

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

Re: **Permission for the following:**

- (i) Construction of a new Multi-Use Games Area (MUGA) and the extension of the existing playground area including associated site works and provision of drainage.

At: Castletroy, Limerick.

Planning Reference No. 20/8000



**Rosie O' Donnell
Executive Planner**



**Stephane Duclot
A/Senior Planner**



**Donogh O' Donoghue
A/ Senior Executive 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: 15/09/2020

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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 the Castletroy Park Playground at Castletroy, Limerick.

The site presently forms part of an area of grassed open space adjacent to the existing Castletroy playground.

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

- i. Construction of a new Multi-Use Games Area (MUGA) and the extension of the existing playground area including associated site works and provision of drainage.
- ii. The works will include preparation of the site to receive the MUGA and the installation of a protective perimeter fence to the play area, installation of a range of play and exercise equipment, site furniture and resin bound surfacing.

The plans and particulars went on public display from the 12th of June 2020 to the 10th of July 2020. Submissions and observations had to be submitted by the 24th of July 2020.

Location:



Figure 1: Site Location

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

Limerick County Development Plan 2010 – 2016 as amended & the Castletroy Local Area Plan, 2019-2025:

The Local Area Plan sets out the following with respect to acceptable development in the location in question:

- Land Use Zoning Map – the zoning objective for the site is “Open Space and Recreation”.

Policy C1: Community and Recreational Facilities.

It is the policy of the Council to ensure that community infrastructure and a range of open space opportunities for passive and active recreation contribute to a vibrant, prosperous urban settlement. This is conducive to ethical principles of healthy communities, inclusivity and accessibility to facilities for all abilities, and sustainability to ensure that Castletroy is a greener, cleaner, more welcoming place to live, work and attract investment.

The development as submitted complies with the Zoning Matrix.

3.1 Habitats Directive Project Screening Assessment

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

<p>Construction Phase: Yes</p> <p>Are effects significant? No</p> <p>Are substantial works required: Yes</p> <p>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? Yes</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 eg. Bogs or otters -see abstraction/run off etc above.	<i>Is the development in the relevant catchment of or immediately up/downstream of a watercourse that has been designated as a Natura 2000 site?</i> Name of site:	No
2	Impacts on terrestrial habitats and species.-see area and disturbance/displacement effects above.	<i>Is the development within 1km of a SAC site with terrestrial based habitats or species?</i> Name of site:	No
3	Impacts on designated marine habitats and species.	<i>Is the development located within marine or intertidal areas or within 5 km of a SAC site whose qualifying habitats or species include the following habitats: Salmonid, Lamprey Mudflats, sandflats, saltmarsh, shingle, reefs, sea cliffs</i> Name of site:	1 km from the Lower River Shannon SAC site.

4	Impacts on birds in SPAs	<i>Is the development within 1km of a Special Protection Area</i> Name of site:	No
5	Cumulative effects	Would consideration of a number of significant projects nearby such as forested areas, quarries, wind energy together with the proposed development significantly increase the impacts listed above:	No

The site is located approximately 1km from the nearest Natura 2000 site, the Lower River Shannon SAC. Due to distance to the SAC, the limited scale of the works and the lack of any hydrological connection to the River Shannon it is considered that the development will not have an adverse effect on any Natura 2000 site.

An Appropriate Assessment Screening Report was submitted as part of this application prepared by the Heritage Officer, Limerick City and County Council.

Screening for Appropriate Assessment (stage 1) was carried out, it was determined that the project will not adversely affect the Lower River Shannon SAC site. Therefore, a stage 2 Appropriate Assessment was not required. (See attached for full report)

3.2 Environmental Impact Assessment Screening

An EIAR screening memo was submitted with the application.

The development does not fall within any of the threshold requirements for a mandatory EIA as specified in Section 5 of the Planning and Development Regulations 2001.

The size of the development is limited, located within a modified environment, the development as proposed does not require the preparation of an Environmental Impact Assessment Report.

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 1x no. written submission/observation was received and are listed below:

LIST OF SUBMISSIONS RECEIVED	
SUB REF:	FROM:
	Irish Water Irish Water PO Box 860, South City Delivery office, Cork City

4.1 Submissions:

SUB (1) Irish Water PO Box 860, South City Delivery office, Cork City
<p><u>Submission Summary:</u></p> <ol style="list-style-type: none">1. Where any connection to public infrastructure is required 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. All development shall be carried out in compliance with Irish Water Standards codes and practices.2. Any proposals by the applicant to build over or divert existing water or wastewater services shall be submitted to Irish Water for written approval prior to works commencing. <p><u>Design and Delivery Response :</u></p> <ol style="list-style-type: none">1. A connection to public infrastructure is not anticipated at this stage. This request is noted and will be addressed at detailed design stage.2. Building over or diverting existing water or wastewater services is not anticipated at this stage. This request is noted and will be addressed at detailed design stage. <p><u>Planning Authority Comment:</u></p> <p>Noted.</p>

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 12/08/2020 and the report received by the Planning Authority on 2/09/2020 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 development revised drawings which include the following shall be submitted :
 - A footpath shall be provided between the proposed MUGA and the existing footpath linking into the Bloomfield Housing Estate.
 - A footpath should be provided around the entire perimeter of the site for maintenance purposes.

Reason - In the interests of orderly development and permeability.

3. Prior to the commencement of development drainage details to be agreed with the Roads Department.

Reason - In the interests of orderly development and to prevent flooding of the public road.

4. Prior to the commencement of development details including the height and type of perimeter fencing shall be agreed with Planning Authority.

Reason - In the interests of visual amenity

5. Prior to the commencement of development a lighting plan shall be agreed with Roads department.

Reason - In the interests of orderly development

6. 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

7. 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, road safety and to protect the amenity of the area

8. A Construction Management Plan shall be submitted to and agreed in writing with the Planning Authority prior to commencement of development. This plan shall provide details of intended construction practice for the development, including hours of working, noise/vibration and traffic management measures and off-site disposal of construction/demolition waste.

Reason- In the interests of public safety and residential amenity

9. 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:

- 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 on our website at:

<https://www.limerick.ie/council/construction-and-demolition-waste>

All Waste Transfer Forms (WTF) relating to disposal of waste and materials containing asbestos or hazardous substances shall be submitted to Planning and Environmental Services, Dooradoyle as proof of appropriate disposal. Hard Copy to above address or email to CandDwaste@limerick.ie is acceptable.

Reason – In the interests of proper planning and sustainable development

10. Age appropriate markers shall be placed on any play equipment.

Reason- In the interests of orderly development

