed Gull (Chroicocephalus ridibundus) [A179]</li> <li>• Wetland and Waterbirds [A999]</li> </ul>			

- 1 summary description / cross reference to npws website is acceptable at this stage in the report
- 2 Based on source-pathway-receptor: Direct/ indirect/ tentative/ none, via surface water/ ground water/ air/ use of habitats by mobile species
- 3 if no connections: N

**Further Commentary / Discussion**

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

As the appeal site is not located within or adjacent to a European site, there will be no direct impacts and no risk of habitat loss, fragmentation or any other direct impact.

At construction stage, possible impact mechanisms of a temporary nature from site works include generation of noise, dust and construction related emissions to surface water. The proposed development is in an industrial area already subject to regular traffic/ industrial noise levels. Given the scale of the development proposed within the curtilage of the site whereby there is an existing warehouse development in situ, I do not consider that any temporary noise or human disturbance that may occur during the construction phase of the development would be any significant increase on the current baseline.

At operational stage, the proposed development will discharge surface water runoff from hardstanding areas and roofs to the existing storm water network.

An impairment of water quality may potentially occur as a result of runoff sediment/ pollutants. The existing surface water network on the site receives runoff discharges which conveys to the existing IDA sewer system (DWG Ref. 'Proposed Site Layout Undergrounds Utilities DWG No. 25-C-PE-00001). In response to FI request, the applicant has outlined that the proposed development will result in no net increase in hardstanding areas within the site and the characteristics of surface water runoff (volume, quality and discharge patterns) will remain unchanged. In this regard, I note that the proposed works will not add/ increase load to the existing stormwater or stormwater system. The proposed does not directly drain to the Lower River Shannon. The proposed works will not significantly alter the existing water flow at the site or in the greater area.

The general area could be utilised frequently for ex-situ foraging by bird species or otters, however this is not seen as a significant likelihood given there is more suitable habitat in other sites adjacent to these protected areas.

**AA Screening Matrix**

<b>Qualifying Interests (QIs)/ Special Conservation Interests (SCIs)</b>	<b>Possibility of significant effects (alone) of the</b>
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		conservation objectives of the site*	
		Impacts	Effects
<b>Site 1:</b>  <b>Lower River Shannon SAC (002165)</b>		<u>Direct – No impact</u> There is no potential effect in terms of habitat loss, fragmentation or disturbance or reduction in species density, due to the site characteristics and the distance to the SAC site. There is no physical encroachment.  <u>Indirect – Potential Impact</u> Release of silt and sediment during site works  Release of construction related compounds including hydrocarbons to surface water  Construction noise, vibration, lighting impacts	Deterioration in water quality during the construction phase and operational phase which could undermine the conservation objectives set for water quality targets and to water dependent species.
<b>QI/SCI</b>	<b>CO</b>		
1029 Freshwater Pearl Mussel <i>Margaritifera margaritifera</i>	To restore the favourable conservation condition of Freshwater Pearl Mussel in the Lower River Shannon SAC.		
1095 Sea Lamprey <i>Petromyzon marinus</i>	Maintain populations and habitat; ensure free passage		
1096 Brook Lamprey <i>Lampetra planeri</i>	Maintain populations and habitat; ensure free passage		
1099 River Lamprey <i>Lampetra fluviatilis</i>	Maintain populations and habitat; ensure free passage		
1106 Atlantic Salmon <i>Salmo salar</i> (only in fresh water)	Restore favourable conservation condition; population targets, free spawning access		
1349 Bottlenose Dolphin <i>Tursiops truncatus</i>	Maintain population, habitat quality and usage pattern Stable; ~107 individuals (est.), highly site-faithful		
1355 Otter <i>Lutra lutra</i>	Maintain populations and habitat. Present and widespread in site		
1110 Sandbanks which are slightly covered by	Maintain favourable conservation condition. Stable, area: 1,353 ha		

sea water all the time				
1130 Estuaries	Maintain favourable conservation condition. Stable/increasing, area: 24,273 ha			
1140 Mudflats and sandflats not covered by seawater at low tide	Maintain favourable conservation condition. Stable/increasing, area: 8,808 ha			
1150 *Coastal lagoons	Maintain favourable conservation condition. Poor conservation status nationally			
1160 Large shallow inlets and bays	Maintain favourable conservation condition. Stable/increasing			
1170 Reefs	Maintain favourable conservation condition. Stable distribution and area			
1220 Perennial vegetation of stony banks	Maintain favourable conservation condition. No decline, stable/increasing area			
1230 Vegetated sea cliffs of the Atlantic and Baltic coasts	Maintain favourable conservation condition. Maintain range and structure			
1310 Salicornia and other annuals colonizing mud and sand	Maintain favourable conservation condition. Stable/increasing, 0.22 ha			
1330 Atlantic salt meadows (Glauco-	Restore favourable conservation condition. Target:			

