



Comhairle Cathrach  
& Contae **Luimnigh**

**Limerick City**  
& County Council

Seirbhísí Dearaidh agus Soláthair,  
Comhairle Cathrach agus Contae Luimnigh,  
Ceanncheathrú Chorpóraideach,  
Cé na gCeannaithe,  
Luimneach

Design and Delivery Services,  
Limerick City and County Council,  
Corporate Headquarters,  
Merchants Quay,  
Limerick

**EIRCODE** V94 EH90

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31<sup>st</sup> August 2018

To the Mayor and each member of the Metropolitan District of Limerick

**Re: Part VIII Planning Report for the construction of a Play Area & Outdoor Gym Facility at Verdant Place, St. Mary's Park, King's Island, Limerick**

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 Section 5 of this report.

Mise le meas,

JOE DELANEY

A/DIRECTOR OF SERVICES

CAPTIAL INVESTMENT DIRECTORATE

Encl



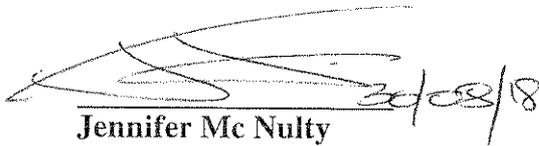
**PLANNING REPORT IN ACCORDANCE WITH  
SECTION 179 3(a) OF THE PLANNING & DEVELOPMENT  
ACT 2000 (as amended)**

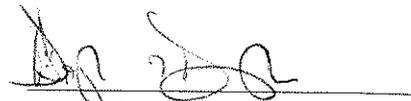
**Re:**           **Permission for the following:**

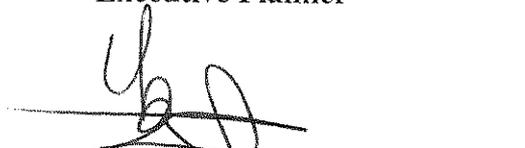
- The construction of a new district play area and outdoor gym facility including all necessary site works and provision of drainage and lighting;
- The works will include preparation of the site including the formation of low landscaped mounds along part of the site perimeter and the installation of a protective perimeter fence to the play area, installation of a range of play and exercise equipment, safety surfacing, tree and shrub planting, site furniture and resin bound surfacing.

**At:**            Verdant Place, St. Mary's Park, King's Island, Limerick.

**Planning Reference No. 18/8006**

  
Jennifer Mc Nulty  
Executive Planner

  
Donogh O'Donoghue  
A/Senior Executive Planner

  
Stephane Duclot  
A/ Director of Services  
Service Operations Directorate

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.

  
Pat Daly  
Deputy Chief Executive  
Limerick City & County Council

Date: 31.8.2018

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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 works will be carried out at Verdant Place, St. Mary's Park, King's Island, Limerick. This is an existing green field site.

**Under this planning application the Applicant, Design & Delivery Services, Limerick City & County Council proposes the following:**

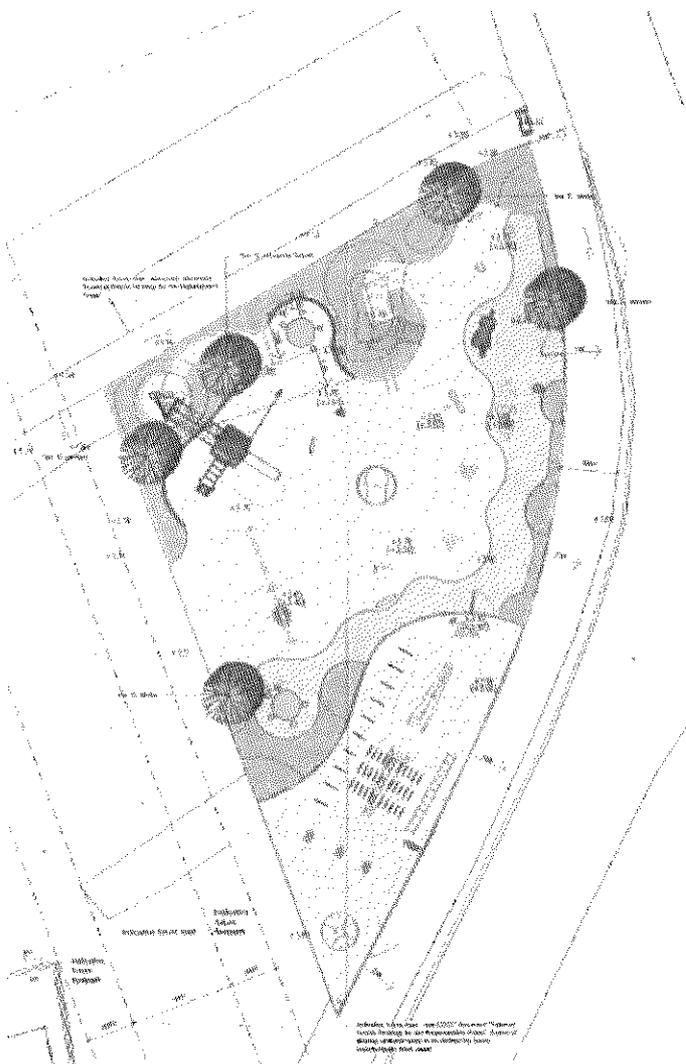
- The construction of a new district play area and outdoor gym facility including all necessary site works and provision of drainage and lighting;
- The works will include preparation of the site including the formation of low landscaped mounds along part of the site perimeter and the installation of a protective perimeter fence to the play area, installation of a range of play and exercise equipment, safety surfacing, tree and shrub planting, site furniture and resin bound surfacing.

