

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

**Re: Permission for the following:**

Construction of a new 1700-metre length of road with verge, footpaths, cycleway, on-street parking, public lighting and associated services at the townlands of Baunacloka, Dromdarrig, Caheranardrish, and Moneteen, Mungret Co. Limerick.

The proposed development comprises-

- Surface water drainage / sustainable urban drainage
- Foul water drainage connection into Limerick Main Drainage Scheme
- Watermains
- Telecommunications and utility services
- Roads, footpaths, cycleway, street lighting and landscaping

**At: Baunacloka, Dromdarrig, Caheranardrish, and Moneteen, Mungret Co. Limerick.**

  
Darragh Ryan  
Assistant Planner

  
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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: 3.3.20

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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**

Construction of a new 1700-metre length of road with verge, footpaths, cycleway, on-street parking, public lighting and associated services.

The Mungret Link Streets project consists of the provision of ca. 1.7km of new public road within the Mungret /Loughmore Common area of County Limerick. The project includes the following associated infrastructure:

- Driving Lanes,
- Cycleways,
- Footpaths,
- Roadside Parking,
- Surface water drainage / sustainable urban drainage, and
- Street lighting

**Plans and particulars went on public display from 22<sup>nd</sup> November 2019 to 20<sup>th</sup> December 2019. Submissions and observations had to be submitted by Monday 13<sup>th</sup> January 2020.**

## **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.

### **Southern Environs Local Area Plan**

#### **Objective T 4: New link roads**

(a) It is an objective of the Council to ensure safe and adequate access to existing and

developing districts within the Environs by seeking the provision/ improvement of new link roads and junctions as shown on Map 3 as shown on the Masterplan map and Map 3. In the layout and design of link roads attention shall be given to the context and interface with surrounding land uses in compliance with the Design Manual for Urban Roads and Streets (DoECLG,2014).

(b) Proposals should make provision for the accommodation of bus services along the most significant link routes, which shall include identification of bus stopping and turning areas, as well as carriageway capacity and through routes.

(c) Consideration shall be given to preparing a Supplementary Development Contributions Scheme to secure the provision of new link roads in the area.

It should be noted that the alignment of the new roads in the plan is indicative only and they shall definitely be aligned as part of the detailed design and development process. Similarly the location of junctions is indicative and the exact position for construction purposes will be dependent on detailed design.

### **3.1 Habitats Directive Project Screening Assessment**

An Appropriate Assessment Screening Report was submitted as part of this application prepared by Mott McDonald on behalf of Limerick City & County Council. Therefore the development 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). The report concludes that *“the development has no potential for significant effects on European Sites from the proposed works, either alone or in-combination with other plans and/or projects due to the absence of source-pathway-receptor connectivity between the Mungret Link Streets project and European Sites”*

The screening statement has been reviewed the Forward and Strategic Planning Section of the Council. A report has been received from Maria Woods, A/Senior Planner, Forward and Strategic Planning Section stating *“Having considered the documents submitted by Mott MacDonald and the attached report by Tom O’Neill LCCC Heritage Officer and Ecologist, I consider that no significant adverse environmental effects are likely from the proposed development....”*

### **3.2 EIA Screening**

An Environmental Impact Assessment Screening Report was submitted as part of this application prepared by Mott McDonald. The report concludes that *“based on the assessment of the characteristics of the project,, location of the project and the type of characteristics of potential impacts, it is considered that the project (in isolation) does not have potential for significant environmental effects.”*

The screening statement has been reviewed the Forward and Strategic Planning Section of the Council. A report has been received from Maria Woods, A/Senior Planner, Forward and Strategic Planning Section stating *“Having considered the documents submitted by Mott MacDonald and the attached report by Tom O’Neill LCCC Heritage Officer and Ecologist, I consider that no significant adverse environmental effects are likely from the proposed development and therefore a full EIA report is not necessary and as such the proposal should proceed to Part 8 planning.”*

### **3.3 Land Acquisition**

The lands required for the development of the road is owned by four landowners:-

Glenveagh Homes Ltd

letter of consent and map of lands on file

Homeland Projects Ltd

letter of consent and map of lands on file

Mr. Bill Mulcahy and Mr. Joe Mulcahy

Map of Lands on file. The Council is in discussions with Mr. Mulcahy over the acquisition of the lands.

