



Comhairle Cathrach  
& Contae **Luimnigh**

**Limerick City**  
& County Council

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

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

EIRCODE V94 EH90

t: +353 (0) 61 557 180

**Our Ref: DD 0045**

**30<sup>th</sup> April 2021**

**To the Cathaoirleach and each member of the Municipal District Adare-Rathkeale**

**Re Part VIII Planning Report for Askeaton Pool and Leisure Flood Protection Scheme**

A Chomhairleaoir, a chara,

I enclose herewith the Chief Executive's report prepared in accordance with Section 179(3) 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 6 of this Report.

Mise le Meas,



**Seamus Hanrahan**  
**A/Director of Services,**  
**Capital Services Investments Directorate**

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


**Re: Permission for the following:**

Construction of impermeable concrete platforms within the Plant & Filtration Room, the Chemical Store & Chemical Dosing Room. The platform within each room will consist of a new base slab, perimeter walls and suspended concrete floor. This will raise the plant room floors safely above flood levels and exclude contaminated river water from entering the plant rooms. External doorways will also be raised to maintain access; raising the floor of the Plant and Filtration Room by 1.3m to a level of 4.3mOD; raising the floor of the Chemical Store and Chemical Dosing Room by 1.2m to 4.2mOD while maintaining a minimum of 2.1m head height in these rooms; in the service yard, construction of a new raised walkway alongside the rear wall of the building to maintain external access to the Plant and Filtration Room, the Chemical Store and Chemical Dosing Room. The walkway will merge into existing ground levels at the north, with stairs at the south to provide access from the service yard. The existing service yard security gate will be redesigned to accommodate the new walkway; in the service yard, the wall of the bund around the oil tank will be raised to prevent ingress of water into the oil bund during a flood event; in the service yard, heat exchangers and their enclosures will be raised on a new frame to prevent damage by water during a flood.

**At:** Askeaton Pool & Leisure Askeaton Co. Limerick

**Planning Reference No. 21/8002**

  
Mary O'Malley  
Executive Planner

  
Dara McGuigan  
A/Senior Executive Officer

  
Seamus Hanrahan  
A/Director of Services,  
Capital Services Investments Directorate

  
DoS Service Operations

Pursuant to Section 179 3(a) of the Planning & Development Act 2000 (as amended) this report is submitted to the members of Limerick City & County Council. In accordance with Section 179(4) (b) of the above Act, it is proposed to proceed as indicated in Section 6 of this report.

  
Dr. Pat Daly  
Chief Executive  
Limerick City & County Council

Date: 29. 4. 2021



## 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

Askeaton leisure centre is located at the northern end of Askeaton town to the south of the N69 national road. The site comprises a public pool and gym. The leisure centre was opened in 2007 and the semi-basement plant rooms within the building have been subject to repeated flooding since then. The flooding arises from the adjoining River Deel during extreme heavy rainfall events. The flooding risks damage to plant and leads to health risks to facility personnel from water in the plant rooms, which may be contaminated with sewage. The current proposal is for flood protection works to the plant room.

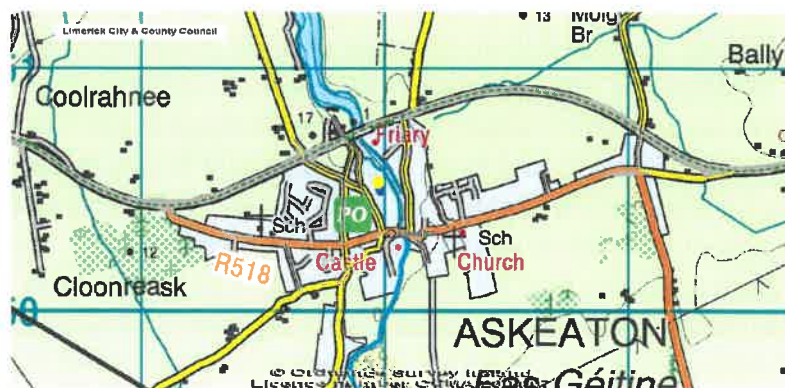
**Under this planning application the Applicant, Community Directorate, Limerick City & County Council proposes the following:**

