



An
Coimisiún
Pleanála

Inspector's Report

PL-501445-LK-26

Development	Change of use of part existing building from Distribution Warehouse Reg ref. 19126 to commercial play centre, cafe, offices and associated facilities, new signage, utilisation of existing car parking facilities and associated site works.
Location	Newcastle west Enterprise Centre, Newcastle West, Co. Limerick
Planning Authority	Limerick City and County Council
Planning Authority Reg. Ref.	2660281
Applicant(s)	Janet & Leanne Garvey
Type of Application	Permission
Planning Authority Decision	Grant Permission + Conditions
Type of Appeal	Third Party Normal Planning Appeal
Appellant(s)	Brian A. Flynn Ltd
Observer(s)	None

Date of Site Inspection

16th July 2026

Inspector

Bernadette Quinn

1.0 Site Location and Description

- 1.1. The appeal site, with a stated area of 0.204 ha, comprises a single storey vacant warehousing unit located in the Newcastle West Enterprise Centre approx. 800m from Newcastle West town centre. The Enterprise Centre contains a variety of existing uses including a manufacturing firm, Local Authority Machinery Depot, refrigeration sales and repair premises, and a furniture sales outlet. The appeal site forms part of a larger building with an overall floor area of 1,752 sq.m., 693.2 sq.m. of which is contained within the appeal site
- 1.2. The site is accessed via an existing estate road to the north of the site from Sheehan's Road. Existing access roads, footpaths, and grass verges are in place in the estate, including immediately adjoining the appeal site. A rear service road located to the south serves the rear of units to the east and west of the appeal site as well as the rear of the appeal site

2.0 Proposed Development

- 2.1. Planning Permission is sought for the change of use of part of an existing building measuring 693.2 sq.m. from a distribution warehouse to a commercial play centre, including all ancillary play rooms, café / coffee dock, reception area, sanitary facilities, offices and associated facilities, together with new signage, minor associated site works, and the use of existing car parking facilities and existing connection to public utility services.

3.0 Planning Authority Decision

3.1. Decision

On 05th May 2026 Limerick City and County Council (LCCC) issued notification of the decision to grant permission subject to five conditions.

3.2. Conditions

Condition No. 2: Prior to the commencement of any development on site or occupations of the unit, the developer shall submit the following information for the

written agreement of the Planning Authority: A full specification for bicycle parking shown on plans and elevations in line with the requirements of Table DM 9(b): Car and Bicycle Parking Standards – Newcastle West and other settlements, set out in the Limerick Development Plan. Reason - In the interest of orderly development, pedestrian and traffic safety.

3.3. Planning Authority Reports

3.3.1. Planning Reports

The Planning Officer's report dated 01/05/2026 can be summarised as follows:

- A play centre, which would fall under Leisure/Recreation Facility, is open for consideration. Objective EDO1 (Enterprise and Employment Objectives) encourages the redevelopment of vacant commercial units, brownfield, derelict and infill sites for local enterprise development subject to meeting normal planning and environmental criteria. The proposed use is considered acceptable in principle.
- The unit is served by an internal estate road characterised by office, administrative and light industrial uses. Heavy Goods Vehicle movements to adjoining industrial units are generally accommodated via a separate rear service road, and it is noted that such movements do not occur along the frontage of the subject unit.
- The periods of use (weekends and school holidays) generally coincide with reduced activity within the estate, thereby limiting the potential for traffic or parking conflicts.
- Parking requirement can be accommodated within the existing communal parking provision to the front of the site. The Roads Section raised no objection in relation to traffic generation, parking provision or use of the internal estate road, subject to conditions regarding the maintenance of parking and footpath areas.
- The main entrance to the objectors site appears to be from the main entrance point off Sheehan's Road. Unsolicited further information submitted on file indicates that the use as a commercial play centre will mainly take place

during evenings and weekends. It is also noted that any HGV movement from the side access flagged does not happen outside the site in question and the car parking spaces potentially impacted are existing.

- A grant of permission is recommended

3.3.2. Other Technical Reports

Roads Section: No objection subject to conditions relating to parking and surface water management. The existing parking area and footpath fronting the development are overgrown with grass and weeds, which may impede safe and convenient use by future users of the development which shall be addressed by condition.

