



Our Ref: 0070_07_00016
2017

10th November

To: The Mayor and Each Member of Limerick City and County Council

**Planning and Development Acts 2000 (as amended)
Planning and Development Regulations 2001 (as amended)(Part VIII)**

Proposed N24 Beary's Cross Road Improvement Scheme

A Chomhairleoir, a chara,

I enclose herewith a report prepared in accordance with the Planning & Development Acts 2000 (as amended) and Part VIII of the Planning & Development Regulations 2001 (as amended) in relation to the above.

The scope of works is outlined here:

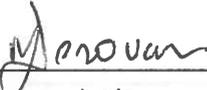
1. A new Roundabout controlled junction is to be constructed necessitating alteration to the present junction layout and the construction of new Regional Road R513 approaches to the junction and the alteration of the existing N24 approaches to the junction;
2. Road & associated Drainage attenuation;
3. Fencing;
4. Landscaping;
5. Public Lighting;
6. Accommodation Works;
7. Associated Site Works.

This proposal was advertised on 15th of April, 2017 and plans and particulars in relation to same were made available for inspection from Monday, 17th April, 2017 to 31st May, 2017. The closing date for submissions was Friday, 16th June, 2017. 9 submissions were received and the responses and conditions are outlined in the report.

The scheme has been brought to both the Metropolitan District and the Cappamore-Kilmallock Municipal District October meetings for consideration and discussion

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

Is mise le meas,



Mairead O'Donovan
Administrative Officer

Encl.

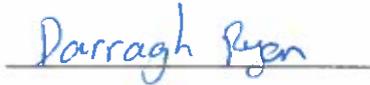
**PLANNING REPORT IN ACCORDANCE WITH
SECTION 179 3(a) OF THE PLANNING & DEVELOPMENT
ACT 2000 (as amended)**

Re: **Permission for the following:**

PERMISSION for a new roundabout controlled junction is to be constructed necessitating alteration to the present junction layout and the construction of a new Regional Road R513 approach to the junction and the alteration of the existing N24 approaches to the junction, Road and Drainage impact attenuation, Fencing and Accommodation, Landscaping, Public Lighting, Associated Site Works, the implementation of the works proposed will result in a rearrangement of the existing road network include the relocation of points of access onto the national and local road network and the extinguishment of public rights of way by a separate statutory process

At: N24/R513, Beary's Cross, Cloghnadromin, Sandyland & Tobermalug Co. Limerick

Planning Reference No. 17/8006



**Darragh Ryan,
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**Caroline Curley,
Director of Services,
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Pursuant to Section 179 3(a) of the Planning & Development Act 2000 (as amended) 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**

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1.0 Foreword

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

2.0 Description of the nature and extent of the proposed development

The proposed development is on the N24/R513 Beary's Cross Junction. The junction is widely known as "Beary's Cross". The works will be located in the townlands of, Clohndromin, Sandyland & Tobermalug.

The site is bounded by a number of residential developments and a GAA pitch.

Under this planning application the Applicant, Mid West National Road Design Office, proposes the following:

A new roundabout controlled junction is to be constructed necessitating alteration to the present junction layout and the construction of a new Regional Road R513 approach to the junction and the alteration of the existing N24 approaches to the junction, Road and Drainage impact attenuation, Fencing and Accommodation, Landscaping, Public Lighting, Associated Site Works, the implementation of the works proposed will result in a rearrangement of the existing road network include the relocation of points of access onto the national and local road network and the extinguishment of public rights of way by a separate statutory process

The plans and particulars went on public display from Monday 18th April 2017 to Tuesday 31st May 2017. Submissions and observations had to be submitted by 16th June 2017.

Location:



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

Limerick County Development Plan 2010 -2016

Policy IN P7 (Road Safety and Capacity): “To seek the improvement of road safety and capacity throughout the County, through minimising existing traffic hazards, preventing the creation of additional or new traffic hazards in the road network and securing appropriate signage”.

Policy IN P8 (Strategic Regional Road Network): “It shall be the policy of the Council to protect the investment in the Strategic Regional Road Network, prevent the premature obsolescence of this network and maintain and improve road safety and capacity”.

Table 8.3 of the County Development Plan lists proposed National Road improvements for the period of the plan including the N24 Route Improvements from Ballysimon to the County Boundary. The scheme is consistent with the policies and strategies of the County Development Plan. There is a need to replace the N24/ R513 at Beary’s Cross with a junction that complies with Transport Infrastructure Ireland standards.

