



Our Ref: 0147_07_00005

25th February 2020

To: The Mayor and Each Member of the Municipal District of Adare-Rathkeale

RE: N20 BANOQUE TRAFFIC CALMING SCHEME

A Chomhairleoir, a chara,

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

The scope of works is outlined below:

- The installation of gateway signage and narrower carriageway lanes bounded by kerbing, footpaths and landscaping
- The installation of traffic calming signage on the approach to Banogue Cross
- A controlled pedestrian crossing in the vicinity of Dillon's Maxol service station
- Surface water drainage
- Public lighting
- Signage, road markings
- Accommodation works and associated site works

This proposal was advertised on Thursday 12th of December, 2019 and plans and particulars in relation to same were made available for inspection from 12th December, 2019 to Friday 24th January 2020. The closing date for submissions was Friday, 7th February, 2020. 9 submissions were received and the responses and conditions are outlined in the report.

In accordance with Section 179 (4) (b) of the Planning & Development Act 2000 (as amended), it is proposed to proceed with the development as outlined in the report.

Is mise le meas,


MAIREAD O'DONOVAN
ADMINISTRATIVE OFFICER
Mid West National Road Design Office

Encl.



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

Re: Permission for the following:

N20 Banogue Traffic Calming Scheme. The proposed improvement works will be carried out within the existing 60km/h speed limit zone over a distance of 410m, 185m of which is north of Banogue Cross with 225m to the south of Banogue Cross and will provide for;

- The installation of gateway signage and narrower carriageway lanes bounded by kerbing, footpaths and landscaping
- The installation of traffic calming signage on the approach to Banogue Cross
- A controlled pedestrian crossing in the vicinity of Dillon's Maxol service station
- Surface water drainage
- Public lighting
- Signage, road markings
- Accommodation works and associated site works

At: Banogue Cross on the N20 Limerick/Cork National Primary Road within the Townlands of Ballynabanoge and Ballyphilip.

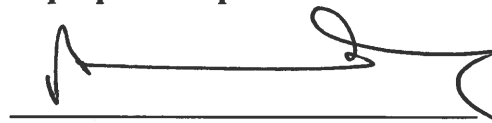

Mary O'Malley
Executive Planner


Donogh O'Donoghue
A/Senior Executive Planner


Stephane Duclot
A/Senior Planner


Kieran Lehane
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.


Dr. Pat Daly
Chief Executive
Limerick City & County Council

Date: 21.2.2020

TABLE OF CONTENTS

- 1. Foreword**
- 2. Description of the nature and extent of the proposed development**
- 3. Likely implications, if any, with respect to the proper planning and sustainable development of the area**
- 4. Submissions with respect to the proposed development**
- 5. Action taken by Local Authority**

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 improvement works will be carried out within the existing 60km/h speed limit zone over a distance of 410m, 185m of which is north of Banogue Cross with 225m to the south of Banogue Cross.

Under this planning application the Applicant, Mid West National Road Design Office (MWNRO), Limerick City & County Council proposes the following:

- The installation of gateway signage and narrower carriageway lanes bounded by kerbing, footpaths and landscaping
- The installation of traffic calming signage on the approach to Banogue Cross
- A controlled pedestrian crossing in the vicinity of Dillon's Maxol service station
- Surface water drainage
- Public lighting
- Signage, road markings
- Accommodation works and associated site works

The plans and particulars went on public display from Thursday 12th December 2019 to Friday 24th January 2020. Submissions and observations had to be submitted by Friday 7th February 2020.

Location:



Site Layout:



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

Limerick County Development Plan 2010 – 2016

The Limerick County Development Plan sets out the following with respect to road improvement schemes:

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 P9 Safeguard the Capacity of National Roads

It is Council policy to safeguard the capacity of the national road network and road safety standards in accordance with the NRAs (National Road Authority) Policy Statement on Development Management and Access to National Roads (May 2006), and subsequent amendments to or replacements of this, including the forthcoming Government guidance on spatial planning and national roads when adopted and the 'Sustainable Rural Housing Development Guidelines' (DEHLG, 2005).

