



An
Coimisiún
Pleanála

Inspector's Report

PL-501143-LK-26

Development

Demolition of the existing commercial building and the construction of 4 no. 3 storey retail / apartment buildings with a total of 8 no. retail units and 16 no. apartments.

Location

Clarina Village , Clarina , Co. Limerick.

Planning Authority

Limerick City and County Council

Planning Authority Reg. Ref.

2515

Applicant(s)

Teresa Cross

Type of Application

Permission

Planning Authority Decision

Refuse Permission

Type of Appeal

First Party Normal Planning Appeal

Appellant(s)

Teresa Cross

Observer(s)

None

Date of Site Inspection

17/6/2026

Inspector

Irené McCormack

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1.0 Site Location and Description

- 1.1. The appeal site is located within the village of Clarina. It is situated approximately 10km to the west of Limerick City. The site fronts onto the N69 National Secondary Route which links Limerick City and Tralee.
- 1.2. The site is a brownfield site and contains an existing commercial unit in use as a hairdresser with extensive hard surface to the front and side. The rear of the site is overgrown open space. To the west of the site is a large three-storey building comprising 19 no. apartments with some retail floor space at ground floor level. (The building was granted as part of a larger scheme under PA Reg Ref 99/2676 & ABP Ref PL13.129104 as detailed below in Section 4 of this report). The Cois Carraig housing estate is situated to north of the site. It comprises an unfinished housing estate of retirement homes and adjoins a partially completed housing estate which is an adjunct to the village. To the east there is a single storey detached family home and further to the east and on the opposite side of the road there is a service station and convenience retail store.
- 1.3. The site with a stated area of 0.322 hectares

2.0 Proposed Development

- 2.1. The applicant originally sought planning permission for the demolition of the existing commercial building and the construction of 4 no. 3 storey retail/apartment buildings with a total of 8 no. retail units and 16 no. apartments and associated site works.
- 2.2. The applicant sought an extension of time of 11/3/2025. The decision date was subsequently extended to the 17/03/2026.
- 2.3. The PA in their assessment states that the application decision date was extended given concerns with the layout of the scheme as originally proposed. Unsolicited FI was submitted in November 2025 which included a change to the proposed development. The scheme was revised as follows:
- 2.4. The scheme was reduced from four to three no. 3 storey buildings. Blocks 1 and 2 which face onto the N69 to the south was revised to consist of 3 commercial units on the ground floor and 4 no. duplex apartments at first and second floor.
- 2.5. Block 3 to the rear consists of a creche at ground floor and 4 no. duplex apartments at first and second floor.

- 2.6. The vehicular entrance to the site was altered and relocated to the eastern end of the site which has resulted in Blocks 1 and 2 being moved closer together and a footpath between.
- 2.7. In response to the appeal the applicant now proposes to remove the proposed creche and utilise this space as another commercial unit.

3.0 Planning Authority Decision

3.1. Decision

The Planning Authority issued a decision to refuse permission for two reasons as follows:

1. The subject site is located within Flood Zone A and some of the proposed uses are considered highly vulnerable development as set out in the Planning System and Flood Risk Management Guidelines for Planning Authorities 2009. The applicant has failed to demonstrate appropriately that the proposed development complies with the requirements of Section 5 of the Limerick Development Plan 2022–2028 Strategic Flood Risk Assessment (SFRA) and is as such deemed non-compliant with Policy CAF P5 Managing Flood Risk and Objective CAF O20 Flood Risk Assessments of the Limerick Development Plan 2022-2028 and would therefore be contrary to proper planning and sustainable development of the area.
2. In the absence of a connection agreement with Uisce Eireann for connection to the public foul wastewater system, the Planning Authority is not satisfied that the site can be adequately serviced, and the development would therefore be prejudicial to public health and Objective IN O9 Public Wastewater of the Limerick Development Plan 2022-2028.

3.2. Planning Authority Reports

3.2.1. Planning Reports

The Planners Report (dated 13/03/2026) notes that there is no land use zoning in place and sets out that apartment standards have been met. However, the report concludes that There are outstanding concerns in relation to the number of commercial units proposed, particularly given the size of Clarina village. There is a lack of detailed information in relation to the creche, parking and bin storage. There are significant concerns regarding the siting of the application site and its access entirely within Flood Zone A, as well as the vulnerable uses proposed including residential and a creche. Consideration has been given to the fact that the proposal would result in the creation of 12 additional residential units. However, the benefits of this would not outweigh the fact that the site is located within Flood Zone A.

It is stated that consideration was given to the use of conditions. However, this was not possible in this case given that the application has already been extended, the use of further information was also not appropriate here. Given the concerns in relation to flooding and the lack of information regarding wastewater, the application was recommended for refusal.

3.2.2. Other Technical Reports

Fire & Emergency Department – report received 30/01/25 - No objection subject to compliance with Building Regulations and Building Control Regulations.

MWNRDO – report received 05/02/25 -No observations to make

Roads Department – report received 10/03/2026 -No objection subject to conditions

Housing Department – report received 31/01/25- Notes that a preliminary part v agreement is in place for the transfer of 2 no. units off-site.

Environment and Climate Action – report received 11/03/2026- No objection subject to an RDAS and RWMP by way of condition.

Flooding Department – report received 13/03/26 -Requesting further information including breach flood event mapping, justification test, location of creche to be clarified given a creche is a vulnerable use of flood zone A.

3.3. Prescribed Bodies

Transport Infrastructure Ireland (TII) – report received 14/02/25 - Considers that the development as proposed would be at variance with national policy in relation to control of frontage development on national roads. Requesting that a traffic and transport assessment and a road safety audit is carried out.

3.4. Third Party Observations

None

4.0 Planning History

Site

LCCC 20/483 – Permission sought for the demolition of existing commercial building and the construction of a two-storey retail/apartment building. The proposed building will include 6no. ground floor retail/office units and 5no. first floor apartments along with hardstanding vehicle parking areas, public open space, foul and storm sewer connections, water supply

connections, boundary wall and all ancillary works. Application withdrawn.

Adjacent (to the west)

ABP-317437-23 / LCCC 22/624 - Permission grant by ABP for a three storey extension to an existing building as previously granted under Planning Reference 99/2676 and all required associated site work. The decision overturned the PA's recommendation to refused for three reasons, in brief:

1. Absence of a comprehensive proposal for surface water disposal.
2. Overdevelopment of the site and would result in the building being unduly obtrusive and out of character when viewed in the context of the existing streetscape at this location.
3. The proposed development is in an area at risk of flooding and in the absence of a comprehensive proposal for dealing with any flood risk on site.

ABP 312894-22/ LCCC 21/701 - Permission granted for minor elevational amendments from previously granted ref. 99/2676. Change of use from office unit to residential apartment on 1st floor, alteration to overall 1st floor layout from previously granted planning ref 99/2676 (granted 6 apartment units) into 8 apartments, alteration to 2nd floor layout from previously granted planning ref. 99/2676 (granted 8 apartment units) into 7 apartment units.

5.0 Policy Context

5.1. Limerick Development Plan 2022-2028

- The appeal site is located with the defined boundary of Clarina Village. Clarina is located within the Limerick Shannon Metropolitan Area.
- Clarina is a Level 5 Village in the settlement hierarchy.
- Having regard to National Policy Objective 3c, a growth target of 28% has been incorporated into the Core Strategy.
- Table 2.7: Settlement hierarchy, population and household growth up to end of Plan period Q2 2028 plus zoned land provision

Development in Clarina shall accord with the objectives for the Level 5 settlements .

Objective CGR O17 – Development within Level 5 Settlements It is an objective of the Council within these settlements to facilitate development, subject to compliance with the following: ...(b) New commercial developments shall generally only be located within the core area and shall contribute positively to the village streetscape. ..

The following objectives are also considered relevant;

Chapter 2: Core Strategy

Policy CS P1 Core Strategy Implementation - It is a policy of the Council to implement the Core Strategy for Limerick to ensure consistency with policies at a national and regional level, in particular population targets and distribution.