Construction of impermeable concrete platforms within the Plant & Filtration Room, the Chemical Store & Chemical Dosing Room. The platform within each room will consist of a new base slab, perimeter walls and suspended concrete floor. This will raise the plant room floors safely above flood levels and exclude contaminated river water from entering the plant rooms. External doorways will also be raised to maintain access; raising the floor of the Plant and Filtration Room by 1.3m to a level of 4.3mOD; raising the floor of the Chemical Store and Chemical Dosing Room by 1.2m to 4.2mOD while maintaining a minimum of 2.1m head height in these rooms; in the service yard, construction of a new raised walkway alongside the rear wall of the building to maintain external access to the Plant and Filtration Room, the Chemical Store and Chemical Dosing Room. The walkway will merge into existing ground levels at the north, with stairs at the south to provide access from the service yard. The existing service yard security gate will be redesigned to accommodate the new walkway; in the service yard, the wall of the bund around the oil tank will be raised to prevent ingress of water into the oil bund during a flood event; in the service yard, heat exchangers and their enclosures will be raised on a new frame to prevent damage by water during a flood.

**The plans and particulars went on public display from the 19<sup>th</sup> February 2021 up to and including 19<sup>th</sup> March 2021. Submissions and observations had to be submitted by the 2<sup>nd</sup> April 2021.**

### Location:

*Figure 1: Site Location, Askeaton Poll and Leisure Centre*



### **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 extended)**

##### **3.1 Policy**

**COM P1** It is the policy of the Council to seek to improve the provision of community infrastructure and recreational opportunities for the wider community in co-operation with relevant bodies, in a sustainable

##### **Policy IN P11: Management of Water Resource**

It is the policy of the Council to seek to ensure water resources and services are managed and planned, in association with other policies and objectives in this plan, to meet the following goals:

- a) To protect human health and the environment
- b) To facilitate the provision of proper water services for domestic and non-domestic requirements
- c) To support proper planning and sustainable development, including sustainable use of water resources.
- d) To ensure the danger of flooding risk is averted as far as possible

##### **Objective SE O17: Flooding and Development**

In areas that are at risk of flooding proposed development will have regard to the Planning System and Flood risk Guidelines and any future amendments or revisions to these guidelines.

#### **Askeaton Local Area Plan 2015 – 2021 (as extended)**

##### **Objective IN 5: Flood Risk Management**

It is an objective of the Council to: a) Implement the recommendations of the Department of the Environment, Heritage and Local Government and the Office of Public Works Guidelines on 'The Planning System and Flood Risk Management Guidance Documents (November 2009)', and any subsequent guidelines. b) Require any development proposal in a location identified as being subject to flooding to: 1. Carry out a flood risk / catchment analysis for the development to assess the likely level of flood hazard that may affect the site to the satisfaction of the Council; 2. Design the development to avoid minimum flood levels, incorporating building design measures and materials to assist evacuation and minimise damage to property from flood waters; 3. Demonstrate that the proposal will not result in increased risk of flooding elsewhere, restrict flow across floodplains, where 42 compensatory storage / storm water retention measures shall be provided on site; and 4. Proposals should have provision to reduce the rate and quantity of runoff i.e. minimisation of concrete surfaces and use of semi permeable materials and include of adequate measures to cope with the flood risk, e.g. sustainable drainage systems. a) Have regard to the Office of Public Works Planning Policy Guidance in the design and consideration of development proposals; and b) Preserve riparian strips free of development and ensure adequate width to permit access for river maintenance. Proposals will provide adequate flood risk data to support larger scale developments will be necessary. Such assessments should be in line with current flood risk guidelines and relevant CFRAM and OPW flood risk assessments. For areas with pre-existing uses that are deemed to be at risk of flooding only limited

development such as extensions or modifications to the existing structures or dwellings will be permitted. Such development shall be limited in scale and be accompanied by appropriate flood risk assessment justifying such development. The ‘development management justification test’ and the ‘plan – making justification test’ as detailed in The Planning System and Flood Risk Guidance document will guide Council responses to development proposals in areas at moderate or high risk of flooding