3.1 Habitats Directive Project Screening Assessment

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

<p>Construction Phase: The project consists of;</p> <ul style="list-style-type: none"> • New roundabout controlled junction. • Construction of new approaches on existing R513 & N24 • Landscaping & public lighting • Fencing • Road & drainage impact attenuation <p>Are effects significant? Yes</p> <p>Are substantial works required: Yes</p> <p>Are effects significant? Yes</p> <p>Operating phase effects: Are effects significant? Yes</p>	<p>Ex-situ effects: Are effects significant? No</p> <p>Run-off: Are effects significant? Yes</p> <p>Abstraction: Are effects significant? No</p> <p>Displacement: Are effects significant? Yes</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.	<i>Is the development in the relevant catchment of or immediately up/downstream of a watercourse that has been designated as a Natura 2000 site?</i> Name of sites:	No
2	Impacts on terrestrial habitats and species.-see area and disturbance/displacement effects above.	<i>Is the development within 1km of a SAC site with terrestrial based habitats or species?</i> Name of site:	No
3	Impacts on designated marine habitats and species.	<i>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</i> Name of site:	No
4	Impacts on birds in SPAs-	<i>Is the development within 1km of a Special Protection Area</i> Name of site: No site	No
5	Cumulative effects	Would consideration of a number of significant projects nearby such as forested areas, quarries, wind energy together with the proposed development significantly increase the impacts listed above:	No

An Appropriate Assessment Screening Report was prepared. The screening assessment concluded that the project will not have negative impacts or effects on any 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 (as amended).

3.3 Conclusion

It is considered that the proposed development is in accordance with policies of the Limerick County Development Plan 2010 – 2016 (as extended) 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 9 x No. written submissions/observations was received and are listed below:

LIST OF SUBMISSIONS RECEIVED	
SUB REF:	FROM:
1.	Beary's Cross Residents & Landowners Association, Beary's Cross, Boher, Co. Limerick
2.	Quinn Residence, Beary's Cross, Limerick
3.	Murroe Boher, GAA Club, Beary's Cross, Limerick
4.	Boher Community Development Association, Boher, Co. Limerick
5.	Michael Ryan, Drumeyon House, Beary's Cross, Boher, Co Limerick
6.	Irish Water
7.	Transport Infrastructure Ireland
8.	Gas Networks Ireland
9.	An Garda Siochana

4.1 Submissions:

SUB (1) Beary's Cross Residents & Landowners Association

Summary of Submission

Road Layout

- a) Replace the existing access from the Moore Residence to the proposed GAA access road;
- b) Provide a right-turn lane at the access to the Gill Madden Residence and ensure access is suitable for traffic turning left off Regional Road;
- c) Increase the width of and provide pedestrian facilities on the cul-de-sac;
- d) Provide signalised Pedestrian crossings on the N24;
- e) Provide traffic calming, pedestrian and cyclist facilities between Beary's Cross and Boher;
- f) Impose a 60 km/h speed limit over the extent of the Scheme. Boundaries / Green Space

Boundaries/ Green Space

- g) Provide banked verges on the N24 or other measures to deter illegal parking;
- h) What is the proposed use for the green area opposite Quinn / O'Dwyer Households
- i) Access between O'Dwyer and Gill Madden residences to be maintained;
- j) Open green areas to be landscaped.
- k) Provide landscaping and fencing across existing R513 at its junction with the N24;
- l) Provide boundary walls and fences at a number of locations.

Drainage / Flood Prevention

- m) Limerick City & County Council to commit to address any flood-risk issues not anticipated by the Part 8 report;
- n) The height of the realigned R513 not to be raised above the height of the existing road;
- o) Provide a new wastewater treatment system to mitigate the impact of the Scheme on existing systems;
- p) Provide measures to relieve the risk of flooding and its ancillary effects.

Public Safety and Security

- q) Provide measures to enhance safety and security on the cul-de-sac, including lighting and surveillance cameras; Business Impact and Signage

Business Impact & Signage

- r) Provide information signs for existing businesses and a community alert scheme and provide signs prohibiting illegal parking, temporary dwellings and overtaking on the realigned R513.