**The plans and particulars went on public display from 2<sup>nd</sup> of July, 2018 to 30<sup>th</sup> of July, 2018. Submissions and observations had to be submitted by 14<sup>th</sup> of August, 2018.**

**Location:**



**Site Layout:**



### **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:

- Map 1 - Land Use Zoning – the site is identified for 6A Public Open Space & 2A Residential Land Use.
- Map 1C – Regeneration Areas – the site is identified as St. Mary’s Park Regeneration Area
- Map 6 – Parking Zone – Zone 3

#### **Policy EDS.4**

It is the policy of Limerick City Council to facilitate the regeneration agency in accordance with an approved master plan.

#### **Policy EDS.6**

It is the policy of Limerick City Council\* to facilitate the regeneration agency in accordance with an approved master plan.

#### **Policy H.4**

It is the policy of Limerick City Council\* to have regard to the policies and objectives of the following Strategies and Plans:

- Sustainable Residential Development in Urban Areas (DEHLG 2008)
- Urban Design Manual – A Best Practice Guide (DEHLG 2008)
- Quality Housing for Sustainable Communities (DEHLG 2007)

#### **Policy H.6**

It is the policy of Limerick City Council\* to ensure a balance between the reasonable protection of existing residential amenities, the established character of the area, and the need to provide for sustainable residential development.

#### **Policy LBR.12**

It is the policy of Limerick City Council;

- To protect existing green areas and public open spaces, which provide for the passive and active recreational needs of the population;
- To protect and enhance recreational areas including sports grounds and facilities;
- To improve the quality and range of uses provided within parks and public open spaces including sports facilities and encourage their greater use and enjoyment in accordance with the objectives of this plan;
- To manage and maintain parks to the highest standards;
- To provide new parks and green spaces with proper facilities, which are designed to a high standard;
- To develop and improve linkages between parks and public open spaces such as public walkways/cycleways.

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

### **Policy LBR.13**

It is the policy of Limerick City Council to work with adjacent local authorities to improve the provision of local parks and play spaces and will extend those spaces and pathways that can usefully form green links, footways and cycle ways to connect residential areas with parks and open spaces and with each other.

### **Policy LBR.14**

It is the policy of Limerick City Council To protect, retain, improve and provide for areas of public open space for recreation and amenity purposes.

This development can be referred to as a Local Open Space/Parks Spaces, varying in size, usually associated with local housing which provide informal and formal local recreational potential as set out in the Open Space Schedule of the City Development Plan.

### **Play Facilities**

The importance of providing high quality play facilities for children is recognised, particularly given that the nature of play is changing and opportunities for play are diminishing due to changes in the environment, technology, lifestyle and society. The National Children's Office published *Ready, Steady, Play! A National Play Policy* in 2004, which covers the years 2004-2008. Its objective is to increase public play facilities and thereby increase the quality of life of children living in Ireland by providing them with more play opportunities. The play policy addresses the needs of younger children.

The *Urban Design Manual: A Best Practice Guide, 2009*, which accompanies the '*Guidelines on Sustainable Residential Development in Urban Area*', 2009, provides guidance on the development of children's play areas. A key ingredient in making children's play areas safe to use is overlooking. This can be provided from within nearby homes or by other users of the surrounding public spaces. New residential developments will therefore be required to include play areas which cater for different age groups. Areas for young children should provide opportunities for play by toddlers and young children close to their homes.

### ***Play Areas can generally be categorised as follows:***

- Local Areas for Play (LAP). These include small areas of open space specifically designated and laid out for young children to play close to where they live. They cater for children up to 6 years of age and can be overseen by parents, care professionals and the local community.
- Local Equipped Area for Play (LEAP). These include areas of open space designed and equipped for children of early school age and located within a 5 minute walk from home.
- Neighbourhood Equipped Area for Play (NEAP). These cater mainly for older children and are located within a walking time of 15 minutes from home.

### **Policy LBR.21**

It is the policy of Limerick City Council to provide play facilities that are well-designed, easily accessible and maintained to a high standard.