The proposed works are consistent with the policy objectives of the Limerick County Development Plan 2010-2016 (as extended) and the Askeaton Local Area Plan 2015-2021 (as extended) as set out above. The proposed works will prevent flooding in the 3 plant rooms and the equipment within. The works will also protect plant in the service yard from the effects of flooding.

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

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

<p><b>Construction Phase:</b> Flood Mitigation works</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> <b>Are effects significant?</b> No</p>	<p><b>Ex-situ effects:</b> <b>Are effects significant?</b> No</p> <p><b>Run-off:</b> <b>Are effects significant?</b> No</p> <p><b>Abstraction:</b> <b>Are effects significant?</b> No</p> <p><b>Displacement:</b> <b>Are effects significant?</b> No</p>
---	--

Identification of Natura 2000 sites which may be impacted by the proposed development

<b>1</b>	<b>Impacts on designated rivers, streams, lakes and fresh water dependant habitats and species eg. Bogs or otters -see abstraction/run off etc above.</b>	<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
<b>2</b>	<b>Impacts on terrestrial habitats and species.-see area and disturbance/displacement effects above.</b>	<i>Is the development within 1km of a SAC site with terrestrial based habitats or species?</i>	No
<b>3</b>	<b>Impacts on designated marine habitats and species.</b>	<i>Is the development located within marine or intertidal areas or within 5 km of a SAC site whose qualifying habitats</i>	Yes

		<i>or species include the following habitats: Salmonid, Lamprey Mudflats, sandflats, saltmarsh, shingle, reefs, sea cliffs</i> Name of site: Lower River Shannon SAC	
4	<b>Impacts on birds in SPAs</b>	<i>Is the development within 1km of a Special Protection Area</i>	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:	No

An Appropriate Assessment Screening Report was submitted as part of this application prepared by Rory Dalton, independent Ecologist.

Screening for Appropriate Assessment (stage 1) was carried out and it was determined that there are not likely to be significant effects from the proposed works on the European sites identified for consideration (or any other European site beyond 15km) either alone or in combination with other plans or projects, therefore, a stage 2 Appropriate Assessment was not required.

### 3.3 Environmental Impact Assessment Screening

An EIAR screening was submitted with the application, which determined that there is no real likelihood of significant effects on the environment. The screening assessment also concluded that the proposal would not have a cumulative impact on the existing planning permission in the surrounding area of the proposal.

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.

### 3.2 Environmental Impact Assessment Screening

An EIAR screening was submitted with the application, which determined that there is no real likelihood of significant effects on the environment. The screening assessment also concluded that the proposal would not have a cumulative impact on the existing planning permission in the surrounding area of the proposal.

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.

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

A total of 3 x no. written submission/observation were received and are listed below:

Submission Ref.	Submitted By
1	CFRAM Capital Projects, LCCC
2	Fire and Emergency Services, LCCC
3	Irish Water (IW)