Policy IN P10 Protection of Corridors and Route Alignments

The Council will continue to work with the NRA in protecting corridors and route alignments identified for national roads projects from prejudicial development, in accordance with the Mid-West Regional Planning Guidelines, Transport 21 and the National Development Plan.

3.1 Habitats Directive Project Screening Assessment

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

Construction Phase: Yes Are effects significant? Yes Are substantial works required: Yes Are effects significant? No Operating phase effects: Are effects significant? No	Ex-situ effects: Are effects significant? No Run-off: Are effects significant? No Abstraction: Are effects significant? No Displacement: Are effects significant? No
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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>	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>	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>	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:	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).

3.2 EIA Screening

Article 92 of the Planning and Development Regulation 2001, as amended defines ‘sub-threshold development’ as *“development of a type set out in Schedule 5 which does not exceed a quantity, area or other limit specified in that Schedule in respect of the relevant class of development;”*

The current requirements for EIA are outlined in Part X of the Planning and Development Act, 2000, as amended and Part 10 of the Planning and Development Regulations 2001, as amended. The prescribed classes of development and thresholds that trigger a mandatory EIS are set out in Schedule 5 of the Planning and Development Regulations 2001, as amended.

An Environmental Impact Assessment (EIA) Screening Report has been prepared to determine whether or not the proposed Traffic Calming Scheme on the N20 National Road at Banogue Cross, Co. Limerick is likely to have significant effects on the environment and consequently determine whether or not an Environmental Impact Assessment Report (EIAR) is required.

This screening exercise was undertaken in two stages. The first stage considered the requirement for a mandatory EIAR, while the second stage considered the requirement or need for a sub-threshold EIAR. As part of the sub-threshold screening exercise, the potential for impacts on environmental receptors were considered in addition to the interrelationship between those environmental receptors. Following on from this, the EIA Screening exercise was completed, in accordance with the criteria set out in the EIA Directive (2014/52/EU). This Report concludes that this is a sub-threshold project which is not likely to have a significant effect on the environment, either by itself or in combination with other plans or projects and that an EIAR is not required.

3.3 Land Acquisition

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

4.0 Submissions with respect to the proposed development

A total of 9 written submissions/observations were received and are listed below:

Submission Ref.	Submitted By	Date Received	Method
No. 1	Tim & Sheila Dillon	20/01/2020	Letter
No. 2	Pat & Elaine Scanlan	28/01/2020	Letter
No. 3	Pat & Elaine Scanlan	4/02/2020	Letter
No. 4	Paul O Connell	5/02/2020	Letter
No. 5	Chief Superintendent, An Garda Siochána, Henry Street, Limerick	20/01/2020	Letter
No. 6	Department of Communications, Climate Action and Environment	13/01/2020	Letter via email
No. 7	Development Applications Unit, Department of Arts, Heritage & Gaeltacht	07/02/2020	Letter via email
No. 8	Irish Water	28/01/2020	Letter via email
No. 9	Transport Infrastructure Ireland	19/12/2019	Letter via email

Submission No 1. Tim & Sheila Dillon

Submission Summary

Tim & Sheila Dillon requested a redesign of the wall and footpath at the front of their Petrol Station at Banogue Cross.

Mid West National Road Design Office Response

The Mid West National Road Design Office (MWNRDO) discussed this request on site with Tim Dillon. Mr. Dillon proposed that the existing front walls of the petrol station be relocated to the rear of the proposed footpath in order for northbound HGV's to gain access to the petrol station HGV diesel pumps via the southern forecourt entrance.

The MWNRDO has considered this proposal and has completed a vehicle swept path analysis in order to analyse the potential vehicle movements associated with this proposal. The MWNRDO has concluded that this proposal is not a feasible option as HGV's would not be able to safely gain access to the petrol station HGV diesel pumps via the southern forecourt entrance. This proposal would also be in conflict with the proposed pedestrian crossing.