Policy CS P2 Compact Growth - It is a policy of the Council to support the compact growth of Limerick City Metropolitan Area, towns and villages by prioritising housing and employment development in locations within and contiguous to existing City and town footprints where it can be served by public transport and walking and cycling networks, to ensure that development proceeds sustainably and at an appropriate scale, density and sequence, in line with the Core Strategy Table 2.7. ‘

Chapter 3: Spatial Strategy

Policy CGR P1 Compact Growth and Revitalisation It is a policy of the Council to achieve sustainable intensification and consolidation, in accordance with the Core Strategy, through an emphasis on revitalisation and the delivery of more compact and consolidated growth, integrating land use and transport, with the use of higher densities and mixed use developments at an appropriate scale on brownfield, infill, backland, state-lands and underutilised sites within the existing built footprint of Limerick’s City, Towns and Villages.

Policy CGR P4 - Revitalisation of Towns and Villages - It is the policy of the Council to:

- a) Actively address issues of vacancy and dereliction in settlements across Limerick.
- b) Promote projects contributing to compact growth and the physical, social and economic revitalisation of the towns and villages throughout County Limerick.

Section 3.8 Level 5: Small Villages

Objective CGR O17 - Development within Level 5 Settlements -It is an objective of the Council within these settlements to facilitate development, subject to compliance with the following:

- a) The scale of new residential schemes shall be in proportion to the pattern and grain of existing development and shall be located within the development boundary, thus avoiding ‘leap frogging’ of development and delivering compact growth and providing for the organic and sequential growth of the settlement. Infill and brownfield sites will be the preferred

location for new development. In this regard, any development shall enhance the existing village character and create or strengthen a sense of identity and distinctiveness for the settlement.

b) New commercial developments shall generally only be located within the core area and shall contribute positively to the village streetscape.

c) New community and social facilities shall be provided in conjunction with residential development as required.

d) The development of these centres shall provide for serviced sites and a variety of other house types and densities as appropriate.

e) Where there is no treatment plant or limited capacity in the existing treatment plant, sewerage treatment shall generally be by means of individual treatment systems, subject to satisfactory site assessment and compliance with EPA guidelines. All systems shall be constructed so as to allow connection to public sewers in due course when capacity becomes available.

Objective CGR O18 - Scale of Growth for Level 5 Settlements - It is an objective of the Council to ensure that, generally, no one proposal for residential development shall be larger than 5 – 7 units. A limited increase beyond this may be permitted where demonstrated to be appropriate, dependent on the extent of the settlement and the services in place to serve growth.

Section 3.10 Revitalisation of Towns and Villages

Objective CGR O20 Town and Village Revitalisation It is an objective of the Council to:

a) Promote and support the renewal and revitalisation of rural town and village centres to enhance the vitality and viability of settlements as attractive residential and service centres.

b) Support and work with State Bodies, private landowners, community and voluntary groups to successfully achieve the renewal and revitalisation of Limerick's towns and village centres, including projects to re-use vacant premises and underutilised sites, enhance the unique characteristics and assets of main streets and improve the public realm.

Chapter 4: Housing

Objective HO O5 Apartments - It is an objective of the Council to encourage an increase in the scale and extent of apartment development, particularly in proximity to core urban

centres and other factors including existing public transport nodes, or locations where high frequency public transport can be provided, close to locations of employment and a range of urban amenities including parks/ waterfronts, shopping and other services.

Chapter 5: A Strong Economy

Objective ECON O20 - Location of Industry or Enterprise in Brownfield Sites - It is an objective of the Council to facilitate industry or enterprises in brownfield sites with previously established industrial or commercial use, or derelict sites in a commercial, industrial or mixed-use area, subject to the following considerations:

- a) The use should be appropriate to the scale and context of the site, taking into account traffic and other impacts on local infrastructure and neighbouring land uses and amenities;
- b) Structures of conservation merit should be re-used and not replaced;
- c) The works are necessary for the proposed economic activity or activities.

Objective ECON O29- Office Development - It is an objective of the Council to facilitate significant additional office development in employment and commercial centres. The appropriate locations for office development would generally be on appropriately zoned lands in employment zoned areas, Limerick City Centre, Town Centres and District Centres in accordance with the zoning matrix refer to Chapter 12: Land Use Zoning Strategy.

Chapter 8: Infrastructure

Objective IN O9 relates to Public Waste Water

Objective IN O12 relates to Surface Water and SuDS

Chapter 9: Climate Action, Flood Risk and Transition to Low Carbon Economy

Objective CAF O11 -Nature Based Solutions

Section 9.3 Flooding, Flood Risk Management and Water Management

Policy CAF P5 Managing Flood Risk - It is a policy of the Council to protect Flood Zone A and Flood Zone B from inappropriate development and direct developments/land uses into the appropriate lands, in accordance with The Planning System and Flood Risk Management Guidelines for Planning Authorities 2009 (or any subsequent document) and the guidance contained in Development Management Standards and the Strategic Flood Risk Assessment (SFRA). Where a development/land use is proposed that is inappropriate within the Flood Zone, but that has passed the Plan Making Justification Test, then the

development proposal will need to be accompanied by a Development Management Justification Test and Site-Specific Flood Risk Assessment in accordance with the criteria set out under The Planning System and Flood Risk Management Guidelines for Planning Authorities 2009 and Circular PL2/2014 (and any subsequent updates). This will need to demonstrate inclusion of measures to mitigate flood and climate change risk, including those recommended under Part 3 (Specific Flood Risk Assessment) of the Site-Specific Plan Making Justification Tests detailed in the SFRA. In Flood Zone C, the developer should satisfy themselves that the probability of flooding is appropriate to the development being proposed and should consider other sources of flooding, residual risks and the implications of climate change.

Objective CAF O20 -Flood Risk Assessments - It is an objective of the Council to require a Site-Specific Flood Risk Assessment (FRA) for all planning applications in Flood Zones A and B and consider all sources of flooding (for example coastal/tidal, fluvial, pluvial or groundwater), where deemed necessary. The detail of these Site-Specific FRAs (or commensurate assessments of flood risk for minor developments) will depend on the level of risk and scale of development. The FRA will be prepared taking into account the requirements laid out in the SFRA, and in particular in the Plan Making Justification Tests as appropriate to the particular development site. A detailed Site-Specific FRA should quantify the risks, the effects of selected mitigation and the management of any residual risks. The assessments shall consider and provide information on the implications of climate change with regard to flood risk in relevant locations.

Chapter 11: Development Management Standards

Section 11.3.11 refers to SuDS (Sustainable Drainage Systems).

Section 11.4.4.4 relates to Mixed-Use Development

5.2. Relevant Section 28 Ministerial Guidelines

The following Section 28 - Ministerial Guidelines are considered of relevance to the proposed development. Specific policies and objectives are referenced within the assessment where appropriate.

- The Planning System and Flood Risk Management: Guidelines for Planning Authorities (2009)
- Sustainable Residential Development and Compact Settlements - Guidelines for

Planning Authorities (2024).

- Sustainable Urban Housing: Design Standards for New Apartments Guidelines for Planning Authorities (2023). (Application made prior to 9th July 2025 therefore having regard to the 'transitional arrangements' the 2025 Guidelines do not apply in this instance)

5.2.1. Other Guidance

Circular PL02/2014: Flooding Guidelines - The circular advises on the use of OPW mapping in assessing planning applications and clarifies the advice given in the 2009 Guidelines for Planning Authorities: The Planning System and Flood Risk Management.

5.3. Natural Heritage Designations

Lower River Shannon SAC (Site Code 002165) is located circa 2.1km from the site. River Shannon and River Fergus Estuaries SPA (Site Code 004077) lies circa 2.1km from the site.