Fire Authority: No objection noted.

3.4. Prescribed Bodies

HSE National Environmental Health Service: No objection noted. Conditions recommended if permission is granted.

3.5. Third Party Observations

One submission received, the issues raised are similar to those raised in the third-party appeal.

4.0 Planning History

Appeal Site:

19/126: Permission granted for the partial change of use of an existing disused factory building to that of a distribution warehouse with all associated site works and existing connection to all public utility services.

5.0 Policy Context

5.1. Development Plan

- 5.1.1. The Limerick Development Plan 2022-2028 is the relevant Development Plan for the area. The appeal site is located within the Newcastle West Local Area Plan 2023-2029 (NCW LAP) boundary. The site is zoned "Enterprise & Employment" with the

objective: To provide for and improve general enterprise, employment, business and commercial activities. The stated purpose of this zoning objective is as follows:

Provides for enterprise, employment and general business activities and acknowledge existing/permitted retail uses. This land use zoning may accommodate light industry, low input and emission manufacturing, logistics and warehousing and office developments including general public administration. The form and scale of development on these sites shall be appropriate to their location, having regard to surrounding uses and scale. A proliferation of retail uses will not be permitted. Sites should be highly accessible, well designed and permeable with good pedestrian, cyclist links to the town centre and public transport. The implementation of mobility management plans will be required to provide important means of managing accessibility to these sites.

- 5.1.2. Commercial Play Area / Leisure & Recreation Facility is identified as “Open for Consideration” under the applicable Land Use Zoning Matrix. Leisure/ Recreation Facility is defined in the LAP as ‘Cinema, Theatre, Concert Halls, Bingo Halls, Bowling Alley, Commercial Play etc’.
- 5.1.3. Open for consideration the plan states that the Council may permit a use where it is satisfied that the suggested form of development will be compatible with the policies and objectives for the zone, will not conflict with existing uses or the proper planning and sustainable development of the area.
- 5.1.4. The following sections of the NCW LAP are considered relevant:
- Policy TCFP1 Town Centre and Objective TCFO1 Town Centre First Objectives.
- Policy EDP1: Strategic Economic Development: seeks to promote, facilitate and enable economic development and employment generating activities in Newcastle West on lands zoned ‘Enterprise and Employment’ in a sustainable manner.
- Objective EDO1 Enterprise and Employment Objectives includes the following of relevance: (a) Encourage the redevelopment of vacant commercial units, brownfield, derelict, and infill sites for local enterprise development subject to the normal planning criteria and environmental requirements. (b) Ensure any proposals for the lands zoned for Enterprise and Employment adjoining national or regional roads include a Traffic and Transport Assessment, to ensure that the local road network and associated junctions have sufficient capacity to facilitate the extent of the

development planned. The costs of implementing mitigation measures arising from the assessment shall be borne by the developer. c) Any proposals on lands zoned enterprise and employment shall ensure the provision of a minimum 20m landscaped buffer zones between proposed development and residential developments. (d) Promote a diverse range of employment opportunities by facilitating appropriate development on appropriately zoned Enterprise and Employment lands, subject to compliance with all relevant Development Management Standards of the Proposed Limerick Development Plan 2022 – 2028.

5.2. Natural Heritage Designations

The Stack's to Mullaghareirk Mountains, West Limerick Hills and Mount Eagle SPA (Site Code: 004161) is located approximately 5km west of the site and the Lower River Shannon SAC (Site Code: 002165) is located approximately 8.5km west of the site.

6.0 EIA Screening

The proposed development is not a class for the purposes of EIA as per the classes of development set out in Schedule 5 of the Planning and Development Regulations 2001, as amended.

7.0 The Appeal

7.1. Grounds of Appeal

One no. third party appeal has been received from Brian A Flanagan Ltd. The grounds of appeal can be summarised as follows:

- A children's leisure use in an active industrial estate requires a level of road safety assurance, parking adequacy and operational compatibility that has not been demonstrated.
- Policy EDP1 of the Newcastle West LAP requires development on the lands be facilitate in a sustainable manner and the land use zoning objective requires the development shall be appropriate to its location, having regard to surrounding uses and scale.

