

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

Re: Permission for development at the 'Limerick Greenway Hub - Rathkeale' to include car parking and restoration to derelict goods shed (which is a protected structure) incorporating bike hire, coffee dock and toilets. Works to the Protected Structure and car park include the following

- the re-installment of new roof and roof overhang and insertion of new openings to the north gable;
- change of use of the derelict Goods Shed to a new building for the Limerick Greenway Hub consisting of bike hire,
- coffee dock and toilets;
- provision of external bin store;
- provision of an enhanced public realm area, and link to the greenway South and East of the Goods Shed;
- the upgrade of the existing gravel public parking area to a bound surface with access control and a set down area on the public road;
- provision and installation of public lighting and public seating;
- provision of public utility connections;
- provision of electric bike and car charging points;
- provision of pedestrian crossing;
- demolition of the existing site boundary wall;
- demolition of the existing boiler house;
- all other ancillary works for the project

At: Old Railway Goods Shed Building, Rathkeale, Co. Limerick.

Planning Reference No. 21/8010


Mary O'Malley
Executive Planner


Nuala O'Connell
Senior Planner


Donogh O'Donoghue
Senior Executive Planner


Nuala Gallagher
Director of Services
Planning, Environment & Place-Making

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: 9.12.21

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 Great Southern Greenway Limerick (GSGL) follows the former route taken by the Limerick-Tralee/Fenit railway line, which opened in stages between 1867 and 1887. Most of the route closed between 1975 and 1978 but remains the ownership of CIE (the National Transport Company). In Limerick, approximately 40km of the former route has been developed for off road walking and cycling from Abbeyfeale to Rathkeale. The route passes through the countryside allowing the walker/cyclist the opportunity to stop off in towns and villages along the route including Abbeyfeale, Templeglantine, Newcastle West, Ardagh and Rathkeale. Kerry County Council are also currently working on extending the Greenway in stages to Tralee/Fenit. The site of the proposed works lies west of Rathkeale town, adjacent to the Irish Palatine Museum, Rathkeale, Co. Limerick. Originally set off the railway line it now lies adjacent to the Limerick Greenway. The current proposal is to change the use of the existing structures, a protected structure, which was used a goods shed to a coffee dock, a bike hire and toilets to serve the public using the greenway.

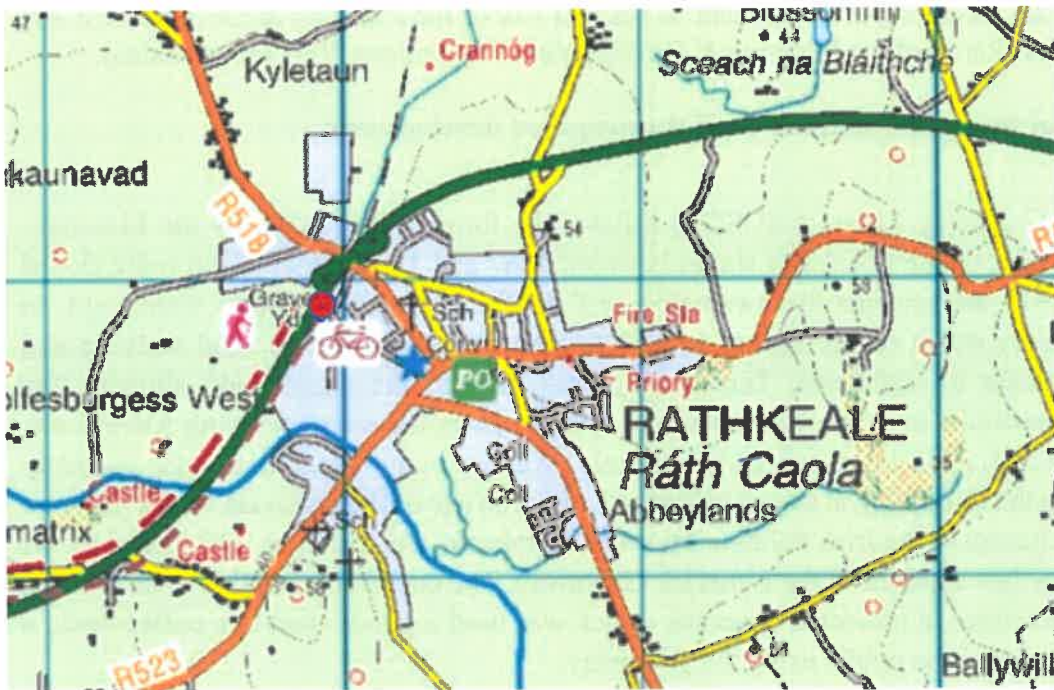
Under this planning application the Applicant, Community Directorate, Limerick City & County Council proposes the following:

- The re-instatement of new roof and roof overhang and insertion of new openings to the north gable;
- Change of use of the derelict goods shed to a new building for the limerick greenway hub consisting of bike hire,
- Coffee dock and toilets;
- Provision of external bin store;
- Provision of an enhanced public realm area, and link to the greenway south and east of the goods shed;
- The upgrade of the existing gravel public parking area to a bound surface with access control and a set down area on the public road;
- Provision and installation of public lighting and public seating;
- Provision of public utility connections;
- Provision of electric bike and car charging points;
- Provision of pedestrian crossing;
- Demolition of the existing site boundary wall;
- Demolition of the existing boiler house;
- All other ancillary works for the project

The plans and particulars went on public display from the 7th October 2021 up to and including 5th November 2021. Submissions and observations had to be submitted by the 19th November 2021.

Location:

Figure 1: Site Location, Rathkeale



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

Objective COM O26: National Cycle Policy Framework

It is the objective of the Council to support the policies of the ‘National Cycle Policy Framework 2009-2020 – Smarter Travel’, Department of Transport, April 2009.

Objective COM O27: Co-operation with Other Agencies

- a) It is the objective of the Council to co-operate with representative bodies of walking and cycling groups, landowners, farmers, local groups and communities, and others to support the improvement and development of walking and cycling routes in an environmentally sustainable manner.
- b) It is the objective of the Council to commence an assessment into the feasibility of working in partnership with state, private and voluntary sectors to develop a walking and cycling policy for the county within the lifetime of the Plan with a view to establishing a register of walking routes, legal status of same, the mapping and promotion of guided walks and developing links with neighbouring counties.

Objective COM O29: Proposed Developments and Design Considerations

It is the objective of the Council to:

- a) Encourage the successful incorporation of safe and efficient cycle ways, accessible footpaths, and pedestrian routes, and general cycling facilities into the design schemes for town centres/neighbourhood centres, residential, educational, employment, recreational developments and other uses. (Refer to Development Management Guidelines)
- b) Provide cycle ways, where appropriate, as part of all road improvement / redesign schemes ensuring, where possible, that cycle ways and footpaths are effectively separated from major vehicular carriageways,
- c) Prioritise the movement of pedestrians and cyclists in proximity to public transport nodes.
- d) Require planning applications for residential, commercial, retail, community, educational and industrial developments to demonstrate the proposal's accessibility for pedestrians and cyclists.
- e) Seek provision of appropriate, well-designed pedestrian ways for residential development proposals to link with amenities and facilities. Such proposals shall adhere to the Guidelines on Sustainable Residential Development in Urban Areas and Urban Design Manual (DEHLG May 2009)

Objective IN O8: Cycle and pedestrian facilities

It is an objective of the Council to encourage the successful incorporation of safe and efficient cycle and pedestrian facilities, and accessible cycleways, footpaths and pedestrian routes into the design schemes for residential, educational, employment, and recreational developments. Consideration will be given in these schemes to existing or proposed routes where applicable.

Objective EH O33: Re-use of Protected Structures

It is the objective of the Council to encourage the re-use of protected structures while recognising that such an objective will require adaptation and modifications of the building, including the construction of extensions. However, the Planning Authority will require the maintenance of essential architectural character, retention of features of special interest and respect for the structure's fabric, plan, form and setting. The development of, or on, a protected structure which would have a significant adverse impact upon its character will not be permitted. Developments in proximity to a protected structure, which would seriously affect its character, amenity, or setting will not normally be permitted.

Rathkeale Local Area Plan 2012-2018, as extended

Objective ED 5: Tourism It is the objective of the Council to a) Enhance the tourism potential of the town including the promotion of new tourism products in an environmentally sustainable manner in partnership with other agencies and the local community. b) Encourage new development for the tourist industry to be located within the proposed LAP boundary to maximise existing services. c) Protect the natural, built and cultural heritage features from unwarranted encroachment of unsuitable development.

Objective EH 2: Protected Structures It is the objective of the Council to protect structures entered onto the Record of protected structures, or listed to be entered onto the Record and to encourage their appropriate re-use and restoration. The Council shall resist; a) Demolition of protected structures, in whole or in part; b) Removal or modification of features of architectural importance; c) Development that would adversely affect the setting of the protected structure.

The proposed works are consistent with the policy objectives of the Limerick County Development Plan 2010-2016 (as extended) and the Rathkeale Local Area Plan 2012-2018, as extended as set out above. The proposed works will enhance the attractiveness of the existing Great Southern Greenway for the benefit of all users.