Puccinellietalia maritimae)	increasing extent; 495.4 ha				
1410 Mediterranean salt meadows (Juncetalia maritimi)	Restore favourable conservation condition. Target: increasing extent; 48 ha				
3260 Water courses of plain to montane levels with the Ranunculion fluitantis and Callitriche-Batrachion vegetation	Maintain favourable conservation condition. Maintain structure & supporting species				
6410 Molinia meadows on calcareous, peaty or clayey-silt-laden soils (Molinion caeruleae)	To maintain the favourable conservation condition of Molinia meadows (Molinion caeruleae) in the Lower River Shannon SAC, the habitat must have stable or increasing area and distribution (subject to natural processes), a broadleaf herb:grass ratio of 40–90%, 30–70% of the sward between 10–80 cm high, at least 7 positive indicator species including one "high quality" species, no decline in notable species, negative indicator species collectively under 20% cover (none over 10%, and non-native invasives absent or controlled), specific limits on				

	moss cover (bog moss under 10%, hair moss under 25%), woody species and bracken under 5% cover, and no more than 10% bare ground.			
91E0 *Alluvial forests with <i>Alnus glutinosa</i> and <i>Fraxinus excelsior</i> (Alno-Padion, Alnion <i>incanae</i> , <i>Salicion albae</i> )	To restore the favourable conservation condition of alluvial forests with <i>Alnus glutinosa</i> and <i>Fraxinus excelsior</i> (91E0) in the Lower River Shannon SAC by ensuring a stable or increasing area and distribution, diverse and native woodland structure with adequate regeneration and dead wood, protection of veteran trees and local distinctiveness, appropriate hydrology, and control of negative indicator (especially invasive) species.			
			<b>Likelihood of significant effects from the proposed development (alone): No</b>	
			<b>If No, is there likelihood of significant effects occurring in combination with other plans or projects? No</b>  Other plans and projects were examined in the AA Screening report (Section 5.2 and Table 4). No other effects of magnitude that could add to other plans and projects were identified.	

Qualifying Interests (QIs)/ Special Conservation Interests (SCIs)		Possibility of significant effects (alone) in view of the conservation objectives of the site*	
		Impacts	Effects
<b>Site 2: River Shannon and River Fergus Estuaries (SPA 004077)</b>		<u>Direct – No impact</u> There is no potential effect in terms of habitat loss, fragmentation or disturbance or reduction in species density, due to the site characteristics and the distance to the SAC site. There is no physical encroachment.	Deterioration in water quality during the construction phase and operational phase which could undermine the conservation objectives set for water quality targets and to water dependent species.
<b>QI/SCI</b>	<b>CO</b>	<u>Indirect – Potential Impact</u> Release of silt and sediment during site works.	
Cormorant <i>Phalacrocorax carbo</i>	Maintain favourable conservation condition: stable breeding abundance, productivity, breeding distribution, prey biomass, connectivity, disturbance; stable or increasing long-term trend and non-breeding range/timing/intensity of use (see notes).	Release of construction related compounds including hydrocarbons to surface water	
Whooper Swan <i>Cygnus cygnus</i>	Maintain favourable conservation condition: stable or increasing long-term trend and stable range/timing/intensity of use (non-breeding).	Construction noise, vibration, lighting impacts	
Light-bellied Brent Goose <i>Branta bernicla hrota</i>	Maintain favourable conservation condition: stable or increasing long-term trend and stable range/timing/intensity of use (non-breeding).		
Shelduck <i>Tadorna tadorna</i>	Maintain favourable conservation condition: stable or increasing long-term		

