



Comhairle Cathrach
& Contae Luimnigh
Limerick City
& County Council

14th February, 2018. —

To: / The Cathaoirleach and Each Member of the Municipal District of Cappamore-Kilmallock

**Re: Part VIII Planning Report for the Construction of a Solstice Park and shared road space at Lough Gur
Visitor Centre**

A Chomhairleoir, a chara,

I enclose, herewith, report prepared in accordance with Section 179 (3)(a) of the Planning and Development Act 2000 (as amended) and Part VIII of the Planning and Development Regulations 2001 (as amended).

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

Yours faithfully,

Barry Murphy,

A/Senior Executive Engineer

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

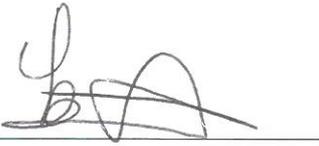
Re: PERMISSION for construction of a Solstice Park at Lough Gur Visitors Centre and the development of a shared road space extending from the Visitors Centre to the junction of the R512 / L1500 (O'Riordan's Pub)

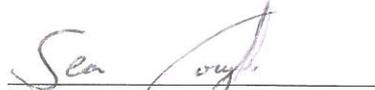
At: Lough Gur Visitors Centre

Planning Reference No. 17/8018


Darragh Ryan
Assistant Planner


Donogh O'Donoghue
A/Senior Executive Planner


Stephane Duclot
A/Senior Planner


Sean Coughlan
Acting Director of Services
Support Services

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 6 of this report


Conn Murray
Chief Executive
Limerick City & County Council

Date: 14/2/2018

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1.0 Foreword

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

2.0 Description of the nature and extent of the proposed development

Limerick City and County Council working in partnership with Lough Gur Development Association propose to construct a Solstice Park located adjacent to the existing Lough Gur Heritage Centre. In addition to the Solstice Park, it is also proposed to provide a shared road space including traffic calming measures, vehicular speed reduction and coloured road surfacing along the local roads L-1500-243, L-8664-260 and L-6641-31 from Holycross to the existing Heritage Centre at Lough Gur.

The plans and particulars went on public display from 15th of December 2017 to 22nd of January 2018. Submissions and observations had to be submitted by Monday 5th February 2018.



Site location

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

The proposed development provides for tourism and local amenity area on lands classed as Special Development Control Area in the County Development Plan 2010 -2016 (as extended) and is consistent with the overall policies for the area. The design and layout addresses the limitation of the site in terms shape and orientation and is consistent with the proper planning and sustainable development on the area.

3.1 Policies and Objectives relevant to the Proposed Development

Limerick County Development Plan 2010 – 2016*

The County Development Plan sets out the following with respect to acceptable development in the location in question:

Lough Gur is designated a Special Development Control Area with additional environmental and heritage policies and objectives. These are dealt with under **Objective EH 011: Lough Gur Landscape Character Area.**

The proposed developments comply with and supports the policies and objectives of:

EH 011 (a) Safeguard the visual amenity of the area and to have regard to the views and prospects in and out of Lough Gur.

EH 011 (b) Restrict development including residential development in the area of Special Development Control except in exceptional circumstances. Appropriate tourism development and extensions to existing properties, which respect the special character of Lough Gur will be considered.

EH 011 (c) To have regard to the archaeological importance and richness of the area. Any development will be required to provide for an archaeological examination during the course of excavations or other ground disturbance.

EH 011 (d) To safeguard the existence of Natural Heritage Areas and the Wildfowl sanctuary when assessing applications for development in the area.

In addition to the County Development Plan, Limerick County Council* adopted a non-statutory document **Lough Gur Environmental Management Study 2009** which sets out further environmental and heritage objectives for Lough Gur. The proposed developments comply with and support the policies and objectives contained in the Management Study as follows:

Archaeology Objective 7: To safeguard the archaeological significance of the area and to provide for its interpretation for the benefit of all users.

Archaeology Action 9.7.1 Improved visitor access through the provision of pathways that are sympathetic to their environment and that appear to have been ‘naturally’ formed. This will have the combined benefit of opening up more inaccessible sites, while protecting the fragile environment by channelling visitors.

Section 9.8 Visitor Experience Objective 10: To enable and encourage all people, both tourists and local people, to enjoy, appreciate, understand and learn about the special qualities of Lough Gur, in a sustainable manner that will not be in conflict with the conservation objectives of the area.

