

10th June, 2016.

To the Mayor and each Member of the Metropolitan District

Re: Part VIII Planning Report for Verdant Place Flood Defence Wall

A Chomhairleoir, a chara,

I enclose herewith report prepared in accordance with Section 179(3) of the Planning and Development Act 2000-2015 and Part VIII of the Planning & Development Regulations 2001-2015.

In accordance with Section 179 (4) (b) of the above Act, it is proposed to proceed as indicated in Section 5 of this report.

Mise le meas,



GORDON DALY
DIRECTOR OF SERVICES

**PLANNING REPORT IN ACCORDANCE WITH
SECTION 179 3(a) OF THE PLANNING & DEVELOPMENT
ACT 2000 - 2015**

Re: Permission for the following:

The provision of flood defences along Verdant Place, King's Island commencing 40m from Thomond Bridge and extending for approximately 238m along Verdant Place. The flood defence works will include:

- (i) New flood defence walls (ranging from 0.8m ad 2.2m higher than existing ground levels);
- (ii) New footpath from Thomond Bridge to the existing embankment at the north of the community centre;
- (iii) Realignment of the existing road to include a one way traffic system; Ancillary works.

The proposed works area in the the immediate setting & amenity of the following protected structures:

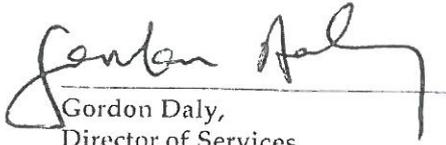
- o The former Thomond Bridge Toll House (RPS No. 38)
- o Verdant Place stretch of the City Wall (RPS No. 59)
- o Thomond Bridge (RPS No. 428)

At: Verdant Place, King's Island, Limerick

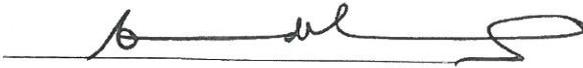
Planning Reference No. 16/8000


Jennifer Mc Nulty,
Executive Planner,
Planning & Environmental Services


Stephane Duclot,
Acting Senior Planner,
Planning & Environmental Services


Gordon Daly,
Director of Services,
ServiceOperations

Pursuant to Section 179 3(a) of the Planning & Development Act 2000-2015, this report is submitted to the members of Limerick City & County Council. In accordance with Section 179(4) (b) of the above Act, it is proposed to proceed as indicated in Section 5 of this report.


Conn Murray
Chief Executive
Limerick City & County Council

Dated: 18th June 2016

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1.0 Foreword

This planning report has been prepared pursuant to Section 179 of the Planning & Development Act 2000-2015, and Part 8 of the Planning & Development Regulations 2001-2015.

2.0 Description of the nature and extent of the proposed development

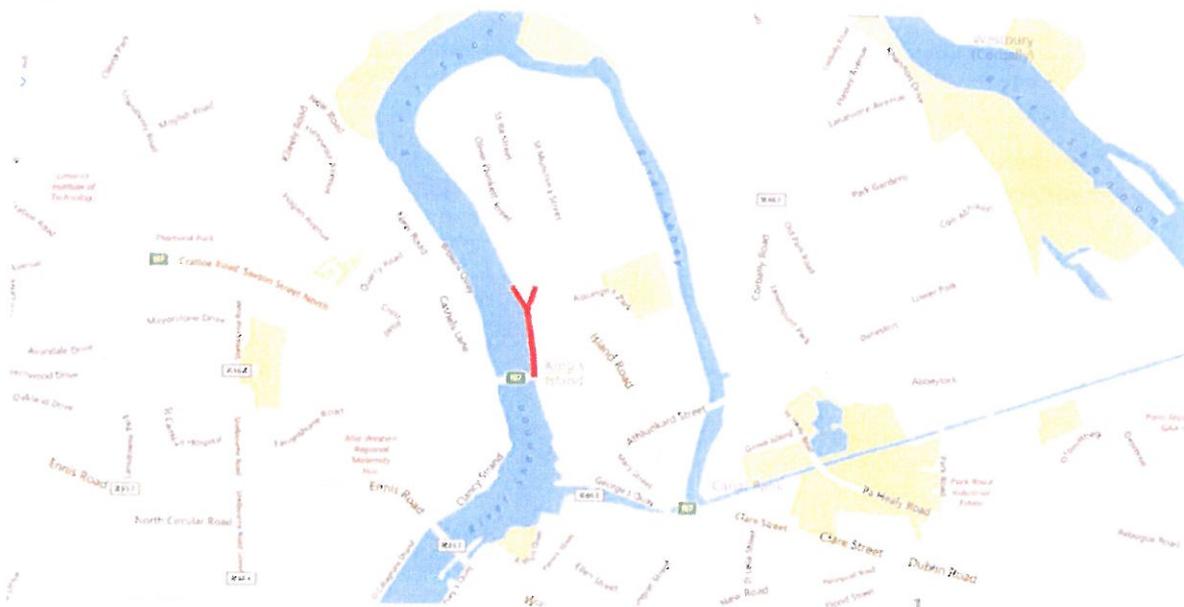
The proposed works will be carried out at Verdant Place, King's Island, Limerick.