Limerick City & County Council

Map of lands in Council ownership on file

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

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

No.	Name	Address
1	Mr. Bill Mulcahy	Baunacloka, Mungret, Co. Limerick
2	Mr. Joe Mulcahy	Baunacloka, Mungret, Co. Limerick
3	Mr. Stephen King	Mount Mungret House, Mungret, Limerick V94 VR35
4	Mr. Charlie Curtin	Atlantic Cabins & Containers Ltd, Mount Mungret, Mungret, Co. Limerick
5	Geraldine Byrne	
6	Hutch O'Malley Consulting Engineers on behalf of Mungret St. Paul's GAA	The Railway Station, Attyflin, Patrickswell, Co. Limerick
7	Mr. Leo Dillon	Lisnalty, Ballyclough, Co. Limerick
8	Limerick Cycling Campaign	
9	Transport Infrastructure Ireland	Parkgate Business Centre, Parkgate Street, Dublin 8
10	Development Applications Unit,	Department of Culture, Heritage and the Gaeltacht
11	Irish Water	PO Box 6000, Dublin 1, D01 WA07
12	Internal Report - Roads and Traffic Department	County Hall, Dooradoyle, Limerick
13	Internal Report - County Archaeologist	Corporate Headquarters, Merchant's Quay, Limerick
14	Internal Report – Environmental Services	County Hall, Dooradoyle, Limerick

#### **Submission (1) Mr. Bill Mulcahy, Baunacloka, Mungret, Co. Limerick**

##### Submission description:

- Lands farmed by Mulcahy family since late 1800's and are not property speculators/developers
- No consent to lodge planning permission. This is an illegal application
- Yard used for cattle management would be cut off from rest of farm
- There is 1.5 acres adjacent to farmyard which is inaccessible from main farm and will lead to trespass and illegal dumping
- There are three water pipes on land for the road needed for the proper function of the farm
- Proposed boundary fencing has not be detailed to prevent unauthorised access and stock escaping
- Tractor and Jeep used on farm is not taxed, insured or NCT but now will have to be compliant to gain access to yard and 1.5 acres
- No communication from Council on the issues and requests application be refused
- Requests application be refused until the above issues are addressed
- A map is attached with the submission showing outline of landholding, yard and water pipes

##### Design and Delivery comments:

All of the above are noted and comments are as follow:

- The granting of planning permission does not give the Council the legal right to construct the road, which will have to be acquired by Compulsory Purchase Order or by agreement. The Council is in discussions with the landowner over the acquisition of land.
- Water pipes and access to lands will be maintained or new services provided.
- It is proposed to erect a timber post and rail fence along the length of the road.

Planning Department comments:

Noted

**Submission (2)**

**Mr. Joe Mulcahy, Baunacloka, Mungret, Co. Limerick**

Submission description:

- Lands farmed by Mulcahy family since late 1800's and are not property speculators/developers
- No consent to lodge planning permission. This is an illegal application
- Yard used for cattle management would be cut off from rest of farm
- There is 1.5 acres adjacent to farmyard which is inaccessible from main farm and will lead to trespass and illegal dumping
- There are three water pipes on land for the road needed for the proper function of the farm
- Proposed boundary fencing has not be detailed to prevent unauthorised access and stock escaping
- Tractor and Jeep used on farm is not taxed, insured or NCT but now will have to be compliant to gain access to yard and 1.5 acres
- No communication from Council on the issues and requests application be refused
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Design and Delivery comments:

All of the above are noted and comments are as follow:

- The granting of planning permission does not give the Council the legal right to construct the road, which will have to be acquired by Compulsory Purchase Order or by agreement. The Council is in discussions with the landowner over the acquisition of land.
- Water pipes and access to lands will be maintained or new services provided.
- It is proposed to erect a timber post and rail fence along the length of the road.