- An adequate, independent traffic and road safety assessment and road safety audit has not been submitted addressing concerns raised and the Roads Section's assessment does not constitute a road safety audit addressing the risks arising from the proximity of vulnerable users and heavy industrial traffic.
- The co-location of children and heavy goods vehicles in this operational environment is a recognised high-risk scenario under the TII Road Safety Audit Standards (TII, 2017) which are explicitly referenced in Policy SMTP3 and Objective SMT04 of the NCW LAP as the applicable standard.
- The appellant and neighbouring enterprise Filtartek generate significant volumes of heavy vehicle movements on a daily basis and a formal safety assessment is required as the proposal will attract vulnerable road users.
- A statement in the applicant's Planning and Design Statement that HGV movements do not occur along the road frontage serving the site is untrue. Large commercial vehicles and articulated lorries use the internal estate roads accessing the Appellant's premises and neighbouring Filtartek premises including the Appellant's rear gate. The continued availability of clear access is essential to the Appellant's operations.
- A preplanning roads report identified the need for inclusion of a roads requirements including a swept path analysis and traffic assessment neither of which were included in the application. The PA erred in granting permission without independent technical assessment that the proposal can operate safely in this environment.
- Reference to the concrete bollards as temporary is incorrect. The bollards were installed in response to unauthorised parking and obstruction of access roads and their removal to facilitate parking to serve the proposal would be detrimental to the working environment of the estate.
- Several parking spaces referred to in the application as communal parking are in the Appellants control and are not available for general public use. No agreement exists in relation to this parking.
- Parking referenced in the application as freely available is associated with specific landholdings and not available to the applicant as a matter of right.

- Reference to parking availability to serve the proposal at Corcoran's furniture was not contained in the original application and not assessed by the Roads Section. This parking is not within the applicant's ownership and cannot be relied on. Walking from Corcoran's to the proposal would require a person to traverse the internal estate road that carries daily HGVs and construction vehicles.
- The proposal, with peaks in family oriented traffic at weekends and school holidays, informal arrival patterns, increased pedestrian activity and sensitivity regarding access is fundamentally incompatible with the operational character of the estate and fails to take account of evening and Saturday operations at the estate.
- No mobility management plan or operational management plan was submitted as required by the NCW LAP on the Enterprise and Employment Zoning.
- There are existing security issues of criminal damage which is relevant to whether the estate constitutes a suitable location for the proposal.
- There are concerns that the public participation process did not reach all materially affected parties.
- The PA Planning Officer's report failed to adequately respond to the third-party submission resulting in a material error in the decision making process.
- There is ambiguity in relation to intended hours of operation.
- There is a requirement for 11 cycle parking spaces with none provided.
- Unsolicited further information submitted to the PA by the applicant in relation to the proposal was used by the PA in its assessment. No opportunity was afforded to third parties to comment on this information.

7.2. **Applicant Response**

A response received on behalf of the applicant can be summarised as follows:

- The proposal for a change of use of part of an existing building within an established enterprise centre is modest, was appropriately assessed by the

PA, and there is no requirement for a Road Safety Audit or Traffic and Transport Assessment.

- The Roads Section raised no objection and the PA found that the proposed use can operate safely and appropriately in the context of the existing estate.
- Parking and pedestrian access will be managed through existing estate infrastructure. The appellants photographs indicate HGV / commercial vehicle movements occur within the estate which is expected in an Enterprise and Employment zoned area and was known by the PA.
- The status of estate bollards is not determinative of whether the proposed change of use is acceptable in principle.
- The proposal does not seek permission to interfere with lands in the appellants ownership or control. No evidence has been provided by the appellant to support this case.
- The proposed use is open for consideration on the zoning objective and was considered acceptable by the PA. The use is not incompatible with the estate and it has not been demonstrated that the appellants business would be prevented from operating as a result of the proposal.
- Security issues are not a planning basis to refuse the proposal and the proposal may improve passive surveillance and activity in the estate.
- The PA considered material planning issues raised in the third party submission and the Roads Section report was part of the overall assessment.
- The shortfall in cycle parking is addressed by a condition attached by the PA.
- The applicant's further information submission to the PA clarified matters already before the PA and did not materially amend the development. The PA was entitled to consider the clarification provided.
- The proposed operating hours are 10am to 6pm.