Under this planning application the Applicant, the Travel & Transport Department of Limerick City & County Council proposes the following:

- (1) The provision of flood defences along Verdant Place, King's Island commencing 40m from Thomond Bridge and extending for approximately 238m along Verdant Place.
- (2) The flood defence works will include - New flood defence walls (ranging from 0.8m ad 2.2m higher than existing ground levels);
- (3) New footpath from Thomond Bridge to the existing embankment at the north of the community centre;
- (4) Realignment of the existing road to include a one way traffic system;
- (5) And ancillary works (works are proposed in the immediate setting & amenity of the following protected structures former Thomond Bridge Toll House (RPS No. 38), Verdant Place stretch of the City Wall (RPS No. 59) and Thomond Bridge (RPS No. 428)

The plans and particulars went on public display from 29th of February, 2016 to 15th of April, 2016. Submissions and observations had to be submitted by 29th of April, 2016.

Location:



3.0 Likely implications, if any, with respect to the proper planning and sustainable development of the area

Limerick City Development Plan 2010 – 2016*

The CDP sets out the following with respect to acceptable development in the location in question:

The land use zoning in place for the identified site is as follows:

- o 2(A) Residential - Map 1 – Land Use Zoning
- o Regeneration Area B – Map 1C - St. Mary's Park
- o Zone of Archaeological Potential – Map 7C

Policy WS.8 Flood Protection

It is the policy of Limerick City Council to continue to work towards reducing flooding within the City and ensure that all new development proposals comply fully with the requirements of 'The Planning System & Flood Risk Management Guidelines for Planning Authorities', 2009, and any additional guidance introduced during the lifetime of the Development Plan.*

Policy BHA.2 Sites Within the Zone of Archaeological Potential

It is the policy of Limerick City Council to protect and enhance the archaeological value of the sites (and their settings) located within the 'Zone of Archaeology Potential' and all other features listed in the Sites and Monuments Record (SMR).

Policy BHA.3 Preservation of Archaeological Remains In-Situ

It is the policy of Limerick City Council to require Archaeological Impact Assessment be carried out on all development proposals that are likely to impact upon in-situ archaeological structures or deposits within the Zone of Archaeology Potential and/or within areas of archaeological importance as identified through the National Monuments Record (SMR – Appendix II).

Limerick Regeneration Framework Implementation Plan, 2013:

General overview of the flood issue given in this document

**Please note 'Limerick City Council' is now Limerick City & County Council (LCCC) – this document was prepared before the amalgamation of the Local Authority.*

3.2 Habitats Directive Project Screening Assessment

Both construction and operating phases of the proposed development to be considered.

<p>Construction Phase: N/A</p> <p>Are effects significant? N/A</p> <p>Are substantial works required: No</p> <p>Are effects significant? No</p> <p>Operating phase effects: Are effects significant? No</p>	<p>Ex-situ effects: Are effects significant? Yes/No</p> <p>Run-off: Are effects significant? Yes/No</p> <p>Abstraction: Are effects significant? Yes/No</p> <p>Displacement: Are effects significant? Yes/No</p>
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Identification of Natura 2000 sites which may be impacted by the proposed development