Planning Department comments:

Noted

**Submission (3)**

**Mr. Stephen King, Mount Mungret House, Mungret, Limerick V94 VR35**

Submission description:

- Tress should be maintained where possible and a road lined with mature trees road is preferable to '*landscaping*'
- Objection to continuation of laneway and construction of parking area. The proposed parking area is adjacent to property, is densely planted with mature trees and will result in heavy machinery passing the front gate and should be relocated to a more suitable site
- Requests construction traffic using access lane to property be kept to a minimum
- Birds are nesting/feeding in the mature trees in the area
- Concerns over additional traffic on road as the front of the house gets backed up by traffic and it can take 5 – 10 minutes to get out of the house, cars abandoned and trucks trying to navigate access
- Suggests building relief road towards 4home Superstores to allow traffic another way out

Design and Delivery comments:

All of the above are noted and comments are as follow:

- The revised drawing 229383711-MMD-0100-XX-DR-C-0001 Rev P04 shows the access laneway and car parking at walled garden has been omitted
- The omission of the access laneway and car parking will allow for the retention of a number of trees. An arborist will be employed to carry out a survey the trees to determine which trees can be retained.
- The proposed road will provide for additional parking on both sides of the road, which will help alleviate the traffic situation. Issues in relation to traffic management with drop off and pick up for schools should be addressed with Roads Operations/An Garda Siochana and Schools.

Planning Department comments:

Noted & appropriate action to apply

**Submission (4)                      Mr. Charlie Curtin, Atlantic Cabins & Containers Ltd, Mount Mungret, Mungret, Co. Limerick**

Submission description:

- Existing situation is an absolute nightmare to operate Business with volume of school traffic dropping and collecting at two schools and proposed construction of road will exacerbate situation
- Business has been forced to make changes to operation hours with staff arriving at 6:30am, causing a serious financial burden on company and stress dealing with parents abandoning vehicles at the entrance
- Issues with effluent waste system with continuous back up and odours
- Issue with gaining title to property from LCCC

Design and Delivery comments:

All of the above are noted and comments are as follow:

- The proposed road will provide for additional parking on both sides of the road, which will help alleviate the traffic situation. Issues in relation to traffic management with drop off and pick up for schools should be addressed with Roads Operations/An Garda Siochana and schools.
- There is a gravity foul sewer on the existing road and there are no reports of blockages
- Issue of title is a matter for Property Services

Planning Department comments:

Noted

**Submission (5)                      Ms. Geraldine Byrne**

Submission description:

- Security
- Privacy/Noise Pollution
- Drainage/Septic Tanks/Surface Water
- Issues to be addressed as previous works in the area have caused problems

Design and Delivery comments:

All of the above are noted and comments are as follow:

- The proposed road is located approximately 60 - 80 metres from the rear of the dwellings on Mungret graveyard laneway
- A timer post and rail fence will be provided along the length of the road.
- The proposed road will have surface water and foul sewerage facilities discharging to public sewers. Any future planning applications for housing will need to ensure that there is no impact on adjoining properties.