6.0 EIA Screening

See completed Form 2 on file in Appendix 2. Having regard to the nature, size and location of the proposed development, and to the criteria set out in Schedule 7 of the Regulations I have concluded at preliminary examination that there is no real likelihood of significant effects on the environment arising from the proposed development. EIA, or EIA determination, therefore, is not required.

7.0 The Appeal

7.1. Grounds of Appeal

The grounds of appeal are summarised as follows:

Independent Flood Risk Assessment

- The SSFRA submitted confirms that :
 - The site is not at significant risk of flooding, either fluvial, pluvial or coastal
 - The design and surface water drainage is compliance with Flood Risk Management Guidelines
 - Sustainable drainage measures have been implemented.
- It is argued that the same flooding principles arise as that of the adjoining site (LCCC

22/64 /ABP 317437-23) which was refused by the PA and granted by An Coimisiún Pleanála.

Existing Water and Sewer Infrastructure

- The site already benefits from access to existing public water and sewer connections. The PA's statement that no such connections exist is factually incorrect. A letter of consent from the adjoining landowner giving approval for the existing connections to be kept for the foul and storm connections as they pass through his lands before going onto the public road accompanied the application.

Compliance with Development Plan and National Guidance

- It is set out that the development aligns with policy as regards sustainable development and infrastructure use.
- The technical document attached to the appeal response demonstrates that the development meets criteria regarding drainage, flood safety and service connections.
- The response states that the removal of the proposed creche to the north will be in line with the accompanying technical note recommendation to remove a vulnerable use from the flood zone.

Procedural Fairness and Consideration of Evidence

- It is set out that the independent expert evidence and data provided not adequately assessed by the PA.
- Concern was raised that the applicant was given contradictory advice by the PA on a number of occasions having met with various planners.
- The response was accompanied by a Technical Note in relation to concerns raised in the PA assessment as regards flooding.

7.2. Planning Authority Response

The PA response dated 5th May 2026 sets out that they have no further comment and refer to the contents of the Planners Report.

7.3. Observations

None

8.0 Assessment

8.1. Introduction

- 8.1.1. The case involves several versions of the proposed scheme, namely, the original application, the revised design submitted as part of unsolicited further information, and the amended design option submitted with the First-Party appeal that being the omission of the proposed creche and the replacement with commercial space. Unless otherwise stated, my assessment and any references hereafter to the 'proposed development/scheme' are based on the revised scheme submitted as unsolicited further information, that being the scheme on which the LCCC decision is based.
- 8.1.2. The inclusion of an 'amended design option' is not an uncommon practice in the appeal process. The main aim of the amended proposal is to eliminate the vulnerable childcare use from the flood zone. The amendment is limited to use only; no material structural changes have been proposed to the proposed development. Accordingly, I am satisfied that amendment can be considered as part of the appeal.
- 8.1.3. Having inspected the site and examined the application details and all other documentation on file, including all of the submission received in relation to the appeal, and having regard to relevant local/national policies and guidance, I consider that the main issues in this appeal can be addressed as follows:
- Principle of Development
 - Design Standards
 - Drainage

8.2. Principle of Development

Proposed Development

- 8.2.1. I refer the Commission to section 2.0 of this report. The PA refused planning permission for a revised scheme consisting of three no. 3 storey buildings incorporating Blocks 1 and 2 which consist of 3 commercial units on the ground floor and 4 no. duplex apartments at first and second floor and Block 3 to the rear which consists of a creche at ground floor and 4 no. duplex apartments at first and second floor.
- 8.2.2. In response to the appeal the applicant now proposes to remove to proposed creche from Block 3 and utilise this space as another commercial unit.

8.2.3. *Design and Layout*

8.2.4. The layout provides for three Blocks, Blocks 1 and 2 are located side by side and address the N69. A vehicular entrance is proposed to the east of the site; Block 3 is located to the rear with car parking provided to the rear of Blocks 1 and 2 (centrally on the site). The proposed Blocks are identical in design and reflect a contemporary two storey form with attic accommodation. Each block contains 4 no. duplex apartments; 3 no. two-beds and 1 no. 3-bed unit. The duplex apartments are accessed via external stairs to the rear of the blocks.

8.2.5. *Settlement Context*

8.2.6. In terms of site location, the appeal site is located within the defined boundary of Clarina Village. Clarina is located within the Limerick Shannon Metropolitan Area and identified as a Level 5 Village in the settlement hierarchy.

8.2.7. Section 3.8 of the LCCCDP sets out the Level 5: Small Villages are 'smaller settlements generally ranging in population from 150 – 500 people with a range of infrastructural, social and community facilities. These settlements have some essential infrastructure (i.e. Irish Water's water and/or sewage facilities) and a range of community infrastructure that provide for convenience and daily needs of the local population and surrounding area. They also provide some small-scale employment opportunities and local level community facilities, such as primary schools, churches, local sporting facilities and a community hall.'

8.2.8. Having regard to National Policy Objective 3c, a growth target of 28% for Clarina has been incorporated into the Core Strategy. In addition, Objective CGR O17 – Development within Level 5 Settlements sets out that 'it is an objective of the Council within these settlements to facilitate development, subject to compliance with the following:

8.2.9. *'(a) The scale of new residential schemes shall be in proportion to the pattern and grain of existing development and shall be located within the development boundary, thus avoiding 'leap frogging' of development and delivering compact growth and providing for the organic and sequential growth of the settlement. Infill and brownfield sites will be the preferred location for new development. In this regard, any development shall enhance the existing village character and create or strengthen a sense of identity and distinctiveness for the settlement. (b) New commercial developments shall generally only be located within the core area and shall contribute positively to the village streetscape...'*

8.2.10. While Objective CGR O18 - Scale of Growth for Level 5 Settlements sets out that 'generally,

no one proposal for residential development shall be larger than 5 – 7 units. A limited increase beyond this may be permitted where demonstrated to be appropriate, dependent on the extent of the settlement and the services in place to serve growth'. Therefore, the development of 12 residential units is not precluded.

8.2.11. Having regard to the above, I am satisfied that the principle of settlement growth is provided for the LDP2022-2028. Similarly, the proposed site is a brownfield site within the core settlement boundaries and the principle of residential and commercial development is in accordance with Objective CGR O17. I note the PA raised no concerns in this regard and note the applicant has identified potential occupiers for the commercial units. I further note that the location of the site within a flood zone limits the potential use of the ground floor for residential accommodation. I refer the Commission to section 8.4 of this report.

8.2.12. Conclusion

8.2.13. I am satisfied that the principle of the proposed development is acceptable subject to detailed consideration below.

8.3. **Design Standards**

8.3.1. In relation to apartment standards the Commission will note that Section 11.4.1 *Apartment Development* of the LDP 2022-2028 sets out that 'In general, the design and layout of apartments shall comply with the Sustainable Urban Housing: Design Standards for New Apartments, Guidelines (2020) and any future updates/ amendments thereto.'. The applicable guidance is the Sustainable Urban Housing: Design Standards for New Apartments Guidelines for Planning Authorities (2023) (the application made prior to 9th July 2025 therefore having regard to the 'transitional arrangements' the 2025 Guidelines do not apply in this instance).

8.3.2. As regards compliance with the Apartment Guidelines, I note the applicant did not address the Apartment Guidelines in the application documentation and the schedule of information as set out in section 6.0 of the Guidelines did not accompany the application.

8.3.3. The Commission will note that the Planning Authority (albeit referring to the 2025 Apartment Guidelines) raised no concerns in terms of residential mix, floor areas, privacy, aspect, natural light and ventilation, private open space and amenity spaces and consider these would be acceptable and in accordance with the Sustainable Urban Housing: Design Standards for New Apartments, Guidelines for Planning Authorities.

8.3.4. As regards compliance with the Sustainable Urban Housing: Design Standards for New Apartments Guidelines for Planning Authorities (2023), I note the following:

SPPR 1 – Unit Mix - As set out in SPPR1 there are no restrictions in relation to the mix of unit sizes or types to be provided within apartment developments. The proposal is therefore considered compliant with SPPR 1.