1	Impacts on designated rivers, streams, lakes and fresh water dependant habitats and species e.g. bogs or otters -see abstraction/run off etc above.	Is the development in the relevant catchment of or immediately up/downstream of a watercourse that has been designated as a Natura 2000 site? Name of sites: Lower river Shannon Sac site.	Yes
2	Impacts on terrestrial habitats and species.-see area and disturbance/displacement effects above.	Is the development within 1km of a SAC site with terrestrial based habitats or species? Name of site:	Yes
3	Impacts on designated marine habitats and species.	Is the development located within marine or intertidal areas or within 5 km of a SAC site whose qualifying habitats or species include the following habitats: Salmonid, Lamprey Mudflats, sandflats, saltmarsh, shingle, reefs, sea cliffs Name of site: Lower river Shannon Sac site	Yes
4	Impacts on birds in SPAs-	Is the development within 1km of a Special Protection Area Name of site: No site	No
5	Cumulative effects	Would consideration of a	No

		number of significant projects nearby such as forested areas, quarries, wind energy together with the proposed development significantly increase the impacts listed above:	
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An Appropriate Assessment Screening Report Prepared by ARUP - Appendix C in the main report. The screening assessment concluded that the project will not have negative impacts or effects on any Natura 2000 sites.

The project will not impact on the European Natura 2000 sites. Accordingly, the Planning Authority is of the view that the development will not have any significant impacts on any Natura 2000 sites. Therefore an Appropriate Assessment (AA) is not considered necessary in this case.

The development has been subject of an Appropriate Assessment Screening in accordance with Article 6 (3) of the EU Habitats Directive (Directive 92/43/EEC) and the Planning & Development Acts 2000-2015.

3.3 Land Acquisition

The Applicant is the owner of the site.

3.4 Conclusion

It is considered that the proposed development is in accordance with policies of the *Limerick City Development Plan 2010 – 2016* and is therefore acceptable as per the requirements of proper planning and sustainable development of the area.

4.0 Submissions with respect to the proposed development

A total of 4 x No. written submissions/observations was received and are listed below:

LIST OF SUBMISSIONS RECEIVED	
SUB REF:	FROM:
1.	Department of Arts, Heritage and the Gaeltacht - Received 31/04/16
2.	Archaeology Department LCCC - Received 24/02/16
3.	Conservation Officer, Planning & Environmental Services Department LCCC - Received 11/04/16
4.	Planning & Environmental Services Department LCCC - (Waste Management Section) - Received 04/04/16

4.1 Submissions:

SUB (1) Department of Arts, Heritage and the Gaeltacht

Submission description:

The submission received on the 31st of March, 2016 and the following issues were raised:

Underwater and terrestrial archaeology and in particular the preservation of features or objects of archaeological interest.

Planning Authority Comment: Please see the report prepared by Arup on behalf of the Applicant

We note that no additional observations were submitted in relation to nature conservation. Contract documents are currently being prepared and the successful contractor will be required to appoint a recognised archaeologist to monitor the excavation works which are only required on the land side of the existing wall. We confirm that there is no excavation or regarding of the river bed which negates any requirement to undertake underwater archaeology work.

An Appropriate Cultural Heritage Assessment can be carried out to inform the works and advise of Ministerial Consent requirements. We have discussed the requirements of such an assessment with The Archaeological and Diving Company (ADCO) and will constitute a desktop review and walkover inspection. The fee for same will be approximately €1,000, exclusive of VAT.

SUB (2) Archaeology Department LCCC

Submission description:

The submission received on the 24th of February, 2016 and the following issues were raised:

- *The location of the 4 car-parking spaces adjacent the city wall is inappropriate;*
- *Any works in the area should consider some reinstatement of the cobbled surface fronting the city wall and prevention measures to prevent temporary/permanent parking adjacent the city walls;*
- *The cobbled surface fronting the city wall should not be used as a contractors compound or storage area as part of the construction works;*
- *Existing commemorative stone;*
- *Cladding finish;*
- *Improved Street Lighting;*
- *Annotate City Walls and Towers on Part 8 and Contract Drawings.*

Planning Authority Comment: Please see the report prepared by Arup on behalf of the Applicant

- *The location of the 4 car-parking spaces adjacent the city wall is inappropriate - As discussed and agreed at the TAG meeting of 11th April 2016, the four car parking spaces will not form part of the works, refer section 5.1 – Road works of the TAG meeting minutes.*
- *Any works in the area should consider some reinstatement of the cobbled surface fronting the city wall and prevention measures to prevent temporary/permanent parking adjacent the city walls - As of the 6th May 2016, we have proposed a simple replacement of concrete paving slabs and cobbles where they currently exist. The cobbles at the back and adjacent the city wall seem to be intact. However, we note that the existing appearance of the central area incorporates some form of design (between the paving slabs) including brick paving. There*

may be some historical significance to this that should be explored by Tom Cassidy (Conservation Officer) or Sarah McCutcheon (Executive Archaeologist). A standard kerb height with the new footpath on the eastern side of Verdant Place is also proposed with associated bollards at the edges of the footpath to prevent ad-hoc parking. We await final instruction from Limerick City & County Council in this regard.