Planning Department comments:

Noted

**Submission (6) Hutch O'Malley Consulting Engineers on behalf of Mungret St Paul's GAA**

Submission description:

- Club surprised to find incorporation of GAA lands in the master planning of the new road
- Club is a major amenity in Mungret and provides sports facilities to 4 primary, 2 post primary schools, youth discos, community meetings, parking for LCCC graveyard and community games etc
- Requires 6m wide vehicular access with 2 metre footpath at chainage 60 -90, which would be beneficial to facilitate car and bus movements and reduce traffic in village. This benefit outweighs the loss of 10 car parking spaces on the road.
- 8ft high wire mesh fence required along the boundary with a ball stop net 2 metres from the boundary. A minor adjustment of the roadway with provision of netting can ensure that the development of the club land is not restricted.
- Services to be provided at the proposed entrance

Design and Delivery comments:

All of the above are noted and comments are as follow:

- The Council disposed of lands required for the line of the proposed road to Mungret St. Pauls GAA. Following discussion with club and submission received the road has been relocated so that it is no longer on GAA lands and the entire road including embankment is on Council lands.
- The revised drawing number 229383711-MMD-0100-XX-DR-C-0001 Rev P04 provides for a vehicular entrance at Chainage 80
- Spur services will be provided at the junction
- The development of a football pitch will be subject to a separate planning application by Mungret St. Paul's GAA. Issues of boundary fence and ball stops will be assessed by Planning Authority as part of that application. A timer post and rail fence will be provided along the length of the road.

Planning Department comments:

Noted.

**Submission (7)****Mr. Leo Dillon, Lisnalty, Ballyclough, Co. Limerick**

- Poor quality of walking infrastructure and continued prioritisation of private motor vehicle over all other modes of transport
- New road contains 15 junctions for 20 additional access connections while the LAP identified 4 junctions. Why are there so many junctions? Has a masterplan for the area been devised where all such roads have been proposed
- Motor traffic entering and exiting side roads has been prioritised over pedestrians and cyclists
- Cycle traffic will encounter 37 yield points and surface changes heading westbound and 34 yield points and surface changes heading eastbound while motor traffic will experience one yield point.
- There are two new primary schools at one end of the road and priority for motor traffic at junctions will make it difficult for children to navigate without adult supervision
- On street parking has been provided along the full length of the road. Parking should be provided within the curtilage of the developments and not on public road.

Design and Delivery comments:

All of the above are noted and comments are as follow:

- The road has been re-designed from a distributor road with houses in estates off the main road to a Link Street with houses fronting directly onto the street. The link street is to serve the residents and shoppers in the Mungret area and is designed to discourage through traffic using table tops, narrow carriageway and frontage development.
- The junctions are to provide access to housing development, which is laid in blocks. On street parking is required for housing and businesses.
- The road layout have been redesigned to improve pedestrian and cycling priority at the junctions as per Drawing Numbers 229383711-MMD-0100-XX-DR-C-0001 Rev P04; 229383711-MMD-0100-XX-DR-C-0002 Rev P04; 229383711-MMD-0100-XX-DR-C-0003 Rev P04.

Planning Department comments:

Noted

**Submission (8)****Limerick Cycling Campaign**Submission description:

- Welcomes the inclusion of cycle tracks but the design has serious shortcomings and will affect attractiveness and usability of infrastructure
- Cyclists and pedestrians are brought into conflict at all crossings due to shared access. Proposes to continue cycle track and footpath as separate channels at each junction.
- There are 27 stop points in the proposed road with no stops for motorists. Cyclists and pedestrians should be given priority at junctions in accordance with National Cycle Manual 'Five Needs of Cyclists':-
  - (i) road safety – designers must maximise safety for all road users including cyclists
  - (ii) Coherence – cycling routes must be logical and continuous
  - (iii) Directness – cycling infrastructure should be as direct as possible, minimising any delays or detours
  - (iv) Comfort – cycling infrastructure should be designed, built and maintained for ease of use and comfort
  - (v) Stopping and delays – minimise the number of obstructions or detours that impact on cycling momentum

- There is no turning option for cyclists at Y junction on Road 1. Priority crossing for pedestrians and cyclists should be provided at all junctions. Junction design for right turning vehicles involves a turning angle that does not meet DMURS or NTA permeability best practice.
- The wide corner radii facilitate faster motor traffic leading to safety and continuity concerns
- Pedestrians and cyclists should be provided with a continuous passage along Road 1 and Road 2. The 18 stops represent an unsatisfactory amount of stoppages that undermine infrastructure purpose and usability. The submission includes an image of a continuous cycle path which is preferred. The submission refers to 'The Permeability Best Practice Guide' published by NTA Section 3.2 Priority for pedestrians and cyclists and Section 3.4 junction design. A cycling and walking accessibility audit should be carried out in line with Section 5.4.2 of DMURS and accompanying Advice Note 4.