Objective 9.10.5 Implement rural road traffic calming scheme between Holy Cross / Lough Gur Cross and Knockadoon, such that the route is safer and more compatible for pedestrian and cycle use.

Objective 9.10.10 Construct a network of surface walkways linking the main visitor attractions. It is the policy of Limerick City Council to ensure a balance between the reasonable protection of residential amenities, the established character of the area, the environmental limitations of the area and the need to provide for sustainable public amenities in the area.

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

Flooding

The Limerick County Development Plan 2010-2016 Flood Risk Map indicates that the subject site is not at risk from flooding.

3.2 Habitats Directive Project Screening Assessment

<p>Construction Phase: Construction of a Solstice Park and development of share road surfacespace Are effects significant? No</p> <p>Are substantial works required: No Are effects significant? No</p> <p>Operating phase effects: Are effects significant? No</p>	<p>Ex-situ effects: Are effects significant? No</p> <p>Run-off: Are effects significant? No</p> <p>Abstraction: Are effects significant? No</p> <p>Displacement: Are effects significant? 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. bog 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> <i>Name of Site: Lough Gur SAC</i>	Yes
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> <i>Name of Site: Lough Gur SAC</i>	Yes

3	Impacts on designated marine habitats and species.	<i>Is the development located within marine or intertidal areas or within 5 km of an SAC site whose qualifying habitats or species include the following habitats: Salmonid, Lamprey Mudflats, Sandflats, Saltmarsh, Shingle, Reefs, Sea Cliffs</i> <i>Name of Site: Lough Gur</i>	Yes
4	Impacts on birds in SPAs-	<i>Is the development within 1km of a Special Protection Area</i> Lough Gur	Yes
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

Conclusion

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). 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.

3.3. Land Acquisition:

The lands for the proposed development are owned Lough Gur Heritage Centre and public spaces are in the control of Limerick City & County Council.

4.0 Submissions with respect to the proposed development

A total of 3 x No. written submissions/observations were received and are listed below:

LIST OF SUBMISSIONS RECEIVED	
SUB REF:	FROM:
1.	George Finch, Lough Gur, Bruff, Co.Limerick
2.	Helena G. Fitzgerald, Lakeside Cottage, Lough Gur, Bruff, Co. Limerick
3.	Mairead Ryan, Lough Gur, Co. Limerick

4.1 Submissions:

SUB (1) George Finch, Lough Gur, Bruff, Co. Limerick

Submission description:

George Finch raised the following issues:

1. Plans for the roadworks are vague, would like an artist's impression.
2. Concerns that the scheme would attract additional visitors, which could increase littering and anti-social behaviour in the area.
3. Welcomes the introduction of a reduced speed limit but queries who would enforce the lower speed limit.
4. Concerns about the existing drainage regime at three locations.
5. Dog fouling is an existing problem in the area.
6. Amenities along the road, requested that a gate be provided for the New Church graveyard, revisit the proposal to provide bird watching facilities, improved parking at the megalithic tomb, improve the walkway to the stone forts at Carraig Aille
7. Concerned that the Dark Sky Project would be linked to the Solstice Park and provide a reason for planning permission refusal.
8. Scheme will bring increased traffic resulting in ongoing maintenance requirements
9. Limerick City and County Council should provide additional resources at Lough Gur to deal with litter dog fouling, anti-social behaviour.
10. Provide security gates at entrance to Ryans property and Boucher's Castle to deter anti-social behaviour after dark

Kilmallock Area Office Response:

1. The shared road space does not alter the existing road layout or alignment. The main impact is to reduce the speed limit from 80 kph to 50 kph. A new tar and chip surface will be provided with a reddish colour. The exact surface colour finish will not be known until a contractor is appointed.
2. The Scheme is intended to improve the safety of road users and improve the visitor experience in the Lough Gur Area. The control of littering and anti-social behaviour is outside the scope of the Scheme.
3. The Garda Siochana has the statutory powers for the control and enforcement of the lower speed limit
4. Improvement works to the existing drainage regime are not within the scope of the Scheme. However, Limerick City and County Council has sought funding to improve the drainage outfalls from the public road to the Lake.
5. Control of dog fouling is not within the scope of the Scheme.
6. Limerick City and County Council will investigate the provision of a gate following

consultation with the OPW. Limerick City and County Council working in conjunction with Lough Gur Development Association seek funding for a bird watching facility.