- *The cobbled surface fronting the city wall should not be used as a contractors compound or storage area as part of the construction works* - A number of options, not including the cobble area fronting the city wall, have been proposed for the contractor's compound, refer Appendix E. We await feedback from Limerick City & County Council re same together with any restrictions. A note will also be added to the contract drawings to indicate that the subject area fronting the city walls not to be used for any form of storage.
- *Existing commemorative stone* - The commemorative stone will be re-located from chainage +057 to chainage +020 (closer to Thomond Bridge). The re-location has been discussed and agreed with Tom Cassidy, Conservation Officer.
- *Cladding finish* - Refer Appendix F for the typical cladding finish to the new defense wall. It is acknowledged that there will be a variation between the new and existing walls.
- *Improved Street Lighting* - Existing street lighting along the River side of Verdant Place is proposed as the existing 10m wooden poles are either already damaged or will be damaged as part of the construction works. No other improvement works are proposed unless otherwise instructed by Limerick City & County Council. Proposals in relation to the new lighting standards and lanterns have already been submitted for approval.
- *Annotate City Walls and Towers on Part 8 and Contract Drawings* - We confirm that the City Walls and Towers will be annotated on the tender/contract drawings.

SUB (3) Conservation Officer, Planning & Environmental Services Department, LCCC

Submission description:

The submission received on the 11th of April, 2016 and the following issues were raised:

- *Stone cladding should be laid correctly, following the original horizontal bedding in the quarry;*
- *Binding mortars should be of building lime, the strength selected being suitable for the stones porosity with the precise mix to be agreed with the conservation officer prior to works commencing.*

Planning Authority Comment: Please see the report prepared by Arup on behalf of the Applicant dated 17/05/16

- Stone cladding should be laid correctly, following the original horizontal bedding in the quarry - The limestone cladding proposed is as indicated in Appendix F with a random rubble un-coursed finish.
- Binding mortars should be of building lime, the strength selected being suitable for the stones porosity with the precise mix to be agreed with the conservation officer prior to works commencing; - Full details of the binding mortars can be agreed prior to commencement of the works.

SUB (4) Environment Department LCCC - (Waste Management Section)

Submission description:

The submission received on the 4th of April, 2016 and the following issues were raised:

- *Prior to commencement of development, the applicant shall submit to the planning authority a waste management plan for the recovery/disposal of all wastes arising from the construction of the development*

Planning Authority Comment: Please see the report prepared by Arup on behalf of the Applicant dated 17/05/16

- *Prior to commencement of development, the applicant shall submit to the planning authority a waste management plan for the recovery/disposal of all wastes arising from the construction of the development - A Construction Environment Management Plan was prepared for the purposes of the Part 8 planning process, refer Appendix B of the Screening for Appropriate Assessment Report. Upon appointment of a contractor to undertake the works, the CEMP can be updated when the contractors preferred waste facility is identified etc.*

5.0 Action taken by Local Authority

It is proposed to proceed with the development in accordance with the information submitted on file dated the 29th of February, 2016 and the details and specifications contained in this report.

1. The development shall be carried out in accordance with the plans and particulars lodged with the application, on the 29/02/16 and the report received by the Planning Authority on 17/05/16, except as may otherwise be required in order to comply with the following conditions.

Reason - In order to clarify the development to which this permission applies.

2. 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, environmental protection measures, including hours of working, noise and traffic management measures and off-site disposal of construction/demolition waste.

Reason - In the interests of public safety and residential amenity

3. All aspects of the development that affect any archaeology in the vicinity of the site shall comply with the requirements of the Limerick City & County Council Archaeologist

Reason - In the interest of orderly development

4. All aspects of the development that affect any protected structure in the vicinity of the site shall comply with the requirements of the Limerick City & County Council Conservation Officer

Reason - In the interest of orderly development

5. Within 1 MONTH of the receipt of this Notification the Applicant shall submit to the Planning Authority for agreement in writing a Waste Management Plan for the recovery/disposal of all wastes arising from any demolition proposed.

Reason - In the interest of proper planning and development