Design and Delivery comments:

All of the above are noted and comments are as follow:

- The road layout has been redesigned as shown on Drawing Numbers 229383711-MMD-0100-XX-DR-C-0001 Rev P04; 229383711-MMD-0100-XX-DR-C-0002 Rev P04; 229383711-MMD-0100-XX-DR-C-0003 Rev P04 to improve pedestrian and cycling priority facilities.
- The junctions have raised table tops, the stop line for traffic on the side roads has been moved back to allow pedestrian and cycling priority at the junctions, pedestrian and cycling facilities are provided across the junction and the junction is a traffic calmed area.
- Technical Note '*Traffic Assessment Spur Road: Mungret Link Street*' in Document No. 229383711-MMD-0000-XX-RP-C-0006 P01 presents a traffic assessment of the junction of the Spur Road to the proposed secondary school. There is a reported delay on the junction of a maximum of 9.81 seconds on the spur road with a maximum queue length of 2.3 vehicles. The maximum Ratio of Flow to Capacity (RFC) value at an urban setting would be 0.85. The reported maximum RFC for this junction is 0.34. The results of the traffic assessment demonstrate that the junction has spare capacity in the 2025 and 2035 AM scenarios. It should be noted that the Link Street and the masterplan area is designed such that pedestrians and cyclists have equal rights across the scheme e.g. use of shared surfaces. There is parking provided along the length of the scheme such that pupils travelling to school can easily be dropped off and walk to the school. It is intended that pupils in the area would walk/cycle to school and pedestrian/cyclist linkage is provided across the scheme to enable this.
- Pedestrian and cycling crossing facilities are provided on either side of the junction of the Spur Road to the proposed secondary school at chainages 240 and 410. Cyclists travelling south to the proposed secondary school can cross the Link Street at chainage 240 and a two-way cycle path is being provided from this crossing to the school.
- The radii at the table top junction side roads have been reduced to 4.5 metres as per '*Typical Junction Detail*' on drawing number 229383711-MMD-0100-XX-DR-C-0001 Rev P04 in order to reduce traffic speeds and improve pedestrian and cycling safety.
- The redesigned junctions provide for improved permeability and safety for pedestrians and cyclists. A road safety audit will be carried out as part of the detailed design of the scheme, which will include pedestrian and cyclist safety.

Planning Department comments:

Noted

## **Submission (9) Transport Infrastructure Ireland**

### Submission description:

- No specific observation in relation to the development

### Design and Delivery comments:

- Comments noted

### Planning Department comments:

Noted

## **Submission (10) Development Applications Unit, Department of Culture, Heritage and the Gaeltacht**

### Submission description: Nature Conservation

1. The site is 180 m from Loughmore Canal Turlough pNHA (0438). Limerick City & County Council must therefore ensure that this development has no potential negative impact on the Turlough.
2. A disused badger sett was found 500 m of the proposed road link. If an active badger sett is encountered within the site, care must be taken when working adjacent to the badger sett entrances and the NRA guidelines, which are listed below must be followed.
  - a. If a badger sett is encountered then the applicant should consult the local conservation ranger (Ciara Powell 085 8736499)
  - b. During the breeding season (December to June inclusive) no work should be undertaken within 50m of active sett entrances. Following consultation with NPWS and badger experts, works closer to active setts may take place during the breeding season provided appropriate mitigation measures are in place (e.g. sett screening, restricted working hours) and a derogation licence has been issued by the NPWS.
  - c. During the rest of the year no heavy machinery should be used within 30m of badger setts and lighter machinery should not be used within 20m of the sett. Light work such as digging by hand or scrub clearance should not take place within 10m of sett entrances.
  - d. In order to comply with these constraints badger setts should be clearly marked and the extent of bounds prohibited for vehicles clearly marked by fencing signage. Bunting is an option on a temporary basis.
  - e. All contractors/operators on site should be made fully aware of the procedures pertaining to each sett on site.
3. Bats may be present in the trees and buildings within site boundary. All bat species are protected by the Wildlife Acts of 1976-2010 and are listed on annex IV of the Habitats Directive (Council Directive 92/43/EEC on the Conservation of natural habitats and of wild fauna and flora). Therefore a bat survey should be carried out by a suitably qualified ecologist if any trees or buildings with bat roost potential are to be removed. A copy of the survey report must be forwarded by the Council to NPWS for comment before any decision is made on planning. If bat species are found to be roosting in the trees a derogation license will need to be applied for from the National Parks and Wildlife Service of this Department if any trees are to be removed.
4. 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.

5. All mitigation measures outlined in Section 5.1.1 of the Ecological Impact Assessment should be strictly adhered to. The installation of bat boxes should be completed before felling or building removal commences.

Design and Delivery comments:

- The roadworks are within the red line boundary of the site and is 500 metres from the disused badger sett. If an active badger set is encountered within the site, the measures listed in the above report will be adhered to.
- A bat survey will be undertaken and a derogation licence will be applied for if required. There are limited effects on species such as badgers and bats. This is due to the fact that no badger setts have been found in the proposed route. For bats and other mammals the maximum amount of hedgerows are retained and there are few mature trees in the area which would be capable of being used as bat roosting sites.
- The hedgerow removal is required along the line of the proposed roadway.
- Vegetation clearance shall take place outside the bird nesting season i.e. take place between September and February.
- Mitigation measures outlined in Section 5.1.1 of Ecological Impact Assessment will be strictly adhered to. The installation of bat boxes will be erected prior to tree felling or building removal commences.

Planning Department comments:

Noted and appropriate action to apply

**Submission (11)      Irish Water**

Submission description:

- Irish Water has early engagement with Limerick City and County Council in respect of Delivery Stage 2 of the activation fund. Irish Water has no objection to the proposal.
- Irish Water does request early engagement from the applicant in regard to the planned Delivery Stage 3 in respect of public water/waste water infrastructure, wayleaves and appropriate protection of IW assets.

Design and Delivery comments:

All of the above are noted and comments are as follow:

- Comments noted

Planning Department comments:

Noted

**Submission (12)****Roads and Traffic Department, County Hall, Dooradoyle**Submission description:

- Noted that part 8 is to proceed without reference to detailed junction design/type. I agree with this approach and detailed design by the relevant applicant's engineers should guide the best solution.
- Noted from the drawing that some form of traffic calming appears to be shown. Given the almost linear design of the proposal it is important to ensure that traffic calming is built into the design and that horizontal deflection measures are considered as a priority (We don't want to see ramps here) (Straights over 100m will facilitate speeding)
- It is important that at the appropriate stages of planning that Roads are advised in relation to:
  1. Proposed finishes (cobble lock on existing roads here is growing weeds so maintenance free paths are preferable)
  2. Junction Designs (As discussed roundabouts are preferable traffic solution to un-signalised T-junctions from calming perspective)
  3. Consideration should be given to prioritising 2-way off road cycle-lanes rather than 6+2+2 as indicated to provide for safer cycling and buffer from traffic
  4. Measures to endure school traffic are obliged to use set-downs provides should also be considered. The concern of clustering schools is that congestion is caused where motorists don't want to enter SD zone.
  5. Public Lighting design and specification
  6. An agreed O&M schedule on handover