7. Limerick City and County Council will review parking at the megalithic tomb.
8. Access to Carraig Aille is not part of the current Part 8 proposal.
9. The Dark Sky Project is not in the current County Development Plan.
10. Limerick City and County Council will continue to carry out ongoing road maintenance on the public road subject to existing annual road maintenance budgets.
11. The provision of additional resources at Lough Gur will be reviewed in the event of increased numbers resulting from the scheme.
12. The provision of security gates at Ryan's property and Boucher's Castle is beyond the scope of the scheme

Planning Authority Comment:

The Planning Authority notes the above comments.

SUB (2) Helena G. Fitzgerald, Lakeside Cottage, Lough Gur, Bruff, Co. Limerick

Submission description:

Helena G. Fitzgerald raised the following issues:

1. Helen Fitzgerald welcomes the upgrade to the roads but is concerned about the existing poor road condition including drainage problems.
2. Helen Fitzgerald reports overgrown and poorly maintained trees along the route. Trees are hindering the provision of broadband and falling trees have resulted in loss of electricity.
3. Anti-social behaviour reported after mid night

Kilmallock Area Office Response:

1. The provision of a new coloured tar and chip road surface will improve the road quality.
2. Drainage improvements are outside the scope of this project. However, Limerick City and County Council will carry out drainage improvements in 2018 along the L1500 subject to grant approval. Limerick City and County Council will commission a tree survey along the route and implement recommendations prior to construction of shared road space.
3. The Project will not alter the existing anti-social behaviour pattern. The use of CCTV may be considered as part of County wide scheme.

Planning Authority Comment:

The Planning Authority notes the above comments and an appropriate action to be attached.

SUB (3) Mairead Ryan, Lough Gur, Co. Limerick

Submission description:

Mairead Ryan raised the following issues

1. Mairead Ryan welcomes the traffic calming measures associated with the shared road space. She is concerned about anti-social behaviour particularly with 360 spins at a lay bye.

Kilmallock Area Office Response

1. Limerick City and County Council will provide a suitable road side barrier at the layby to deter anti-social behaviour relating to high speed car manoeuvres.

Planning Authority Comment:

The Planning Authority notes the above comments and an appropriate action to be attached.

5.0 Conclusion

The proposed development is considered to be acceptable in principle and shall be carried out in accordance with the actions for the Local Authority hereby attached. 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 and in accordance with the proper planning and sustainable development of the area.

6.0 Action taken by Local Authority

It is proposed to proceed with the development in accordance with the drawing submitted 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 15/12/17 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. Prior to the commencement of any development on site, the applicant shall submit for the written approval of the Planning Authority an accurate tree survey of the site. The survey shall show the location of each tree on site, together with the species height, girth, crown spread and condition of each tree, distinguishing between those which it is proposed to be felled and those which it is proposed to be retained. Measures for the protection of those trees which it is proposed to be retained shall be submitted for approval.

Reason - In the interest of orderly development and visual amenity

3. Prior to the commencement of any development on site, the appointed contractor shall submit to Planning Authority for agreement in writing a site specific waste management plan for the recovery/disposal of all wastes arising from the construction of the development. The waste management plan shall include:
 - (a) A list of proposed waste collection permit holders to be employed
 - (b) A list of the proposed waste facility permit sites, the wastes maybe recovered or disposed of
 - (c) Estimates of the proposed tonnages of the soil and stone and or the construction and demolition (Construction and Demolition) waste
 - (d) A detailed list of the collectors and the waste recovery sites including estimated tonnages shall be submitted.

Reason - In the interest of orderly development

4. The wheels and underside of all construction traffic leaving the site shall be cleaned, as required, to prevent soiling of public roads. A wheel washing facility, including water jets or other approved cleansing method shall be provided close to the site exit. In the event that any public roads become soiled by construction traffic from the site, these roads shall be cleaned immediately.

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

5. Under no circumstances shall any construction materials such as cement, lime, fuels or other aggregates etc. be rinsed down into surface water drains or any other water courses.

Reason - In order to minimise the risk of contamination of any surface water or drainage channels

6. A Construction & Waste 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, environmental protection measures, including hours of working, noise and traffic management measures and details of recovery/disposal of all wastes arising from any demolition proposed.

Reason - In the interests of public safety and residential amenity

7. Prior to the commencement of any development on site the applicant shall submit details of road construction materials, detailing to the public realm and Road Safety Details to the Planning Authority for written agreement.

Reason - In the interest of orderly development

8. Prior to commencement of development the applicant shall submit for the written approval of the planning authority details of a suitable road side barrier to be installed.

Reason: In the interest of traffic safety.