SPPR 2 – Not applicable on this site. The application does not relate to refurbishment and while the site is a brownfield site, the site is not located on zoned lands in an urban area but rather within a defined village settlement.

SPPR 3 – Minimum Floor Areas – The floor area of each units exceeds the requirement of SPPR3.

SPPR 4 – Dual Aspect – All duplex unit as dual aspect.

SPPR 5 – 2.7m floor to ceiling height at ground level. Not applicable.

SPPR 6 - A maximum of 12 apartments per floor per core – Not applicable.

Internal Storage – The floor plan submitted do not quantify the storage provision of the proposed units. However, having regard to the floor area of the units proposed (in excess of minimum requirements I am satisfied that storage provision can be clarified and quantified by way of condition should the commission be minded to grant planning permission.

Private Amenity Apace - The minimum external private amenity space for a two bedroom (4 persons) unit is 7sqm and a three bedroom unit is 9sqm (Appendix 1 of the Apartment Guidelines) (All proposed bedrooms are double rooms). The revised drawings submitted to the PA on 3rd November 2025 identify all private amenity space at 6sqm. However, the drawings have been incorrectly labelled and the amenity space for each 3-bed unit is c. 13sqm. The private amenity space has been provided in the form of a front facade recess with dwarf and access from the shared walkway. While I note the 6sqm is slightly below the 7sqm requirement for a two bed 4 person unit, having regard to the quantum of communal open space proposed (as subject to details of same), I am satisfied that the shortfall which is minor is acceptable in this instance.

Communal Amenity Space - Par. 4.11 of the Guidelines set out that communal amenity space may be provided as a garden within the courtyard of a perimeter block or adjoining a linear apartment block. The site layout plan provides for green space to the front of the site and c. 480sqm to the rear western boundary. I am satisfied that the quantum of communal

space is acceptable subject to the submission of the comprehensive site landscaping plan include details of hard and soft landscaping, bin storage (both commercial and residential) etc. I am satisfied that this matter can be addressed by way of condition should the Commission be minded to grant planning permission.

Conclusion

- 8.3.5. A core principle of the NPF is to 'ensure a high standard quality of life to future residents as well as environmentally and socially sustainable housing and place making through integrated planning and consistently excellent design'.
- 8.3.6. The LDP sets out that the design and layout of apartments shall comply with the Sustainable Urban Housing: Design Standards for New Apartments, Guidelines 2020 or any amendments thereto. Subject to additional details as regards communal open space, I am satisfied that the proposed development is in accordance with Section 11.4.1 *Apartment Development* of the Limerick Development Plan 2022-2028 and Sustainable Urban Housing: Design Standards for New Apartments Guidelines for Planning Authorities (2023).

8.4. **Drainage**

- 8.4.1. The PA refused planning permission for 2 no. reasons namely flood risk and wastewater connection agreement.

Flood Risk

- 8.4.2. The PA set out that the site is located within Flood Zone A and the applicant has failed to demonstrate appropriately that the proposed development complies with the requirements of Section 5 of the Limerick Development Plan 2022–2028 *Strategic Flood Risk Assessment* (SFRA) and is as such deemed non-compliant with Policy CAF P5 Managing Flood Risk and Objective CAF O20 Flood Risk Assessments of the Limerick Development Plan 2022-2028 and would therefore be contrary to proper planning and sustainable development of the area.
- 8.4.3. The Commission will note that the Flooding Department of LCCC recommended further information be requested including breach flood event mapping, justification test and the location of creche to be clarified given a creche is a vulnerable use within flood zone A. However, the PA in their assessment set out there was no recourse to request further information as the application had been extended on foot of a request from the applicant and unsolicited information submitted. The applicant has sought to address matters raised

in the Technical Note accompanying the appeal.

- 8.4.4. Flooding is indicated to emanate from the Barnakyle river, a tributary of the Maigue located to the south of Clarina. As per the OPW's catchment and Flood Risk Management (CFRAM) study, flooding from the Barnakyle appears to be tidally dominated. I note that the Site Specific Flood Risk Assessment (SSFRA) submitted with the application and technical note accompanying the appeal set out that in the absence of flood defences the site is in Flood Zone A. In this regard, I note the SSFRA referring to CFRAMS sets out that 'with embankments in place, the site is not impacted by the 10% 1 in 10 year or 0.5% 1 in 20 year but is impacted by the 0.1% 1 in 1000 year event.' Section 2.23 *Flood Zones* of the Flood Risk Management Guidelines define *Flood Zone A* as – 'where the probability of flooding from rivers and the sea is highest (greater than 1% or 1 in 100 for river flooding or 0.5% or 1 in 200 for coastal flooding) and Flood Zone B as 'where the probability of flooding from rivers and the sea is moderate (between 0.1% or 1 in 1000 and 1% or 1 in 100 for river flooding and between 0.1% or 1 in 1000 year and 0.5% or 1 in 200 for coastal flooding)'.
- 8.4.5. Section 5.8.1 *Development in Defended Areas* of the Strategic Flood Risk Assessment (Volume 4) of the LDP 2022-2028 states that 'where a site or area is referred to as being defended for the purposes of determining flood mitigation, it is assumed that the defences provide a minimum of the 1% AEP (fluvial) or 0.5% AEP (tidal) standard of protection, and have been through a formal detailed design process and approved by OPW or Limerick City and County Council'. This is consistent with the Technical Note sets out that the CFRAM flood mapping has considered the embankments and identifies them defending Clarina and the proposed development site from flooding up to the 0.5% AEP coastal flood event.
- 8.4.6. I further note that the Drainage maps on floodinfo.ie (reviewed 22/6/2026) establish the embankment layer in situ and sets out that the embankments forms part of an Arterial Drainage Scheme managed and maintained by the OPW. Therefore, with the embankment in place the CFRAM mapping (Map No. S24CLD_EXCCD_F1_01) sets out that the majority of the appeal site is located in Flood Zone B (0.1% AEP) as defined in section 2.23 of the Flood Risk Management Guidelines. In any case the Flood Risk Management Guidelines establish that in Flood Zone A and Flood Zone B a Justification Test should be applied in areas such as a city or town centre (in this case a Level 5 settlement) or where vulnerable development is proposed, as applicable.

- 8.4.7. In response to the appeal the applicant has sought to address the concerns of the PA. Concern was raised by the Flooding Dept. of LCCC that the FFL at 3.9m OD was lower than the 0.5% AEP flood extent level of 4.31OD. In response, the appeal sets out that to meet the recommended levels would require the FFL to be 2m above the ground level of the adjacent N69 and that this is not viable from a streetscape and access viewpoint and as per section 5.4.1 of the Strategic Flood Risk Assessment (Volume 4) of the LDP 2022-2028 'it has been recognised that ground floor levels below predicted high tide levels could be allowed, in limited circumstances, on a site by site basis, for commercial and business developments.'. The proposed development provides for ground floor commercial only and the applicant argues that alternative flood resilience and mitigation measures have been incorporated in lieu of raising the FFL. In this regard the applicant refers to section 4.3 and 4.4 of the SSFRA submitted with the original application which set out mitigation and resilience measures to include all residential above ground floor level with a FFL of 6.7mOD, stormwater design in accordance with LCCC standards and ground floor commercial units constructed of flood resilient materials. In addition, it is set out that all residents will be provided with a flood emergency plan prior to taking up residency. Safe egress from the site has been provided along the northern boundary of the site. I am satisfied that these measures are acceptable and in accordance with the Strategic Flood Risk Assessment (Volume) 4 of the LDP 2022-2028.
- 8.4.8. Regarding concerns raised about a breach flood event, section 5.8.1 of the Strategic Flood Risk Assessment (Volume) 4 of the LDP 2022-2028 sets out that 'the assessment of breach within the scope of a site specific FRA should be proportionate to the likelihood of the defence failing.'. In this regard the applicant argues that this is unlikely in this instance as the OPW are required to maintained the embankments. In the exceptional case where the banks were to overtop (0.1% AEP Coastal event) any such event would happen in the context of local and national weather warning, commercial units could be evacuated and the FFL of the residential units is well above flood risk levels. I would agree.
- 8.4.9. As set out in Section 8.4.6 the proposed ground floor creche would be a 'vulnerable development'. In response to the appeal the applicant has proposed to remove the proposed creche from the development and utilise the space as another commercial unit (I refer the Commission to section 8.1.2 above). I am satisfied that this is acceptable.