	trend and stable range/timing/intensity of use (non-breeding).			
Wigeon <i>Anas penelope</i>	Maintain favourable conservation condition: stable or increasing long-term trend and stable range/timing/intensity of use (non-breeding).			
Teal <i>Anas crecca</i>	Maintain favourable conservation condition: stable or increasing long-term trend and stable range/timing/intensity of use (non-breeding).			
Pintail <i>Anas acuta</i>	Maintain favourable conservation condition: stable or increasing long-term trend and stable range/timing/intensity of use (non-breeding).			
Shoveler <i>Anas clypeata</i>	Maintain favourable conservation condition: stable or increasing long-term trend and stable range/timing/intensity of use (non-breeding).			
Scaup <i>Aythya marila</i>	Maintain favourable conservation condition: stable or increasing long-term trend and stable range/timing/intensity			

	of use (non-breeding).			
Ringed Plover <i>Charadrius hiaticula</i>	Maintain favourable conservation condition: stable or increasing long-term trend and stable range/timing/intensity of use (non-breeding).			
Golden Plover <i>Pluvialis apricaria</i>	Maintain favourable conservation condition: stable or increasing long-term trend and stable range/timing/intensity of use (non-breeding).			
Grey Plover <i>Pluvialis squatarola</i>	Maintain favourable conservation condition: stable or increasing long-term trend and stable range/timing/intensity of use (non-breeding).			
Lapwing <i>Vanellus vanellus</i>	Maintain favourable conservation condition: stable or increasing long-term trend and stable range/timing/intensity of use (non-breeding).			
Knot <i>Calidris canutus</i>	Maintain favourable conservation condition: stable or increasing long-term trend and stable range/timing/intensity of use (non-breeding).			

Dunlin <i>Calidris alpina</i>	Maintain favourable conservation condition: stable or increasing long-term trend and stable range/timing/intensity of use (non-breeding).			
Black-tailed Godwit <i>Limosa limosa</i>	Maintain favourable conservation condition: stable or increasing long-term trend and stable range/timing/intensity of use (non-breeding).			
Bar-tailed Godwit <i>Limosa lapponica</i>	Maintain favourable conservation condition: stable or increasing long-term trend and stable range/timing/intensity of use (non-breeding).			
Curlew <i>Numenius arquata</i>	Maintain favourable conservation condition: stable or increasing long-term trend and stable range/timing/intensity of use (non-breeding).			
Redshank <i>Tringa totanus</i>	Maintain favourable conservation condition: stable or increasing long-term trend and stable range/timing/intensity of use (non-breeding).			
Greenshank <i>Tringa nebularia</i>	Maintain favourable conservation condition: stable or increasing long-term trend and stable range/timing/intensity of use (non-breeding).			
Black-headed Gull <i>Chroicocephalus ridibundus</i>	Maintain favourable conservation condition: stable or increasing long-term trend and stable range/timing/intensity			

	of use (non-breeding).			
Wetlands	Maintain favourable conservation condition of wetland habitat, with permanent area stable and not significantly less than 32,261 ha (other than due to natural variation).			
		<b>Likelihood of significant effects from the proposed development (alone): No</b>		
		<b>If No, is there likelihood of significant effects occurring in combination with other plans or projects? No</b>		
		Other plans and projects were examined in the AA Screening report (Section 5.2 and Table 4). No other effects of magnitude that could add to other plans and projects were identified.		
<b>Step 4 Conclude if the proposed development could result in likely significant effects on a European site</b>				
I conclude that the proposed development (along or in combination with other plans or projects) would not result in likely significant effects on European sites. No further assessment is required for the project.				
<b>Screening Determination</b>				
<b>Significant effects cannot be excluded</b>				
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) sites, in view of the Conservation Objectives of those sites and Appropriate Assessment is therefore not required.				
This determination is based on:				
<ul style="list-style-type: none"> <li>• The nature and scale of the proposed works on fully serviced lands</li> <li>• Scientific information provided in the AA Screening report</li> <li>• Distance from and weak indirect connections to the European sites</li> </ul>				

- No ex-situ impacts on wintering birds
- Possible impacts identified would not be significant in terms of site-specific conservation objectives for the Lower River Shannon SAC (002165) and River Shannon and River Fergus Estuaries (SPA 004077) sites and would not undermine the maintenance of favourable conservation condition or delay or undermine the achievement of restoring favourable conservation status for those qualifying interest features of unfavourable conservation status.