#### 4.1 Submissions:

**Submission No. 1** (Internal Pre Planning Submission) CFRAM Capital Projects, Limerick City and County Council

##### **Submission Summary**

1. Askeaton is included in the 10 year plan for Flood Relief Schemes under the OPW CFRAM Study – however not included in the initial Tranche 1 funding. While the best solution for Askeaton Pool and Leisure facility would be the completion of an appropriate Flood Relief Scheme, it is accepted that the ongoing operation of the facility, in advance of any flood relief scheme, needs to be considered. It is also accepted that the provision of flood embankments and /or walls to address the flood cell where the Pool and Leisure Facility is located would be premature prior to the development of the design of the FRS as it may increase flood risk in adjacent cells, if completed in isolation.
2. Consideration of the risk of flood waters entering the building via drainage networks (foul and storm), through utility ducts and conduits, vents, impermeable construction etc. should be undertaken.
3. While the increases in floor levels proposed are noted to be restricted due to headroom constraints, and provide little freeboard above the AEP's as per CFRAM models, consideration should be given to providing additional protection to include for freeboard and climate change adaptability - possibly be provided by way of demountable flood barriers.
4. Plant rooms, chemical storage, electrical and other critical equipment should be sufficiently elevated above predicted flood levels with appropriate allowance for climate change and freeboard (as above).
5. Consideration of a flood evacuation plan and procedures (if not adopted already) for users of the development in advance of a flood event.

##### **Design and Delivery Response**

1. Noted.
2. The risk of flood waters entering the plant room through the underground utility ducts and drainage will be assessed at detailed design and measures proposed to mitigate this risk.
3. Noted, we will consider at detailed design where this would be feasible.



4. Noted, they will be elevated as high as is possible with allowance for the required headroom.

5. There is currently a flood evacuation plan and procedures; we will consult with the operators of the leisure centre to ensure this will be updated to reflect the works.

**Planning Authority Response**

Noted

**Submission No. 2** Fire and Emergency Department, Limerick City and County Council

**Submission Summary**

The proposed works shall comply with the relevant Building Regulations 1997-2019 and the Building Control Regulations 1997 to 2018.

**Design and Delivery Response**

Noted. The works will comply with the relevant regulations

**Planning Authority Response**

Noted

**Submission No. 3** Irish Water

**Submission Summary**

Prior to construction works all Irish Water Services are to be located and protected. Note that in accordance with the requirements of section 104 of the 2007 Water Services Act there shall be no building over water mains, common pipes or sewers.

1. The integrity, operation and access to the sewer and watermain networks shall not be compromised by the proposed development works.
2. The proposed development works shall not adversely affect the operation of the sewer and watermain networks for the neighbouring properties.
3. Any works to either the watermain or sewer networks to be in accordance with Irish Water's Technical Documentation.

**Design and Delivery Response**

Noted. The works will comply with the relevant Irish Water requirements and standards.

**Planning Authority Response**

Noted

**5.0 Conclusion**

It is considered that the proposed development is in accordance with the Limerick County Development Plan 2010-2016 (as extended) and the proper planning and sustainable development of

the area. 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.

## 6.0 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 19/02/2021 and 22/04/2021 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. 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

3. 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

4. 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

5. Prior to the commencement of 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 arising from the demolition, refurbishment and/or construction related activities of this development. The waste management plan shall include:

- A list of proposed authorised waste collection permit holders to be employed.
- A list of the proposed waste facility permitted sites at which the wastes may be recovered or disposed of.

- Estimates of the proposed tonnages of construction and demolition (C&D) wastes by type e.g. soil and stone, rubble, wood, metal and plastic.

Reason – in the interest of public safety and residential amenity

6. The following Irish Water requirements shall be complied with:

- a. Prior to the commencement of any construction works the applicant is to locate and protect all Irish Water services and connections to same within the red-line site boundary. There shall be no building over water mains, common pipes, or sewers, and if found the applicant must contact Irish Water with a proposal for altering at the cost of the applicant.
- b. The integrity, operation and access to the sewer and watermain networks shall not be compromised by the proposed development works.
- c. The proposed development works involved shall not adversely affect the operation of the sewer and watermain networks for the neighbouring properties.
- d. Any works to either the watermain or sewer networks to be in accordance with Irish Water's Technical Documentation; 'Code of Practice's', 'Water Infrastructure Standard Details', and 'Wastewater Infrastructure Standard Details'.

Reason - In the interest of proper planning and orderly development.