Design and Delivery comments:

All of the above are noted and comments are as follow:

- The road is a Link Street with the junctions
- The design of the road has houses fronting directly onto the road which indicates that the road is a street for residents/pedestrian/cycling priority. The junctions along the road will be raised table tops.
- Finishes to the road are will be finalised at detailed design stage.
- O&M schedule to be provided on handover

Planning Department comments:

Noted and appropriate action to apply

**Submission (13)****County Archaeologist, Corporate Headquarters, Merchants Quay, Limerick**Submission description:

- The road is approximately 1600m in length and the corridor is 50m wide for 1200m and 35m for 398m. The development is large in scale and extends through a green field site. No known monuments are impacted by the road alignment. Mungret, however, and the wider area have yielded previously unknown archaeological features in nearly every infrastructural project to date, from the Bronze Age to the medieval period.
- A programme of advance testing shall be carried out which will investigate a sufficient proportion of the road-take. The testing shall be carried out well in advance of works. The test trenches shall be at intervals but shall also take cognisance of the proximity of known monuments. Any other site investigations should be carried out in the presence of an

archaeologist. If previously unknown archaeological features are uncovered, they shall be mitigated or resolved in advance of works.

- All ground disturbance caused by the construction shall be monitored archaeologically, this includes the development of site compounds, stripping for soil storage and any other arrangements arising from the development. Should archaeological material be found during the course of monitoring, the archaeologist may have work on the site stopped, pending a decision as to how best to deal with the archaeology. The Development Applications Unit, National Monuments Service, Department of Culture, Heritage and the Gaeltacht and the Planning Authority Archaeologist shall be informed immediately. The Council shall be prepared to be advised by the Department of Department of Culture, Heritage and the Gaeltacht and the Planning Authority with regard to any necessary mitigating action.

Design and Delivery comments:

All of the above are noted and comments are as follow:

- A programme of advance archaeological test trenching to be carried out to investigate a sufficient proportion of the road take. All ground disturbance caused by construction will be archaeological monitored. This will be addressed by condition.

Planning Department comments:

Noted and action to apply

**Submission (14) Environmental Services, County Hall, Dooradoyle**

Submission description:

Prior to initiating any works at 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 that will arise from the site clearance, demolition, refurbishment and/or construction related activities of this development. The waste management plan shall include:

- (i) A list of proposed authorised waste collection permit holders to be employed.
- (ii) A list of the proposed waste facility permitted sites at which the wastes may be recovered or disposed of.
- (iii) Estimates of the proposed tonnages of construction and demolition (C&D) wastes by type e.g. soil and stone, rubble, wood, metal and plastic.

Design and Delivery comments:

All of the above are noted and comments are as follow:

The provision of a site specific waste management plan shall be conditioned.

Planning Department comments:

Noted and appropriate action to apply

## 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 amended and the Southern Environs Local Area Plan 2011-2017, as amended, and is therefore acceptable and in accordance with the proper planning and sustainable development of the area.