7.3. Planning Authority Response

Response received states no further comments to make.

8.0 **Assessment**

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

- Principle of Development
- Traffic Safety & Parking
- Other Issues

8.2. **Principle of Development**

- 8.2.1. The site is zoned “Enterprise & Employment” with the stated objective: To provide for and improve general enterprise, employment, business and commercial activities. The stated purpose of the zoning objective is as follows: Provides for enterprise, employment and general business activities and acknowledge existing/permitted retail uses. This land use zoning may accommodate light industry, low input and emission manufacturing, logistics and warehousing and office developments including general public administration. The form and scale of development on these sites shall be appropriate to their location, having regard to surrounding uses and scale. A proliferation of retail uses will not be permitted. Sites should be highly accessible, well designed and permeable with good pedestrian, cyclist links to the town centre and public transport. The implementation of mobility management plans will be required to provide important means of managing accessibility to these sites.
- 8.2.2. Section 10.3 of the LAP outlines a land use zoning matrix wherein the use Leisure/ Recreation Facility is identified as “Open for Consideration” under the applicable Land Use Zoning Matrix. Leisure/ Recreation Facility is defined in the LAP as ‘Cinema, Theatre, Concert Halls, Bingo Halls, Bowling Alley, Commercial Play etc’.
- 8.2.3. The LAP states in Table 10.3 in relation to land uses which are open for consideration that the Council may permit a use where it is satisfied that the suggested form of development will be compatible with the policies and objectives for the zone, will not conflict with existing uses or the proper planning and sustainable development of the area.

- 8.2.4. Existing uses in the vicinity of the appeal site include manufacturing firm Filtartek, a Local Authority Machinery Depot, the appellant's refrigeration sales and repair premises, and a furniture sales outlet.
- 8.2.5. Having regard to the above I consider the proposed use, which relates to a commercial activity, is an open for consideration use on lands zoned 'Enterprise & Employment'. Furthermore, having regard to the surrounding uses and the pattern of development in the vicinity I consider the proposal will not conflict with existing uses. I also consider the proposal complies with NCW LAP Objective EDO1 Enterprise and Employment Objective which seeks to encourage the redevelopment of vacant commercial units for local enterprise development subject to the normal planning criteria and environmental requirements.
- 8.2.6. Overall, I am satisfied that the use positively contributes towards the achievement of the zoning objective and vision and compliance with objectives/policies under the Development Plan.

8.3. Traffic Safety & Parking

- 8.3.1. The appeal raises concerns in relation to traffic safety arising from the proposal as a result of the co-location of children attending the proposed play centre with heavy goods vehicles serving existing premises. Concerns are also raised that a traffic and road safety assessment and a Road Safety Audit or Mobility Management Plan were not carried out, as well as concerns in relation to the availability of car parking and the presence of bollards on car parking spaces.
- 8.3.2. The Local Authority Roads Section Report states no objection to the proposal. The report notes that the existing parking area and footpath fronting the development are overgrown with grass and weeds and requires that the applicant shall reinstate the affected areas to an appropriate standard.

Traffic Safety

- 8.3.3. Newcastle West Enterprise Centre is an established development of enterprise units with roads, road markings, footpaths, grass verges and car parking in place. The appeal site is accessed via an internal estate road accessed from Sheehan's Road. The appellants property has an entrance off Sheehan's Road as well as an entrance off the internal estate road on the opposite side of the road to the appeal site. The

application states that the proposed play facility will operate on a managed, session-based model and will not function as a drop-off facility. In assessing the proposal, the PA considered that the periods of use (weekends and school holidays) generally coincide with reduced activity within the estate, thereby limiting the potential for traffic or parking conflicts.