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

## Appendix 4 – WFD Impact Assessment Stage 1

<b>WFD IMPACT ASSESSMENT STAGE 1: SCREENING</b>			
<b>Step 1: Nature of the Project, the Site and Locality</b>			
<b>An Coimisiún Pleanála ref. no.</b>	PL-500699-LK-26	<b>Townland, address</b>	Ballyclogh Road & Cloghacloka Road, Raheen Business Park, Raheen, Co Limerick
<b>Description of project</b>		Modifications, alterations, additions to the existing warehouse and associated site works. A detailed description is set out in Section 2.0 of this report.	
<b>Brief site description, relevant to WFD Screening,</b>		The characteristics of the site comprise of an existing warehouse development with hardstanding areas and car parking surrounding the building. It is located within the Raheen Industrial/ Business Park. The site is bounded to the southeast by Cloghacloka Road, to the northwest by Ballyclogh Road and to the northeast by Loughmore Avenue. The site is serviced by public water and the existing surface water network on the site receives runoff discharges which conveys to the existing IDA sewer system network.	
<b>Proposed surface water details</b>		Surface water from existing roofs and hardstanding areas discharges to the existing Raheen Business Park sewer system network from the appeal site. The proposed development will do likewise. The existing storm sewer network ultimately discharges to the Loughmore Canal which is located c. 1.2 km to the north which conveys to the Barnakyle River. The existing	

	surface water drainage of the site drains to this wider sewer system and that prior to discharge from the appeal site, an existing petrol/ oil interceptor install as part of an earlier permission captures any surface water pollutants prior to discharge. This is proposed to be replace with a a new monitored Class 1 forecourt interceptor.
<b>Proposed water supply source &amp; available capacity</b>	The site is connected to the existing public water mains.
<b>Proposed wastewater treatment system &amp; available capacity, other issues</b>	The site is connected to the existing public sewer.
<b>Others?</b>	No

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

<b>Identified water body</b>	<b>Distance to (m)</b>	<b>Water body name(s) (code)</b>	<b>WFD Status</b>	<b>Risk of not achieving WFD Objective e.g.at risk, review, not at risk</b>	<b>Identified pressures on that water body</b>	<b>Pathway linkage to water feature (e.g. surface run-off, drainage, groundwater)</b>

River Waterbody	Located adjacent to the overall estate (south)	BARNAKYLE_020 IE_SH_24B050600	Moderate	Monitoring	Urban runoff, agriculture	The existing warehousing unit on site discharges surface water runoff from roofs and hardstanding areas to the existing IDA sewer system network which serves the overall area.

Ground Waterbody	Underlying site	Limerick City Southwest IE_SH_G_141	Good	At risk	Agriculture	Via surface water run-off	
<b>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.</b>							
<b>CONSTRUCTION PHASE</b>							
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	<b>Determination** to proceed to Stage 2. Is there a risk to the water environment? (if 'screened' in or 'uncertain' proceed to Stage 2.</b>
1.	Surface Construction	BARNAKYLE_020 IE_SH_24B050600	Existing surface water drainage system serving the site which discharges to the storm sewer network in the Raheen Business Estate which discharges to the Loughmore Canal conveying to the Barnakyle waterbody. Runoff from construction activity is a potential risk.	Siltation, hydrocarbon spillages	Standard Construction practice CEMP	No	Screened out

2.	Ground Construction	Limerick City Southwest IE_SH_G_141	Drainage	Hydrocarbon Spillages	Standard Construction practice CEMP	No	Screened out
<b>OPERATIONAL PHASE</b>							
1	Surface	BALLYNACLOGH_010 IE_SH_24B050600	Existing surface water drainage system serving the site discharging to the wider Raheen Business Estate storm water sewer network. The proposed development will continue to discharge to the existing system.	Potential for Hydrocarbon Spillages	Implementation of conditions of permission related to surface water management (SuDS) and installation of full retention interceptors in lieu of the bypass interceptors.	No	Screened out
42	Ground	Limerick City Southwest IE_SH_G_141	No direct discharge to ground water. SuDS proposed to be carried out.	None	Implementation of conditions of permission related to surface water management (SuDS) and	No	Screened out

					installation of full retention interceptors in lieu of the bypass interceptors.		
<b>DECOMMISSIONING PHASE</b>							
1.	NA	NA	NA	NA	NA	NA	NA