8.4.10. In terms of Justification Test, the Technical Note submitted in response to the appeal addresses same. Box 5.1 of the Flood Guidelines sets out criteria for application of the Justification Test in development management. I have addressed this in Table 1 below.

Table 1 - Application of the Justification Test in development management

Criteria	Applicant's Response	Comments
1. Zoning	The response argues the location with a designated level 5 settlement in the LDP 2022 - 2028 and the relevance in this instance to Circular PL02/2014 which states 'notwithstanding the need for future development to avoid areas at risk of flooding, it is recognised that the existing urban structure of the country contains many well established cities and urban centres which will continue to be at risk of flooding. At the same time such centres may also have been targeted for growth in the National Spatial Strategy, Regional Planning Guidelines and the various City and County Development Plans taking account of historical patterns of development and their national and strategic value....Furthermore, Development Plan Guidelines, issued by the Minister for the Environment, Heritage and Local Government under Section 28 of the Planning and Development Act 2000, have underlined the importance of compact and sequential development of urban areas with a focus on town and city centre locations for major retailing and higher residential densities'	The applicant contends that the development will consolidate commercial and residential development on a infill site within Clarina village core and this is consistent with Objective CGR O17 of the LDP 2022-2028. I would agree

2. (i) Flood Risk Elsewhere (ii) Measures to Minimise Risk (iii) Residual Risk can be Managed (iv) Adheres to wider Planning Criteria	(i) Clarina has been the subject of several flood studies including CFRAM . The source risk is from tidal conditions. Considering the minor increase in development footprint proposed in the wider context of the Shannon Estuary, the potential floodwater displacements will have a negligible effect on flooding elsewhere and will not affect flow paths or conveyance of flood waters. (ii) I refer the Commission to section 8.4.8. above. The proposed residential units will be defended up to and exceeding the 0.1% AEP Coastal flood levels (as per CFRAM modelling). Safe refuge and egress has been considered in the design. (iii) I refer the Commission to section 8.4.8 and 8.4.10 above. (iv) The development will facilitate compact and sustainable growth in line with LDP 2022-2028.	The site benefits from OPW managed and maintained flood defence embankments. There are no watercourses on site. The design incorporates SuDs measures to greenfield runoff rate and will not increase flood risk elsewhere. In the event the Commission is minded to grant planning permission full details are required for agreement with the PA. The scheme has been designed to incorporate flood resilient measures. I am satisfied in the context of the site that theses measures are generally acceptable. The appeal site is a brownfield fill site in Clarina village and the development of the site is consistent with the sequential development
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		of the village. I refer the Commission to section 8.2 above.
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Conclusion

8.4.11. Overall, given the minor scale of the development on this brownfield infill site within a designated level 5 settlement, I am satisfied that the risks have been mitigated and managed through the location, layout and design of the development to reduce such risks to an acceptable level. The residual risks to the proposed development have been considered including the location of residential at first and second floor levels. I am satisfied that the proposed development is acceptable and in accordance with Section 5 of the Limerick Development Plan 2022–2028 Strategic Flood Risk Assessment (SFRA), Policy CAF P5 *Managing Flood Risk* and Objective CAF O20 *Flood Risk Assessments* of the Limerick Development Plan 2022-2028 and would therefore be in accordance with the proper planning and sustainable development of the area.

Wastewater Connection Agreement

8.4.12. Reason no. 2 of the PA recommendation set out that In the absence of a connection agreement with Uisce Eireann for connection to the public foul wastewater system, the Planning Authority is not satisfied that the site can be adequately serviced, and the development would therefore be prejudicial to public health and Objective IN O9 Public Wastewater of the Limerick Development Plan 2022-2028.

8.4.13. In response to the appeal the applicant states that the site already benefits from access to existing public water and sewer connections and the PA's statement that no such connections exist is factually incorrect. I further note a letter of consent from the adjoining landowner giving approval for the existing connections to be kept for the foul and storm connections as they pass through his lands before going onto the public road accompanied the application.

8.4.14. The applicant proposes to connect to the existing wastewater network serving Clarina. A review of the Uisce Eireann Capacity website on 17/06/2026 indicated 'space capacity available' in Limerick (Bunlicky) wastewater treatment plant which serves Clarina village.

8.4.15. Having regard to the above, I am satisfied that there is capacity in the Uisce Eireann network

to accommodate the increased demanded generated by the development and the relevant third party consent to facilitate this continued connection accompanied the application and while I note Objective IN O9 sets out 'evidence of agreement with Uisce Eireann as part of any planning application', having regard to the fact that the site is currently serviced by the Uisce Eireann network, I am satisfied that the proposed development is in accordance with and Objective IN O9 *Public Waste Water* of the Limerick Development Plan 2022-2028.

8.5. Other Matters

- 8.5.1. I note the reference made in the appeal to pre-planning with the PA and the advice given by various planners at times conflicting. The is not a matter for the Commission.

9.0 AA Screening

- 9.1. I refer the Commission to Appendix 3 of this report. I have considered the proposed development in light of the requirements S177U of the Planning and Development Act 2000 as amended.
- 9.2. The closest Natura 2000 sites are the Lower River Shannon SAC (Site Code 002165) and the River Shannon and River Fergus Estuaries SPA (Site Code 004077) located circa 2.1km from the site. The proposed development comprises the demolition of an existing structure dwelling and the construction of commercial and residential development blocks. Refer to Section 2 of this report for further details.
- 9.3. No nature conservation concerns were raised in the planning application/appeal. Having considered the nature, scale and location of the project, I am satisfied that it can be eliminated from further assessment because it could not have any effect on a European Site.
- 9.4. The reason for this conclusion is as follows insert as relevant:
- Nature of works e.g. small scale and residential nature of the development
 - Location-distance from nearest European site and lack of connections
 - Taking into account screening determination by the PA
- 9.5. I conclude, on the basis of objective information, that the proposed development would not have a likely significant effect on any European Site either alone or in combination with other plans or projects. Likely significant effects are excluded and therefore Appropriate Assessment (under Section 177V of the Planning and Development Act 2000) is not

required.

10.0 Water Framework Directive

- 10.1. I refer the Commission to Appendix 4 of this report.
- 10.2. 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.
- 10.3. 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. 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 the implementation of an appropriate Construction Environmental Management Plan (CEMP)].
- 10.4. The proposed development will not impact on the achievement of environmental objectives for any water body and is therefore considered compliant with the requirements of Article 4.

11.0 Recommendation

I recommend that planning permission is granted for the proposed development in accordance with the following reasons and considerations.

12.0 Reasons and Considerations

Having regard to the provisions of the Limerick Development Plan 2022-2028, to the nature and scale of the proposed development and to the pattern of existing development in the area, it is considered that, subject to compliance with the conditions set out below, the proposed development would not constitute flood risk, would not seriously injure the residential or visual amenities of the area or of property in the vicinity and would not be prejudicial to public health. 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, as amended by the further plans and particulars received by the planning authority, on the 3rd November 2025, and the plans and particulars submitted to the Commission on the 10th April 2026, except as may otherwise be required in order to comply with the following conditions. Where such conditions require details to be agreed with the planning authority, the developer shall agree such details in writing with the planning authority prior to commencement of development and the development shall be carried out and completed in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. All mitigation measures set out in the Site Specific Flood Risk Assessment and Technical Report submitted to the Commission on 10th April 2026 shall be implemented in full. In default of agreement on any of these requirements, the matter shall be referred to An Coimisiún Pleanála for determination.