- 8.3.4. The appeal raises concerns in relation to the co-location of children and heavy goods vehicles which is stated as a recognised high-risk scenario under the TII Road Safety Audit Standards (TII, 2017) which are explicitly referenced in Policy SMTP3 and Objective SMTO4 of the NCW LAP as the applicable standard for development proposals affecting the road network in NCW. Concerns are also raised that the proposal requires an independent Traffic and Transport Assessment and Swept Path Analysis addressing HGV movements, and that a Mobility Management Plan and Road Safety Audit is required.
- 8.3.5. Objective SMTO4 in the NCW LAP refers to development affecting National and Regional Roads. Having regard to the nature and scale of development proposed which relates to a change of use of an existing building, and its location within an established and serviced enterprise centre which is not accessed via a National or Regional Road, I do not consider the provisions of Objective SMTO4 are relevant to the proposal. Policy SMTP3 relates to Sustainable Mobility and Regional Accessibility relating to the N21 road and is not, in my opinion, relevant to the proposed development.
- 8.3.6. In relation to the TII standards referred to in the appeal, I note that these relate to National Road Schemes and as such are not, in my opinion, relevant to the proposed development. The Limerick Development Plan refers to Road Safety Audits and Road Safety Impact Assessment and states that these work to improve the safety performance of new roads and existing roads that require modifications due to projects or proposals. Having regard to the nature and scale of development proposed which does not include a new road or amendment to an existing road I do not consider submission of a RSA or RSIA is required for the proposal.
- 8.3.7. The purpose of the Enterprise and Employment Zoning Objective is outlined in the NCW LAP and states that 'sites should be highly accessible, well designed and permeable with good pedestrian, cyclist links to the town centre and public transport.

The implementation of mobility management plans will be required to provide important means of managing accessibility to these sites'. The appellant raises concerns that no mobility management plan or operational management plan was submitted as required by the NCW LAP on the Enterprise and Employment Zoning. I have considered this requirement as outlined in the LAP and having regard to the nature and scale of development proposed I am of the opinion that as the proposal relates to a change of use of an existing premises and is not a large-scale employer nor is it likely to attract large numbers of visitors, submission of a mobility management plan is not warranted.

- 8.3.8. In relation to the requirement for a Swept Path Analysis, having regard to the presence of existing car parking spaces and roads I do not consider it is necessary to demonstrate that vehicles can navigate the access roads and car parking.
- 8.3.9. Having regard to the nature and scale of the development proposed to be located within an existing unit wherein permission has previously been granted for a manufacturing facility, I do not consider the extent of traffic likely to arise as a result of the proposal requires a Traffic and Transport assessment.
- 8.3.10. In relation to concerns regarding HGV movements I note that a separate service road is in place to serve the rear of the appeal site and neighbouring units and on the day of my site inspection I noted the presence of HGVs to the rear of a number of these units. I note that this rear access road does not serve the appellants property and that a rear vehicular access to the appellants property is located on the opposite side of the road to the proposed development and accessed via the same internal estate road serving the proposed development. The appellant raises concerns in relation to the impact of the proposal on HGV movements from their premises and submitted photos demonstrating HGV movements. Whilst I acknowledge that there is potential for HGV movements in the vicinity of the appeal site given the nature of uses within the estate and as outlined in the appeal, having regard to the existing infrastructure in place to facilitate car and pedestrian access to the appeal site, and to the presence of a rear service road to serve properties adjoining the appeal site, I do not share the appellants concerns relating to traffic safety and pedestrian and traffic conflicts.

8.3.11. Having regard to the foregoing, I am satisfied that the proposed development can be accommodated and will not result in disruption to the continued use of the existing estate roads or premises.

Parking

8.3.12. Car and Bicycle parking requirements are set out in tables 9(a) and 9(b) of the Limerick Development Plan, with table 9(b) relating to Newcastle West and other settlements. The PA Planning Officer's report notes that there is no exact category of land use dealing with parking requirements for a commercial play centre and that the requirement relating to Community Centre is applied. Table 9(b) refers to the land use 'Community Centres, library, museum, art gallery' with a requirement for 1 space per 100sqm public floor area. I consider this a reasonable application of the car parking standards. The total floor area measures 693 sq.m. and I estimate approx. 600 sq.m. is public floor area. I therefore agree with the PA calculation that approximately 6 car parking spaces are required to serve the proposal. I also note that the nature of the use is such that it is likely that attendance will be higher outside of school hours (late afternoon, weekends and holidays) and that to some extent these hours are different to the normal business hours of other premises within the estate.