Planning Department Comments:

Noted.

Submission No 2. Pat & Elaine Scanlan

Submission Summary

Pat & Elaine Scanlan raised concerns regarding the speed limit at the junction of the N20 National Road and the L20003 Local Road.

Mid West National Road Design Office Response

The introduction of new speed limits or the extension of existing speed limits is outside the scope of this Scheme and consequently the Scheme cannot include for such changes as part of the proposals.

However, the implementation of the proposed Traffic Calming Scheme will have the effect of reducing the speed of traffic approaching Banogue Cross along the N20 and will also result in reduced speeds for traffic leaving the Village. This will have a benefit for vehicles looking to access or egress junctions in the immediate vicinity either side of the proposed Scheme as vehicles will be travelling slower than is typical on a national road subject to the ordinary speed limit and away from speed reducing measures.

The junction of the N20 and the L20003, serving the property of Pat and Elaine Scanlan, is 275m to the south of the proposed traffic calming gateway on the N20 where vehicle speeds transition from high speed to low speed on the approach to the Scheme. Consequently, we expect average traffic speeds to be lower at this location than they would be on other similar sections of the N20 not under the influence of speed reducing measures.

It is useful to note the following in regard to the recent amendments to the speed limits on the N20 in the area of Banogue Cross. Speed limits are implemented by Limerick City and County Council. A Speed Limit Review process was embarked upon in 2016 where the intention to carry out a review was advertised and a request for submissions was made. The submissions received were considered and assessed in accordance with the Guidelines for Setting and Managing Speed Limits in Ireland.

A 50km/h speed limit had previously been in place through Banogue Cross on the N20. As a result of the review of speed limits in County Limerick, the following Bye-Laws (1st November 2019) have been implemented in Banogue;

- (a) 80km/h Banogue – The Limerick-Cork Road (N20) from a point 40m north of its junction with the Ballyphilip Road (L20003) to a point 210m south of its junction with the Banogue Road (L1416).
- (b) 60km/h Banogue – The Limerick-Cork Road (N20) from a point 210m south of its junction with the Banogue Road (L1416) to a point 182m north of the said junction.

The introduction of a solid centreline in the vicinity of the junction of the N20 and the L20003 will be considered in consultation with Transport Infrastructure Ireland (TII).

Planning Department Comments:

Noted.

Submission No 3. Pat & Elaine Scanlan

Submission Summary

Pat & Elaine Scanlan made a second submission, again raising their concerns regarding the speed limit at the junction of the N20 National Road and the L20003 Local Road.

Mid West National Road Design Office Response

See previous response to Submission Ref. No. 2.

Planning Department Comments

Noted.

Submission No 4. Paul O Connell

Submission Summary

Paul O'Connell queried the changes to the speed limits at Banogue Cross in the vicinity of his residence, which is situated to the south of Banogue Cross.

Mid West National Road Design Office Response

Following the most recent Speed Limit Review process, Bye-Laws came into effect on November 1st 2019 which include a 60km/h speed limit through Banogue Cross and an 80km/h speed limit to the south of Banogue Cross. A review of the speed limits is outside the scope of this Traffic Calming Scheme.

Mr. O'Connell's residence is located to the south of the proposed Traffic Calming Scheme gateway on the N20 where vehicle speeds would be transitioning from the 80km/h speed limit to the 60km/h speed limit on the approach to the Scheme and from the 60km/h speed limit to the 80km/h speed limit exiting the Scheme. We envisage that one of the benefits of the proposed Traffic Calming Scheme will be lower than average traffic speeds at junctions and accesses in proximity to the Scheme.

Planning Department Comments

Noted.

Submission No 5. Chief Superintendent, An Garda Sióchána, Henry Street, Limerick

Submission Summary

An Garda Sióchána, Henry Street, Limerick confirmed that they have no objections to the proposed development and added that the proposal is an important safety development for the N20 National Road and the Banogue area and that street lighting will be a very welcomed addition

Mid West National Road Design Office Response

Noted

Planning Department Comments

Noted.