Road Design Office Comments

Road Layout

- a) It is not proposed to undertake this proposal as part of the present scheme. The Scheme will reduce traffic speeds on the N24 at the access to the Moore Residence and thus provides a safer environment for movements to and from the residence. The road entering the GAA club is seen as a direct replacement for the GAA entrance.
- b) The Gill-Madden Residence is located close to the tie-in of the realigned R513 to the existing road. The realignment will have the effect of moving the carriageway away from the Gill Madden property and, other than requiring the existing access to be extended to meet the realigned road, will not impact on this property. Traffic movements to and from the property are not of a volume that would necessitate a ghost island junction. The junction between the extended driveway and the realigned R513 will be designed in accordance with TII Standards for a simple junction in a rural area which will not be used frequently by large commercial vehicles.
- c) It is proposed to narrow the cul-de-sac that will be formed where the proposed alignment moves off the present road. This is proposed with the aim of allowing farm traffic to continue to use the cul-de sac as it currently does while reducing the carriageway width (a 4.8 m wide carriageway is proposed) where it is unnecessarily wide for the residences on the road and the services vehicles that these houses will require from time to time. Existing utilities will continue to be accommodated by this road. It is not proposed to build a footpath that would have minimal pedestrian traffic.

Although a turning bay has not been raised such a facility is probably necessary and will be designed in conjunction with design guidelines and the residents' cooperation.

- d) A crossing facility is provided on the N24 on the Limerick side of the proposed roundabout. The Scheme will not generate pedestrian movements and is intended to cater for existing movements across the N24. The Scheme will reduce the paved width of the N24 at the crossing point and will also act to reduce traffic speeds on the N24. Should pedestrian movements increase significantly in the future, an alternative crossing arrangement can be considered.
- e) The Scheme is concerned with improving the junction at Beary's Cross. Providing traffic calming measures and facilities for pedestrians and cyclists between Beary's Cross and Boher is outside the scope of the Scheme.
- f) The Scheme has been designed in accordance with the existing speed limits and so does not require the imposition of a 60km/h speed limit. The permission of the TII would be required for this speed limit to be imposed and it is unlikely to grant this permission since it is the consistent national policy of the TII not to apply reduced speed limits to junctions such as that proposed.

Boundaries/ Green Space

- a) Banking of verges immediately adjacent to the carriageway is not recommended. However, it is proposed to fence off this area.
- b) This green area will act as a detention basin for storage of attenuated rainfall during extreme rainfall events. The basin will be dry at most times and will be grassed.
- c) The present proposal has a berm between the O'Dwyer and Gill Madden residences for the safety of traffic on the main Regional road. Therefore vehicular access will not be practical between the two residences.
- d) Landscaping will be provided in accordance with TII landscape guidance documents. The exact treatment will be the subject of the detail design.
- e) The submission requests the erection of walls and fences and planting of hedges at a number of locations (hedges to be planted adjacent to new boundary fences, boundary walls on the R513, erection of a new fence at the O'Dwyer property, walls to the side of the Reilly property and to the rear of the O'Meara's property). In general it is proposed that fencing will be erected to separate the public land from the private land and to separate the N24 National Road from the cul-de-sac. This will be supported by the landscaping design to enable the revised road layout arrangements to merge into the landscape. A stile can be incorporated into the fence as requested to discourage motorbikes however the stile will remain of sufficient width to ensure it can be negotiated comfortably by pedestrians, cyclists or people with disabilities. The operational stage of the Scheme was the subject of a Noise Impact Assessment and this found that there would not be a significant impact on noise levels and that mitigation measures such as the construction of sound-proof boundary walls are not required. Extension of individual property boundaries to incorporate some of the existing verge on the R513 may not compromise the movement of traffic on the cul-de-sac; however it could lead to difficulties in regard to future maintenance of services located in the verge. Accordingly it is proposed that agreement on the extent to which boundaries can be moved forward, if any, will be decided only after

construction of the scheme is complete and subject to the agreement of TII and approval of Limerick City and County Council.

Drainage / Flood Prevention

- a) Flood relief is not an objective of the Scheme and it will not include flood relief measures except as required to ensure the Scheme itself does not increase flood risk. However, all open drains and piped drains intercepted by the Scheme will either be culverted under the Scheme to maintain existing flow paths or incorporated into the Scheme's surface water drainage system. It is anticipated these measures will improve the operation of drains in the area.
- b) The finished level of the realigned R513 cannot be held below the level of the existing road. However, the Scheme will include a positive drainage system that will collect all surface water run-off from the realigned road. This system will ensure that surface water from the realigned R513 will not impact on existing properties.
- c) The Scheme includes measures, designed in accordance with OPW Flood Risk Management Guidelines, to ensure that it will not cause flood levels to increase. Thus, the Scheme will not exacerbate the impact, if any, that flooding from the Groody has on the sewage systems in the area. The detention basins do not rely on stored water soaking into the ground underneath the basins. All water stored in the basins will discharge to the Groody, but only at a rate equivalent to greenfield runoff and after the rainfall event leading to the storage requirement has ended. The Scheme will not impact on existing sewage systems and therefore does not create the need for a new wastewater treatment system.
- d) The submission requests a number of measures to relieve flood risk in the area. However, the flood risk these measures are intended to address is not a consequence of the Scheme. As stated already, flood relief is not an objective of the Scheme and measures to reduce flood risk are only proposed where the increase in flood risk is a consequence of the Scheme.