8.3.13. On inspection of the site I noted that there are approx. 8 no. car parking spaces directly in front of the appeal site along with additional parking spaces to the east and west along the estate road. I am therefore satisfied that sufficient car parking is available to serve the proposed use in accordance with Development Plan. In relation to the Roads Section report requiring a condition for clearing and reinstating car parking spaces to an appropriate standard, I note that the car parking areas are outside of the red line boundary and the PA notification of decision to grant permission does not include a condition to this effect. I consider this matter is a matter for estate management and a condition in this regard is not required.

8.3.14. The appellant refers to concrete bollards which are in place across parking areas restricting access and that these spaces are to be used to serve the proposed development. I note that car parking spaces are located directly in front of the appeal site and that bollards were in place on the date of my site inspection. However, I consider the removal of bollards is a matter for estate management. I note the site

layout plan indicates car parking spaces along the access road to the east and west of the appeal site as 'available parking' and the appellant argues that spaces indicated are within their control. However, I am satisfied that the applicant has demonstrated that sufficient parking is available in front of the appeal site in accordance with Development Plan standards.

8.3.15. The application refers to potential use of parking spaces at Corcoran's furniture located approx. 150m southwest of the appeal site. The appellant raises concerns that this proposal was not contained in the original application, was not assessed by the Roads Section and would require additional pedestrian movements on estate roads. I note that no details of any agreement in relation to the use of this parking is included and that the parking area referred to is outside of the application site. Having regard to my findings in Section 8.3.13 above that sufficient parking exists I do not consider it necessary to require this area of parking to serve the proposal. Notwithstanding this, in the event that visitors to the proposed play centre park at this location, I note the presence of footpaths between the two premises to facilitate pedestrian connectivity.

8.3.16. In relation to cycle parking the Planning Officer's report states a requirement for 11 such spaces and the PA included condition no. 2 requiring the submission of details relating to cycle parking prior to commencement of development. I am satisfied that a condition to this effect is appropriate to ensure the provision of cycle parking and in the event the Commission decides to grant permission I recommend the inclusion of a condition requiring agreement relating to cycle parking.

8.3.17. Based on the information provided, I am satisfied that sufficient parking is available to cater for the demand generated by the proposed development.

8.3.18. Having regard to the above I am satisfied that the proposal can be accommodated on the appeal site without negatively impacting the functioning of the estate and that adequate car parking is available.

8.4. Other Issues

8.4.1. The appeal outlines concerns relating to security issues/criminal damage which the appellant states is relevant to whether the estate constitutes a suitable location for the proposal. I consider security issues are a matter for estate management and I do not consider relevant to the assessment of the appeal.

- 8.4.2. The appeal outlines that a neighbouring business, Filtartek, was unaware of the planning application and there are concerns that the public participation process did not reach all materially affected parties. I note that the Planning Officer's report indicates the site notice was present on the site and I also note that matters relating to compliance with legislative requirements relating to public notices are a matter for the Planning Authority and are not relevant to the assessment of the appeal.
- 8.4.3. Concerns are raised that the PA Planning Officer's report failed to adequately respond to the third-party submission resulting in a material error in the decision making process. I have reviewed the Planning Officer's report and I note that the report includes consideration of the third party submission. Furthermore I note that the proposal subject to the appeal is assessed by the Commission on a de-novo basis with all substantive issues being examined as part of this process.
- 8.4.4. In relation to concerns regarding ambiguity in relation to intended hours of operation, the applicant has confirmed in their response to the appeal that the proposed operating hours are 10am to 6pm. I consider this is acceptable.
- 8.4.5. Concerns are raised in the appeal that unsolicited further information submitted to the PA by the applicant in relation to the proposal was used by the PA in its assessment and that no opportunity was afforded to third parties to comment on this information. The response to the appeal outlines that the applicant's further information submission to the PA clarified matters already before the PA and did not materially amend the development. Having reviewed the application and appeal I am satisfied that the further information did not materially amend the development and as noted above the proposal subject to the appeal is assessed by the Commission on a de-novo basis with all substantive issues being examined as part of this process.
- 8.4.6. In relation to the submission by HSE National Environmental Health Service requiring the inclusion of conditions if permission is granted, I note that these conditions relate to matters which are subject to separate legal codes which are outside of the planning process and thus need not concern the Commission for the purposes of this appeal.