Reason: In the interest of proper planning and sustainable development.

3. (a) Full details of the occupiers of the proposed commercial units inclusive of the nature and extent of proposed use/s, hours of operations and signage shall be submitted to and agreed with the Planning Authority before any unit is occupied.

(b) No childcare facility is hereby permitted on the site.

Reason: In the interest of proper planning and orderly development.

4. Prior to the commencement of development, the developer shall submit for the written agreement of the Planning Authority a residential schedule to include:
(a) revised drawings to an appropriate scale (not less than 1:100) clarifying the floor area of each residential unit inclusive of room dimensions, quantum internal storage provision and private amenity space.

Reason: In the interest of clarity and orderly development.

5. Details of the materials, colours and textures of all the external finishes to the proposed buildings shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interest of visual amenity and to ensure an appropriate high standard of development.

6. A comprehensive landscaping scheme shall be submitted to and agreed in writing with the planning authority, prior to commencement of development. This scheme shall include the following:

- (a) details of all proposed hard surface finishes, including samples of proposed paving slabs/materials for footpaths, kerbing and road surfaces within the development;
- (b) proposed locations of trees and other landscape planting in the development, including details of proposed species and settings;
- (c) details of assigned communal open space for the proposed residential units inclusive of hard and soft landscaping;
- (d) details of proposed external seating, if proposed,
- (e) details of all external site boundaries;
- (f) details of proposed bin storage to include appropriate screening measures.

The landscape scheme shall be implemented fully in the first planting season following completion of the development, and any trees or shrubs which die or are removed within three years of planting shall be replaced in the first planting season thereafter. This work shall be completed before the accommodation and tea rooms are made available for occupation/use.

Reason: To ensure the satisfactory landscaping of the site in accordance with proper planning and sustainable development.

7. Proposals for a naming and numbering scheme and associated signage shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. Thereafter, all signs, and apartment numbers, shall be provided in accordance with the agreed scheme. The proposed names shall be based on local historical or topographical features, or other alternatives acceptable to the planning authority. No advertisements/marketing signage relating to the name(s) of the shall be erected until the developer has obtained the planning authority's written agreement to the proposed name(s).

Reason: In the interest of urban legibility and to ensure the use of locally appropriate place names for new residential areas.

8. All service cables associated with the proposed development such as electrical, telecommunications and communal television shall be located Ducting shall be provided

by the developer to facilitate the provision of broadband infrastructure within the proposed development.

Reason: In the interests of visual and residential amenity

9. Prior to the commencement of development, the developer shall enter into Connection Agreements with Uisce Éireann (Irish Water) to provide for service connections to the public water supply and wastewater collection network.

Reason: In the interest of public health and to ensure adequate water and wastewater facilities.

10. Drainage arrangements including the attenuation and disposal of surface water shall comply with the requirements of the Planning Authority for such works and services.

Reason: In the interest of public health and surface water management

11. Prior to the commencement of development, the developer or any agent acting on its behalf, shall prepare a Resource Waste Management Plan (RWMP) as set out in the EPA's Best Practice Guidelines for the Preparation of Resource and Waste Management Plans for Construction and Demolition Projects (2021) including demonstration of proposals to adhere to best practice and protocols. The RWMP shall include specific proposals as to how the RWMP will be measured and monitored for effectiveness; these details shall be placed on the file and retained as part of the public record. The RWMP must be submitted to the planning authority for written agreement prior to the commencement of development. All records (including for waste and all resources) pursuant to the agreed RWMP shall be made available for inspection at the site office at all times.

Reason: In the interest of proper planning and sustainable development.

12. The construction of the development shall be managed in accordance with a Construction Management Plan, which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This plan shall provide details of intended construction practice for the development.

Reason: In the interest of environmental protection, residential amenities, public health and safety, and environmental protection.

13. Site development and building works shall be carried out only between the hours of 0700

to 1900 Mondays to Friday inclusive, between 0800 to 1400 hours on Saturdays and not at all on Sundays and public holidays. Deviation from these times will only be allowed in exceptional circumstances where prior written approval has been received from the planning authority.

Reason: In order to safeguard the amenities of property in the vicinity.

14. Prior to commencement of development, the developer or other person with an interest in the land to which the application relates shall enter into an agreement in writing with the planning authority in relation to the provision of housing in accordance with the requirements of section 94(4) and section 96(2) and (3) (Part V) of the Planning and Development Act 2000, as amended, unless an exemption certificate shall have been applied for and been granted under section 97 of the Act, as amended. Where such an agreement is not reached within eight weeks from the date of this order, the matter in dispute (other than a matter to which section 96(7) applies) may be referred by the planning authority or any other prospective party to the agreement to An Bord Pleanála for determination.

Reason: To comply with the requirements of Part V of the Planning and Development Act 2000, as amended, and of the housing strategy in the plan of the area

15. The developer shall pay to the planning authority a financial contribution in respect of public infrastructure and facilities benefiting development in the area of the planning authority that is provided or intended to be provided by or on behalf of the authority in accordance with the terms of the Development Contribution Scheme made under section 48 of the Planning and Development Act 2000, as amended. The contribution shall be paid prior to commencement of development or in such phased payments as the planning authority may facilitate and shall be subject to any applicable indexation provisions of the Scheme at the time of payment. Details of the application of the terms of the Scheme shall be agreed between the planning authority and the developer or, in default of such agreement, the matter shall be referred to An Coimisiún Pleanála to determine the proper application of the terms of the Scheme.

Reason: It is a requirement of the Planning and Development Act 2000, as amended, that a condition requiring a contribution in accordance with the Development Contribution Scheme made under section 48 of the Act be applied to the permission.

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.

Irené McCormack

Senior Planning Inspector

2nd July 2026

Appendix 1: Form 1 EIA Pre-Screening

Case Reference	PL-501143-LK-26
Proposed Development Summary	Demolition of the existing commercial building and the construction of 4 no. 3 storey retail / apartment buildings with a total of 8 no. retail units and 16 no. apartments
Development Address	Clarina Village, Ballybrown, Clarina Co. Limerick
	In all cases check box /or leave blank
1. Does the proposed development come within the definition of a 'project' for the purposes of EIA? (For the purposes of the Directive, "Project" means: - The execution of construction works or of other installations or schemes, - Other interventions in the natural surroundings and landscape including those involving the extraction of mineral resources)	☒ Yes, it is a 'Project'. Proceed to Q2.
	☐ No, no further action required.
2. Is the proposed development of a CLASS specified in Part 1, Schedule 5 of the Planning and Development Regulations 2001 (as amended)?	
☐ Yes, it is a Class specified in Part 1. EIA is mandatory. No Screening required. EIAR to be requested. Discuss with ADP.	
☐ No, it is not a Class specified in Part 1. Proceed to Q3	
3. Is the proposed development of a CLASS specified in Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended) OR a prescribed type of proposed road development under Article 8 of Roads Regulations 1994, AND does it meet/exceed the thresholds?	
☐ 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. No Screening required.	
☐ Yes, the proposed development is of a Class and meets/exceeds the threshold. EIA is Mandatory. No Screening Required	
☒ Yes, the proposed development is of a Class but is sub-threshold. Preliminary examination required. (Form 2) OR If Schedule 7A information submitted proceed to Q4. (Form 3 Required)	Class 10 (b)(iv) Urban Development which would involve an area greater than 2 hectares in the case of a business district, 10 hectares in the case of other parts of a built-up area and 20 hectares elsewhere.