Public Safety and Security

- a) Extra lighting will be provided in the cul-de-sac to create a more evenly lit area. The submission requests lighting to be extended from the roundabout to outside the Gill property. This is already included in the Scheme. The submission requests lighting to be extended to Boher. This is outside the scope of the Scheme.

Business Impact and Signage

- a) Where the Scheme requires removal of existing authorised business signage, it will be replaced subject to road safety not being compromised. Traffic signage on the National Road will be in accordance with TII guidance. Where non statutory signage is in question such as 'community alert' signs these are subject to a separate planning process distinct from this scheme. Where the signs are a matter for the Council itself such as 'no parking' these may be provided in line with the Council's own procedures for these matters. Traffic signs and road markings for the scheme will be erected in accordance with the Traffic Signs Manual. This will include road markings indicating the junction giving access to the cul-de-sac as a non-overtaking zone.

Maintenance

- a) It is assumed that maintenance of lands in public ownership will remain the

responsibility of Limerick City and County Council.

Planning Authority Comment:

The Planning Authority note the above comments and appropriate actions to apply

SUB (2) Quinn Residence, Beary's Cross, Limerick

Summary Of Submission

- a) This submission is the same as Submission 1, except for a statement that the Quinn household would be willing to consider an offer for the purchase of their home should Limerick City and County Council wish to do so in order to carry out their planned works. This statement arises from a concern that the flood risk outlines in the plans will negatively impact on the value of the Quinn property.

Road Design Office Comment

- a) The Scheme will not increase flood risk at the Quinn property. Acquisition of the Quinn lands within the curtilage of the Quinn house is not required for delivery of the Scheme. The response to Submission 1 can be taken as the response to all other items in this submission

Planning Authority Comment:

Noted

SUB (3) – Murroe Boher GAA Club

Summary of Submission

- a) Footpath, cycleway, lighting and pedestrian crossings to be provided between Boher Cross and the proposed roundabout;
- b) Entrance walls and piers, fencing, flag pole and an electric gate to be provided on the realigned access road to the club's grounds;
- c) Signs advising of pitch location to be erected on approaches to the proposed roundabout;
- d) Fencing along the boundary between the Moore property and the new entrance to the club;
- e) Wastewater drainage from club grounds to be connected to any new wastewater treatment plant; (vi) Clear and level lands between existing and realigned access roads to facilitate parking;
- f) Proposed access road to have an asphalt finish and, in order to deter illegal parking, high kerbs on both sides;
- g) Defined plan for closure of existing entrance to pitch

Road Design Office Comments

- a) The provision of these facilities is outside the scope of the Scheme.
- b) Where provided, walls, fencing, gates etc. will be agreed as part of any compensation package arising from the acquisition of lands from the Murroe Boher GAA club;
- c) Traffic signs will be designed in accordance with TII guidance and the Traffic Signs Manual. Any other signage is subject to the ordinary planning process and procedures.
- d) The provision of a boundary fence at this location will be agreed as part of any compensation package arising from the acquisition of lands from the Murroe Boher GAA club;
- e) The Scheme does not include the construction of a wastewater treatment plant;
- f) Accommodation Works of this nature, if provided, will be agreed as part of any compensation package arising from the acquisition of lands from the Murroe Boher GAA club;
- g) This will be included in the Scheme;
- h) The entrance will be closed as part of the land acquisition process. The defined plan will be agreed with the club at detailed design stage or as part of the compensation procedure.

Planning Authority Comment:

The Planning Authority note the above comments and appropriate actions to apply.