## 5.0 Action taken by Local Authority

It is proposed to proceed with the development in accordance with the drawings 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 13<sup>th</sup> December 2019, the report received by Planning authority on 27/02/20 and as modified by drawing numbers 229383711-MMD-0100-XX-DR-C-0001 Rev P04; 229383711-MMD-0100-XX-DR-C-0002 Rev P04; 229383711-MMD-0100-XX-DR-C-0003 Rev P04 lodged on 27<sup>th</sup> February 2020, and including the following revisions:-
  - (a) a vehicular junction and services shall be provided to Mungret St. Pauls GAA lands
  - (b) the extension of the laneway and parking area at the walled garden shall be omitted
  - (c) the junctions shall be constructed as per revised drawings
  - (d) a timber post and rail fence shall be erected along both sides of the road
  - (e) existing water pipes serving farm lands shall be maintained or replaced except as may otherwise be required in order to comply with the following conditions.
2.
  - (a) The applicant shall engage the services of a suitably qualified archaeologist to carry out an archaeological assessment of the development site. No sub-surface work should be undertaken in the absence of the archaeologist without his/her express consent. This includes all site investigations and tests. The assessment should include relevant documentary and cartographic research. Both the physical and visual impact of the potential development should be assessed. Test trenches should be excavated at locations chosen by the archaeologist (licensed under the National Monuments Acts 1930-2004), in consultation with the site drawings and County Archaeologist. Having completed the work, the archaeologist shall submit a written report to the Planning Authority and to the Department of Culture, Heritage and the Gaeltacht in advance of the planning decision. Where archaeological material/features are shown to be present, preservation in situ, preservation by record (excavation) or monitoring may be required.
  - (b) Following on from the archaeological advance test trenching, the developer shall preserve, protect or otherwise record archaeological materials or features that may exist within the site by ensuring that all ground disturbance associated with the site development is archaeologically monitored. In this regard, the developer shall:-
    - a. Notify the Planning Authority in writing at least four weeks prior to the commencement of any site operation (including hydrological and geotechnical investigations) relating to the proposed development.
    - b. Employ a suitably qualified archaeologist who shall monitor all site investigations and other excavation works.

- c. Submit the name of the suitably qualified archaeologist to the Planning Authority four weeks in advance of the commencement of any site works (including site investigations).
- d. Submit on completion a report detailing the results of the archaeological monitoring works to the Department of Department of Culture, Heritage and the Gaeltacht and the Planning Authority. The report shall contain a drawing showing the exact extent of the area that was archaeologically monitored certified by the archaeologist.
- e. Should archaeological material be found during the course of monitoring, the archaeologist may have work on the site stopped, pending a decision as to how best to deal with the archaeology. The Development Applications Unit, National Monuments Service, Department of Culture, Heritage and the Gaeltacht and the Planning Authority Archaeologist shall be informed immediately. The developer shall be prepared to be advised by the Department of Department of Culture, Heritage and the Gaeltacht and the Planning Authority with regard to any necessary mitigating action.
- f. Should an archaeological excavation be required then the following shall apply: the developer shall provide satisfactory arrangements for the recording and excavation of any archaeological material that may be considered appropriate to excavate and shall undertake to complete all post excavation analysis up to final report stage. Within twelve months of the completion of the excavation a final report (in the format recommended in the Guidelines for Authors of Reports on Archaeological Excavations 2006 National Monuments Service) shall be submitted to the Planning Authority

3 Prior to the commencement of development an arborist survey shall be submitted for the written agreement of the Planning Authority of the trees outside the line of the proposed line of the road to determine which trees can be retained.

4 Prior to the commencement of development details of public lighting shall be submitted for the written agreement of the planning authority prior to the commencement of works.

- (a) Lighting shall incorporate energy efficiency, suitable column heights, minimum lumens per watt output, existing lighting levels and overspill of lighting from the proposed development.
- (b) The warranty of specific products should also be provided.
- (c) The public lighting shall be designed and signed by a Lighting Design Engineer. All public lighting proposals to be in accordance with BS 5489:2013 and BS EN 13201: 2003.

5 All service cables associated with the proposed development including electrical and street lighting cables shall be laid underground within the site.

6 Prior to commencement of development a Construction Management Plan shall be submitted for the written agreement of the Planning Authority. This plan shall provide details of intended construction practice for the development, environmental protection measures, including hours of working, noise and traffic management measures.

7 Prior to commencement of development the proposed finishes to road shall be submitted for the written agreement of the Planning Authority.

8 Prior to commencement of development a site specific waste management plan for the recovery/disposal of all wastes that will arise from the site clearance, demolition,

refurbishment and/or construction related activities of this development shall be submitted for the written agreement of the Planning Authority prior to commencement of 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