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)?	
Yes ☐	
No ☒	Pre-screening determination conclusion remains as above (Q1 to Q3)

Appendix 2: Form 2 - EIA Preliminary Examination

Case Reference	PL-501143-LK-26
Proposed Development Summary	Demolition of the existing commercial building and the construction of 4 no. 3 storey retail / apartment buildings with a total of 8 no. retail units and 16 no. apartments
Development Address	Clarina Village, Ballybrown, Clarina Co. Limerick
This preliminary examination should be read with, and in the light of, the rest of the Inspector's Report attached herewith.	
Characteristics of proposed development (In particular, the size, design, cumulation with existing/ proposed development, nature of demolition works, use of natural resources, production of waste, pollution and nuisance, risk of accidents/disasters and to human health).	The nature of the development is not exceptional in the context of the urban environment. Demolition works would be minor in scale and whilst some excavation would be required, this would not be significant in the context of the environment. Construction materials and activities would be typical for an urban residential development of this nature and scale. The use of fuels and materials would be typical for construction sites. Construction impacts would be local and temporary in nature and could be suitably managed through a Construction Environmental Management Plan. In terms of accidents, no significant risk is anticipated having regard to the nature and scale of the development. Any risk arising from demolition and construction will be localised and temporary in nature. No existing or permitted developments have been identified in the immediate vicinity that would give rise to significant cumulative environmental effects with the

	subject project.
Location of development (The environmental sensitivity of geographical areas likely to be affected by the development in particular existing and approved land use, abundance/capacity of natural resources, absorption capacity of natural environment e.g., wetland, coastal zones, nature reserves, European sites, densely populated areas, landscapes, sites of historic, cultural or archaeological significance).	The size of the development is not exceptional in the context of the existing urban environment. The area is mixed use in nature with residential being a significant use. The development would conform to the nature of the locality. There would be no significant impact on any protected areas, protected views, built or natural heritage or European Sites.
Types and characteristics of potential impacts (Likely significant effects on environmental parameters, magnitude and spatial extent, nature of impact, transboundary, intensity and complexity, duration, cumulative effects and opportunities for mitigation).	All development has the potential for some impacts/disturbance during the construction phase such as noise, vibration, dust, air quality and traffic. However, these impacts would be short term and temporary and can be appropriately managed and mitigated by way of conditions and the implementation of a detailed Construction Environmental Management Plan. Given the nature of the development and the site/surroundings, it would not have the potential to significantly affect other significant environmental sensitivities in the area. It is noted that the site is not designated for the protection of the landscape or natural heritage and is not within an Architectural Conservation Area.

Conclusion	
Likelihood of Significant Effects	Conclusion in respect of EIA
There is no real likelihood of significant effects on the environment.	EIA is not required.

Appendix 3: Standard AA Screening Determination Template 2

Screening for Appropriate Assessment Test for likely significant effects	
Case Reference Number: PL-501143-LK-26	
Step 1: Description of the project	
Brief description of project	Demolition of the existing commercial building and the construction of 4 no. 3 storey retail / apartment buildings with a total of 8 no. retail units and 16 no. apartments. A detailed description including amendment is set out in Section 2 of my report.
Brief description of development site characteristics and potential impact mechanisms	The proposed development site is not located within or immediately adjacent to any site designated as a European Site, comprising a Special Area of Conservation or Special Protection Area (SPA). The Barnakyle River is located 180m south of the site.
Screening report	N
Natura Impact Statement	N
Relevant submissions	None
The site is located within a Flood Zone. A Flood Risk Assessment accompanied the application.	
Step 2. Identification of relevant European sites using the Source-pathway-receptor model The 2 no. of European sites are located within a potential zone of influence of the proposed development. These are: • Lower River Shannon SAC (Site Code 002165) is located circa 2.1km from the site.	

• River Shannon and River Fergus Estuaries SPA (Site Code 004077) lies circa 2.1km from the site.

European Site (code)	Qualifying interests¹ Link to conservation objectives (NPWS, date)	Distance from proposed development (km)	Ecological connections²	Consider further in screening³ Y/N
Lower River Shannon SAC (site Code 002165)	Sandbanks which are slightly covered by sea water all the time, Estuaries, Mudflats and sandflats not covered by seawater at low tide, Coastal lagoons, Large shallow inlets and bays, Reefs, Perennial vegetation of stony banks, Vegetated sea cliffs of the Atlantic and Baltic coasts, Salicornia and other annuals colonising mud and sand, Atlantic salt meadows (<i>Glaucopuccinellietalia maritimae</i>), Mediterranean salt meadows (<i>Juncetalia maritimi</i>), Water courses of plain to montane levels with the <i>Ranunculion fluitantis</i> and <i>Callitricho-Batrachion</i> vegetation, <i>Molinia</i> meadows on calcareous, peaty or clayey-silt-laden soils (<i>Molinion caeruleae</i>), Alluvial forests with <i>Alnus glutinosa</i> and <i>Fraxinus excelsior</i> (Alno-	2.1km	No direct	N

	Padion, Alnion incanae, Salicion albae), Margaritifera margaritifera (Freshwater Pearl Mussel), Petromyzon marinus (Sea Lamprey), Lampetra planeri (Brook Lamprey), Lampetra fluviatilis (River Lamprey), Salmo salar (Salmon), Tursiops truncatus (Common Bottlenose Dolphin), Lutra lutra (Otter)			
River Shannon and River Fergus Estuaries SPA (Site Code 004077)	Cormorant (Phalacrocorax carbo), Whooper Swan (Cygnus cygnus), Light-bellied Brent Goose (Branta bernicla hrota), Shelduck (Tadorna tadorna), Wigeon (Anas penelope), Teal (Anas crecca), Pintail (Anas acuta), Shoveler (Anas clypeata), Scaup (Aythya marila), Ringed Plover (Charadrius hiaticula), Golden Plover (Pluvialis apricaria), Grey Plover (Pluvialis squatarola), Lapwing (Vanellus vanellus), Knot (Calidris canutus), Dunlin (Calidris alpina), Black tailed Godwit (Limosa limosa), Bar-tailed Godwit (Limosa lapponica), Curlew (Numenius arquata), Redshank (Tringa totanus), Greenshank (Tringa nebularia),	2.1km	No direct	N

	Black-headed Gull (Chroicocephalus ridibundus), Wetland and Waterbirds.			
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Brief Description of European Sites

Lower River Shannon SAC (site Code 002165)

This very large site stretches along the Shannon valley from Killaloe in Co. Clare to Loop Head/ Kerry Head, a distance of some 120 km. The site thus encompasses the Shannon, Feale, Mulkear and Fergus estuaries, the freshwater lower reaches of the River Shannon (between Killaloe and Limerick), the freshwater stretches of much of the Feale and Mulkear catchments and the marine area between Loop Head and Kerry Head.

River Shannon and River Fergus Estuaries SPA (Site Code 004077)

The estuaries of the River Shannon and River Fergus form the largest estuarine complex in Ireland. The site comprises the entire estuarine habitat from Limerick City westwards as far as Doonaha in Co. Clare and Dooneen Point in Co. Kerry. The site has vast expanses of intertidal flats which contain a diverse macro invertebrate community, e.g. Macoma-Scrobicularia-Nereis, which provides a rich food resource for the wintering birds. Salt marsh vegetation frequently fringes the mudflats and this provides important high tide roost areas for the wintering birds. Elsewhere in the site the shoreline comprises stony or shingle beaches. The site is the most important coastal wetland site in the country.

Conclusion On the extent of the Zone of Influence

The development is for a relatively small mixed-use scheme and given the nature of the works within the applicants existing site and outside the Natura 2000 sites, it is not expected that any habitat fragmentation would take place. The already established pattern of urban development in this location would mean that any limited periods of disturbance caused by the works would not add to any disturbance or displacement effects that would result in lessening of species density.

The proposed development would not have direct impacts on any European site. During construction of the proposed development and site works, possible impact mechanisms of a temporary nature include generation of noise, dust and construction related emissions to surface water.

The contained nature of the site (serviced, defined site boundaries, no direct ecological connections or pathways) and distance from receiving features connected to Lower River Shannon SAC and River Shannon and River Fergus Estuaries SPA make it highly unlikely that the proposed development could generate impacts of a magnitude that could affect European Sites.