9.0 AA Screening

9.1. Screening the need for Appropriate Assessment: Screening Determination (Stage 1, Article 6(3) of Habitats Directive)

I have considered the project in light of the requirements of Section 177U of the Planning and Development Act 2000, as amended. The subject site is located approximately 5km from the Stack's to Mullaghareirk Mountains, West Limerick Hills and Mount Eagle SPA (Site Code: 004161) and 8.5km from the Lower River Shannon SAC (Site Code: 002165). Having considered the nature, scale and location of the project, I am satisfied that it can be eliminated from further assessment because it could not have any effect on a European site. The reason for this conclusion is as follows:

- The scale and nature of the proposed development.
- Having regard to the absence of any hydrological or ecological connection to any European site.
- To the distance from the nearest European sites regarding any other potential ecological pathways and intervening lands.
- To the screening determination of the PA.

9.2. 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 AA, under Section 177V of the Act, is not required.

10.0 Water Framework Directive

10.1. An assessment of the proposed development has been undertaken with regard to the objectives set out in Article 4 of the EU Water Framework Directive. Having considered the nature, scale, and location of the proposed development, it is concluded that the proposal will not result in any risk of deterioration in the status of any water body, including surface waters (rivers and lakes), groundwater, transitional waters, or coastal waters. This applies to both qualitative and quantitative status, and in respect of temporary and permanent effects. In addition, the proposed

development will not adversely affect the achievement of established environmental objectives, including the protection, maintenance, and improvement of water body status, as required under the Directive. Accordingly, the proposed development is considered to be compliant with the requirements of Article 4.

11.0 Recommendation

11.1. I recommend that planning permission should be granted, subject to conditions.

12.0 Reasons and Considerations

Having regard to the nature and scale of the proposed development, to the existing development on the appeal site and its location within an established enterprise centre and the existing pattern of development in the area, and to the provisions of the Limerick Development Plan 2022-2028 and the Newcastle West Local Area Plan 2023-2029 including the zoning objective Enterprise & Employment and Objective EDO1 Enterprise and Employment Objectives, it is considered that, subject to compliance with the conditions set out below, the development would not seriously injure the amenities of the area or of property in the vicinity and would be acceptable with regard to vehicular and pedestrian access and parking. 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, completed and retained in accordance with the plans and particulars lodged with the application, 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 interests of clarity.

2. 11 no. safe and secure bicycle parking spaces shall be provided within the site. Provision should be made for a mix of bicycle types including cargo bicycles. Details of the layout and marking demarcation of these spaces shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: To ensure that adequate bicycle parking provision is available to serve the proposed development, in the interest of sustainable transportation.

3. Site development and building works shall be carried out between the hours of 0800 to 1900 Mondays to Fridays inclusive, between 0800 to 1400 hours 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.

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

4. 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.

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.”

Bernadette Quinn
Planning Inspector

01st September 2026

Appendix 1: Form 1 EIA Pre-Screening

Case Reference	PL-501445-LK-26
Proposed Development Summary	Change of use of part existing building from Distribution warehouse to commercial play centre, cafe, offices and associated facilities, new signage, utilisation of existing car parking facilities and associated site works.
Development Address	Newcastle west Enterprise Centre , Newcastle West , 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?	☒ Yes, it is a 'Project'. Proceed to Q.2.
	☐ 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)	
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.	State the Class here

☒ 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	State the Class and state the relevant threshold
☐ 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)	State the Class and state the relevant threshold
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)

Inspector: _____ Date: _____