Submission No 6. Department of Communications, Climate Action and Environment

Submission Summary

The Department of Communications, Climate Action and Environment commented that Geological Survey Ireland is the national earth science agency and should be referenced to as such and should any data or geological maps be used, they should be attributed correctly to Geological Survey Ireland.

Mid West National Road Design Office Response

Noted.

Planning Department Comments

Noted.

Submission No 7. Development Applications Unit, Department of Arts, Heritage & the Gaeltacht

Submission Summary

The Department of Culture, Heritage and the Gaeltacht made the following observations;

- a) The site crosses a tributary of the Lower River Shannon SAC (2165) and Limerick City & County Council must therefore ensure that they are satisfied that there will be no potential lowering of water quality in the Lower River Shannon SAC as a result of the proposal.
- b) Bats may be present in the trees adjacent to the site and a bat survey should be carried out if any mature trees with bat roost potential are identified for removal.
- c) Mammal tracks were identified within the hedgerow and if an active badger sett is encountered within the site, care must be taken when working adjacent to badger sett entrances, and the appropriate NRA guidelines must be followed.
- d) It is recommended the hedgerow within the site is retained as it is an important commuting and foraging habitat for bat and bird species. If any hedgerow removal or cutting must take place it should be done so outside of the bird nesting season i.e. take place between September and February.

Mid West National Road Design Office Response

- a) An Environmental Impact Assessment (EIA) Screening Report has been prepared and is included in the Part 8 Particulars Report for the N20 Banogue Traffic Calming Scheme. The EIA Screening, which was completed in accordance with the criteria set out in the EIA Directive (2014/52/EU), concludes that this is a sub-threshold project which is not likely to have a significant effect on the environment, either by itself or in combination with other plans or projects and that an EIAR is not required.

The tributary of the Lower River Shannon SAC (2165) has been identified in the Appropriate Assessment (AA) Screening Report which is included in the Part 8 Particulars Report for this project. The AA Screening Report notes the following;

- i. The possibility of sedimentation and pollution affecting downstream sites can be significantly reduced by the implementation of a construction management plan;
- ii. The works involve relatively minor modifications on an existing route, which is already highly modified. The area of the works lies along the existing N20, which is already subject to disturbance. These factors combined with the distances from the SAC sites indicate that the effects of the works shall not be significant;

- iii. During construction, all refuelling, servicing, and storage of fuel, oils or chemicals is to take place a minimum of 20m from any watercourse in order to minimise the chances of water pollution; and
 - iv. Road resurfacing shall take place in suitable conditions with care being taken in the application of surfacing in order to minimise the risk of water pollution.
- b) Noted. No mature trees have been identified for removal at this stage.
 - c) Noted.
 - d) Noted.

Planning Department Comments

Noted.

Submission No 8. Irish Water

Submission Summary

Irish Water made the following observations;

- a) Where the applicant proposes to carry out works coterminous with a public water/wastewater network operated by Irish Water, the applicant shall enter into a site specific agreement(s) with Irish Water prior to the commencement of the development and adhere to the standards and conditions set out in that agreement.
- b) In the interest of Public Health and Environmental Sustainability, Irish Water Infrastructure capacity requirements and proposed connections to the Water and Waste Water Infrastructure will be subject to the constraints of the Irish Water Capital Investment Programme.
- c) Queries relating to the terms and observations above should be directed to planning@water.ie

Mid West National Road Design Office Response

Noted.

Planning Department Comments

Noted.

Submission No 9. Transport Infrastructure Ireland

Submission Summary

Transport Infrastructure Ireland had no specific comments or observations to make in relation to the development.

Mid West National Road Design Office Response

Noted.

Planning Department Comments

Noted.

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 12/12/2019 and the report received by the Planning Authority on 19/02/2020, 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. Footpaths shall be dishd at all road junctions.

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

3. 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

4. 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.
- 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