SUB (4) Boher Community Development Association

Summary of Submission

Footpath, cycleway, lighting and pedestrian crossings to be provided between Boher and the proposed roundabout;

Road Design Office Comments

The provision of these facilities is outside the scope of the Scheme

Planning Authority Comment:

Noted

SUB (5) Michael Ryan, Drumeyon House, Beary's Cross, Boher

Summary of Submission

- a) The width of the existing road is not to be altered between the access to the Ryan Property and the junction between the cul-de-sac and the spur to the Realigned R513. This is to ensure that full access to the farm for trucks and machinery is maintained.

Road Design Office Comments

- a) It is proposed to narrow the cul-de-sac that will be formed where the proposed alignment moves off the present road. This is proposed with the aim of allowing traffic to continue to use the cul-de-sac as it currently does while reducing the carriageway width (a residual carriageway width of 4.8 m is proposed) where it is unnecessarily wide for the residences on the road and the services vehicles that these houses will require from time to time. By agreement with the property owner, the

residual carriageway width will be increased locally as is necessary to accommodate particular turning movements to an individual property.

Planning Authority Comment:

Noted.

SUB (6) Irish Water

Summary of submission

It is recommended by Irish water that the watermain on N24 is re-laid along the realigned road at the proposers cost. This will require the proposer to enter into a diversion agreement with Irish water and the diversion should be designed, constructed and tested to Irish waters requirements. For the existing watermain on the R513 it is recommended that the Road authority should maintain full access in perpetuity and provide a wayleave over the existing watermain and the area of land between the watermain and new road to allow access for maintenance and new connections. Adequate protection of the existing watermain where it crosses the new road will be required. There are no works included for the protection of the existing sluice valves, air valves scour valves, water meters, and hydrants on this section of road. Some of these may be exposed and some of these may be buried on the side of the road. All of these will have to be protected and realigned if necessary. There are a number of service connections; some complete with a number of road crossings along the route highlighted again based on sections, some of these will be buried and some of these will be exposed. This will need to be reviewed and remedied. It is noted that the watermains are not shown on the part 8 submission drawings – the proposer should contact Irish water to obtain services drawings for inclusion in detailed design.

Road Design Office Comments

Response to submission Measures required to deal with Irish Water Infrastructure affected by the Scheme will be agreed with Irish Water at detailed design stage.

Planning Authority Comment:

Noted

SUB (7) Transport Infrastructure Ireland

No comment to make in relation to the proposed application.

Road Design office comments

Noted

Planning Authority Comment:

Noted

SUB (8) Gas Networks Ireland

There are no distribution or transmission gas pipelines in the vicinity of your works on the N24 at Beary's Cross

Road Design office comments

Noted

Planning Authority Comment:

Noted

Sub (9) An Garda Siochana

Summary of Submission

An Gardai Siochana are in agreement that the road improvements as outlined would significantly improve Road Safety at Beary's Cross in view of the fact that there has been a number of serious and fatal road traffic collisions at this location over the years.

Road Design office comments

Noted

Planning Authority Comment:

Noted

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 12th of April, 2017 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 12/04/17 and the reports received by the Planning Authority on 06/09/17, except as may otherwise be required in order to comply with the following actions.

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

2. All open drains and piped drains intercepted by the Scheme shall either be culverted under the Scheme to maintain its existing flow path or incorporated into the Scheme's surface water drainage system.

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

3. Details of all lighting shall be submitted to and agreed in writing with the Planning Authority prior to the commencement of the development. Road lighting shall be provided for the Scheme in accordance with Transport Infrastructure Ireland Standards.

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

4. Prior to the commencement of this development the site developer or appointed contractor shall submit to Planning and Environmental Services for agreement in writing a site specific waste management plan for the recovery/disposal of all wastes arising from the demolition, refurbishment and/or construction related activities of this development. The waste management plan shall include:

- a. A list of proposed authorised waste collection permit holders to be employed
- b. A list of the proposed waste facility permitted sites at which the wastes may be recovered or disposed of.
- c. Estimates of the proposed tonnages of construction and demolition (C&D) wastes by type e.g. soil and stone, rubble, wood, metal and plastic. A template waste management plan can be found at:<https://www.limerick.ie/council/construction-and-demolition-waste>.
- d. If asbestos containing materials have been identified as present, they shall be included in items a, b and c above.

Reason- In the interests of public safety and residential amenity

5. A Construction Management Plan 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, including hours of working, noise/vibration and traffic management measures and off-site disposal of construction/demolition waste.

Reason- In the interests of public safety and residential amenity

6. A landscaping plan to include fencing and boundary details shall be submitted to and agreed in writing with the planning authority prior to commencement of development.

Reason: In the interest of residential amenity