Due to the brownfield and relatively minor nature of the development in an established urban context, and the presence of a significant buffer area between the site and the River Shannon/River Maigue, I consider that the proposed development would not be expected generate impacts that could affect anything but the immediate area of the development site, thus having a very limited potential zone of influence on any ecological receptors.

At operational stage, I note that standard construction practices and best practice construction measures, as relates to the prevention of surface water pollution, as outlined in detail in the SuDs Drainage Strategy Report Engineering including bioretention systems, infiltration systems and permeable paving . These installations have not been introduced to avoid or reduce an effect on any effect on any Natura site and would be introduced as a standard measure on such housing developments, regardless of any direct or indirect hydrological connection to a Natura 2000 site. They constitute the standard approach for construction works in an urban area. I am satisfied that the surface water design features proposed will ensure the quality of surface water run-off will be sufficient so as not to result in any likely significant effects on Lower River Shannon SAC (site Code 002165) and River Shannon and River Fergus Estuaries SPA (Site Code 004077) or any other any Natura 2000 site having regard to the sites' conservation objectives.

Having regard to the separation distance between the site and nearest natura 2000, it can be concluded that there could be no direct impacts, such as loss of habitat or physical disturbance of habitats or species, by the proposed development on any European site. There will be no direct or ex-situ effects from disturbance during construction or operation of the proposed development.

All foul drainage is to be drained to the existing Public Sewer.

Summary

It is not considered likely that the proposed development will interfere with any of the key relationships of any Natura 2000 site. It is considered that there will be no long-term residual impacts from the proposed works upon the key relationships that define any Natura 2000 sites.

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

I am satisfied that no risks to the conservation objectives of any Natura 2000 sites are considered likely due one or more of the following:

- Lack of direct connectivity between the proposed works areas and the designated areas. There will be no loss of habitat within any Natura 2000 site as a result of the proposed works. It is not anticipated that the loss of any species of conservation interest will occur as a result of the proposed works due to injury or mortality.
- Significant buffer between the proposed works area and the designated area. No significant risk of disruption to any Natura 2000 sites are likely during this project.
- The nature of the site's conservation objectives .
- No habitat fragmentation to any Natura 2000 site is predicted.
- There will be no additional emissions of water from the site. Drainage and wastewater will be to existing mains. No emissions are predicted that will impact upon any Natura 2000 site.

Based on a consideration of the likely impacts arising from the proposed works and a review of their significance in terms of the conservation interests and objectives of the Natura 2000 Sites screened, no significant impacts have been identified on the Natura 2000 sites as a result of the proposed development.

Step 4. Where relevant, likely significant effects on the European site(s) 'in-combination with other plans and projects'

In combination or Cumulative Effects

The contained nature of the site (serviced, defined site boundaries, no direct ecological connections or pathways) and distance from receiving features connected to Lower River Shannon SAC and River Shannon and River Fergus Estuaries SPA make it highly

unlikely that the proposed development could generate impacts of a magnitude that could affect European Sites.

Overall Conclusion -Screening Determination

I conclude that the proposed development would not have a likely significant effect on any European Site either alone or in combination with other plans or projects. It is therefore determined that Appropriate Assessment (stage 2) [under Section 177V of the Planning and Development Act 2000] is not required.

I am satisfied the potential for significant effects, as a result of surface and foul waters generated during the construction and operational stages, on the qualifying interests of the applicable Natura 2000 sites can be excluded having regard to the following:

- Both the construction and operation phases of the proposed development will follow best industry practice and all statutory legislation in the treatment of surface water to ensure that the risk of contaminants entering local water resources is minimised
- Should a pollution event occur during the construction phase, due to the accidental spillage or release of contaminants, this would not be of such magnitude so as to have a significant adverse effect on downstream water quality in the Shannon Estuary due to the level of separation and the dilution arising from the volume of water between the sites.
- There will be an improvement in surface water run-off during the operational phase, relative to the existing situation, as surface water will be attenuated/ part treated within the site.

Foul will discharge to the existing network and will travel to Limerick (Bunlicky) wastewater treatment plant for treatment prior to discharge; the wastewater treatment plant is required to operate under EPA licence and meet environmental standards and thus would thus would not impact on the overall water quality within the receiving waters of the Shannon Estuary.

No habitat fragmentation to any Natura 2000 site is predicted and there is no potential for impacts on the qualifying interests of Natura 2000 sites due to noise and other disturbance impacts during construction and operational phases given the level of separation between the sites. While there is a potential risk of noise and disturbance during construction to ex-situ qualifying species, no significant effects are predicted as it is unlikely that the qualifying

species will use habitats within the subject lands and in any case the proposed development is not likely to result in a significant increase in noise and disturbance over the existing levels.

No measures intended to avoid or reduce harmful effects on European sites were taken into account in reaching this conclusion

Appendix 4 - Water Framework Directive Screening Determination

WFD IMPACT ASSESSMENT STAGE 1: SCREENING			
Step 1: Nature of the Project, the Site and Locality			
An Coimisiún Pleanála ref. no.	PL-5001143-LK	Townland, address	Clarina Village, Ballybrown, Clarina Co. Limerick
Description of project		Demolition of the existing commercial building and the construction of 4 no. 3 storey retail / apartment buildings with a total of 8 no. retail units and 16 no. apartments	
Brief site description, relevant to WFD Screening,		The application site is located in Clarina Village to the southwest of Limerick City. There are no watercourses on site. The Barnakyle River is located 180m south of the site.	
Proposed surface water details		Application form identified connection to the public network. A SuDs Drainage Strategy accompanied the application. Table 2 -1 sets out SuDs Site Audit. A range of SuDs feature have been identified; the strategy provides runoff from new impermeable surfaces to an equivalent greenfield rate.	
Proposed water supply source & available capacity		Application form identified connection to the public network. The Commission will note that a review of the Uisce Eireann Capacity website on 17/06/2026 indicated 'capacity available' in Limerick City and suburbs.	

Proposed wastewater treatment system & available capacity, other issues			Application form identified connection to the public network. A review of the Uisce Eireann Capacity website on 17/06/2026 indicated ‘space capacity available’ in Limerick (Bunlicky) wastewater treatment plant.			
Others?			The site is located within Flood Zone A. A Site Specific Flood Risk Assessment accompanied the application.			
Step 2: Identification of relevant water bodies and Step 3: S-P-R connection						
Identified water body	Distance to (m)	Water body name(s) (code)	WFD Status	Risk of not achieving WFD Objective e.g.at risk, review, not at risk	Identified pressures on that water body.	Pathway linkage to water feature (e.g., surface run-off, drainage, groundwater)
River	Barnakyle River is located c. c180m south of the site	IE_SH_24B050600	Moderate	At risk	Urban Wastewater Agriculture	No pathway linkage exists.

Groundwater waterbody		Underlying Site	IE_SH_G_141- Limerick City Southwest Groundwater body	Good	At risk	Agriculture	No discharge to ground proposed.
Step 4: Detailed description of any component of the development or activity that may cause a risk of not achieving the WFD Objectives having regard to the S-P-R linkage.							
CONSTRUCTION PHASE							
No.	Component	Water body receptor (EPA Code)	Pathway (existing and new)	Potential for impact/ what is the possible impact	Screening Stage Mitigation Measure *	Residual Risk (yes/no) Detail	Determination** to proceed to Stage 2. Is there a risk to the water environment? (if 'screened' in or 'uncertain' proceed to Stage 2.
1.	Surface	IE_SH_24B050600	No pathway exists	None	None	No	Screened out
2.	Ground	IE_SH_G_141-	Drainage	Hydrocarbon Spillages	standard Construction Measure	No	Screened out

					s / Conditio n		
OPERATIONAL PHASE							
3.	Surface water run- off	IE_SH_24B050 600	None	None	None	No	Screened out
4.	Discharges to ground	IE_SH_G_141-	None	None	None	No	Screened out
DECOMMISSIONING PHASE							
5.	NA	NA	NA	NA	NA	NA	NA