### 3.2 Habitats Directive Project Screening Assessment

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

<p><b>Construction Phase:</b> Yes</p> <p><b>Are effects significant?</b> Yes</p> <p><b>Are substantial works required:</b> Yes</p> <p><b>Are effects significant?</b> No</p> <p><b>Operating phase effects:</b> Are effects significant? No</p>	<p><b>Ex-situ effects:</b> Are effects significant? No</p> <p><b>Run-off:</b> Are effects significant? No</p> <p><b>Abstraction:</b> Are effects significant? No</p> <p><b>Displacement:</b> 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. bogs or otters -see abstraction/run off etc above.	<p><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></p> <p>Name of sites: Lower river Shannon Sac site.</p>	Yes
2	Impacts on terrestrial habitats and species.-see area and disturbance/displacement effects above.	<p><i>Is the development within 1km of a SAC site with terrestrial based habitats or species?</i></p> <p>Name of site: Lower river Shannon Sac site</p>	No
3	Impacts on designated marine habitats and species.	<p><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></p>	Yes

		Name of site: <i>Lower river Shannon Sac site</i>	
4	<b>Impacts on birds in SPAs-</b>	<i>Is the development within 1km of a Special Protection Area</i> Name of site: No site	No
5	<b>Cumulative effects</b>	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:	An AA Screening was submitted on file – No cumulative effects identified

An Appropriate Assessment Screening Report was submitted as part of this application prepared by Limerick City & County Council.

The development therefore has been subject to 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 Land Acquisition

Limerick City & County Council is the owner of the site.

### 3.4 Conclusion

Conditions attached as per the information submitted on file.

#### 4.0 Submissions with respect to the proposed development

A total of 2 x No. written submissions/observations were received and are listed below:

<b>LIST OF SUBMISSIONS RECEIVED</b>	
<b>SUB REF:</b>	<b>FROM:</b>
1.	Irish Water – Received 31/07/18
2.	Planning & Environmental Services Section (LCCC) - Received 31/07/18

#### 4.1 Submissions:

<p><b>SUB (1) Irish Water</b></p> <p><b><u>Submission Summary:</u></b></p> <ol style="list-style-type: none"><li>1. Applicant to sign connection agreement to connect to public water/wastewater network</li><li>2. IW notes proposed connections will be subject to the constraints of IW CAPITAL Investment programme.</li><li>3. IW notes requirements of section 104 of 2007 Water Services Act</li></ol> <p><b><u>Design and Delivery Comments:</u></b></p> <p><b><u>General:</u></b></p> <ol style="list-style-type: none"><li>1) Item noted.</li><li>2) Item noted.</li><li>3) Item noted.</li></ol> <p><b><u>Planning Authority Comment:</u></b></p> <ul style="list-style-type: none"><li>o Noted &amp; action to be attached as a condition</li></ul>
<p><b>SUB (2) Planning &amp; Environmental Services Section (LCCC)</b></p> <p><b><u>Submission Summary:</u></b></p> <ol style="list-style-type: none"><li>1. Site specific waste management plan from developer to include:<ol style="list-style-type: none"><li>a) Authorised waste collection permit holders.</li><li>b) Authorised waste facilities.</li><li>c) Estimate of tonnages of wastes &amp; types.</li></ol></li></ol> <p><b><u>Design and Delivery Comments:</u></b></p> <ol style="list-style-type: none"><li>1. A waste management plan will be submitted prior to commencement of the development.</li></ol> <p><b><u>Planning Authority Comment:</u></b></p> <ul style="list-style-type: none"><li>o Noted &amp; action to be attached as a condition</li></ul>

## 5.0 Action taken by Local Authority

1. The development shall be carried out in accordance with the plans and particulars lodged with the application, on the 28/06/18 and the report received by the Planning Authority on 23/08/18, 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. Any metal boundary railings or gates shall be finished in an appropriate colour and not left in a raw metal state.

Reason – In the interest of proper planning and visual amenity.

3. During construction of the proposed development, the following shall apply-
  - a. No work shall take place on site outside the hours of 8.00 a.m. to 8.00 p.m. Monday to Friday and 8.00 a.m. to 4.00 p.m. Saturday, or on Sundays or public holidays, unless otherwise agreed in writing by the Planning Authority.
  - b. No surface water run-off shall be discharged onto public roads, foul sewers or adjacent property.
  - c. Adequate car parking facilities shall be provided on site for all workers and visitors.

Reason – To protect the residential amenities of the area in the interest of proper planning and sustainable development

4. Footpaths shall be dished at all road junctions.

Reason - To facilitate access for all in the interest of proper planning and development of the area

5. The 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. Prior to the commencement of this development the site developer or appointed contractor shall submit to Planning & 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

- 7. Any changes to the public lighting shall be agreed with Limerick City and County Council Roads Section in writing prior to construction.

Reason - In the interests of public safety and residential amenity

- 8. All surface water run-off within the site shall be collected and disposed of within the site to surface water drainage system and shall be discharged to the public surface water sewer. No such surface waters shall discharge onto adjoining properties or the public road

Reason- In the interest of public health and to prevent flooding in the interest of traffic safety and amenity.

- 9. Where the Applicant proposes to connect to a public water/wastewater network operated by Irish Water, the Applicant must sign a connection agreement with Irish Water prior to the commencement of the development and adhere to the standards and conditions set out in that agreement.

Reason – In the interest of proper planning