3.1 Habitats Directive Project Screening Assessment

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

<p>Construction Phase: Restoration of derelict Goods Shed. Are effects significant? No</p> <p>Are substantial works required: Yes 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? No</p> <p>Abstraction: Are effects significant? No</p> <p>Displacement: Are effects significant? No</p>
--	--

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>	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> Name of Site: Askeaton Fen Complex SAC	Yes-3.8km
4	Impacts on birds in SPAs	<i>Is the development within 1km of a Special Protection Area</i>	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

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

There are 6 Natura 2000 sites within 15km of the proposed site. The site is located approximately 3.8km from the nearest Natura 2000 site, the Askeaton Fen Complex SAC. It has been determined that the works as outlined will not have a negative impact on a Natura 2000 site.

Having regard to the characteristic of the proposal, the location and scale of the proposal, there is not likely to be any effects from the proposed works on any European Site, either alone, or in combination with other plans or projects. Therefore, a stage 2 Appropriate Assessment is not required.

3.2 Environmental Impact Assessment Screening

An EIAR screening 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.

Having regard to the characteristics of the proposal, the location of the proposed works and the scale of the proposed development, significant impacts on the environment are not anticipated. In general, all potential impacts relate to the construction stage (during which a strict CEMP will be employed) and potential impacts relating to the operational stage are positive.

4.0 Submissions with respect to the proposed development

A total of 10 x no. written submission/observation was received and are listed below:

Submission Ref.	Submitted By	Date Received
1.	Liam O'Mahony	19/11/2021
2.	Gary Gill	19/11/2021
3.	Grainne O' Keeffe	04/11/2021
4.	Niall West	23/11/2021
5.	Colm Ryder	19/11/2021
6.	Transport Infrastructure Ireland (TII)	11/11/2021
7.	Fire & Building Control, Limerick City & County Council (LCCC)	05/11/2021
8.	Irish Water (IW)	09/11/2021
9.	Operation & Maintenance Services, Limerick City & County Council (LCCC)	08/11/2021
10.	Mid-West Road Design Office (MWRDO)	12/11/2021

4.1 Submissions:

Submission No.1 Liam O'Mahony

Submission Summary

Submission received from Liam O Mahoney via email with a number of suggestions and comments, namely, that the 3km section of disused railway from Rathkeale to Ballingrane is in limbo and would be more enjoyable and comfortable Eurovelo connection. Also highlighted the need for connections/links to schools, shops and places of interest in the town and environs.

Community, Tourism & Culture Directorate Response

Points Noted.

As part of the overall strategy for the Limerick Greenway, LCCC are currently exploring options to further improve connectivity from the Greenway to towns and villages along the route.

It is an objective of LCCC to develop a Greenway on the disused railway line from Rathkeale to Ballingrane junction in the future.

Planning Authority Response

Noted

Submission No 2 Gary Gill

Submission Summary

Submission received from Gary Gill via mypoint with suggestions on how to preserve the declining swift population.

Community, Tourism & Culture Directorate Response

Points Noted

Limerick City and County Council will consider incorporating swift boxes into the final design.

Planning Authority Response:

Noted and Appropriate Actions to apply

Submission No. 3 Grainne O' Keeffe

Submission Summary

Submission received from Grainne O'Keeffe via mypoint. Fully supportive of the proposed development with a number of suggestions namely, the need more public toilet & changing/shower facilities and indoor seating.

Community, Tourism & Culture Directorate Response

Points Noted

The building has been designed to provide bike hire, toilets and a coffee doc. The proposed design within the footprint of the building has satisfied this criteria.

Planning Authority Response:

Noted

Submission No. 4 Niall West, Principal, Rathkeale, National School.

Submission Summary

Submission received from Niall West via email. Fully supportive of the Greenway and proposed development at Rathkeale Hub. Requesting for safer access to the Greenway from the school and town for the pupils, their families and the school staff.

Community, Tourism & Culture Directorate Response

Points noted

As part of the overall strategy for the Limerick Greenway, LCCC are currently exploring options to further improve connectivity from the Greenway to towns and villages along the route.

Planning Authority Response:

Noted

Submission No. 5. Colm Ryder

Submission Summary

Submission received from Colm Ryder via email. Welcomes the proposed development with a number of suggestions and queries namely, improved, safer links to the Rathkeale town centre, need for secure bike parking and alternative crossing and access points to the hub.

Community, Tourism & Culture Directorate Response

Points Noted

As part of the overall strategy for the Limerick Greenway, LCCC are currently exploring options to further improve connectivity from the Greenway to towns and villages along the route.

The Pallatine Museum and carpark is not in the ownership of Limerick City and County Council, LCCC access to the Greenway is from the hub carpark.

We will review the bike parking furniture.

Planning Authority Response:

Noted and Appropriate Actions to apply

Submission No. 6 Transport Infrastructure Ireland (TII)

Submission received from Mark Byrne TII.

Submission Summary

TII emphasised the requirement to; abide by polices in relation to development on/affecting roads outlined as outlines in the DoECLG Spatial Planning and National Roads Guidelines for Planning Authorities (2012). Namely, lighting must be designed to avoid any impact or distractions to any road users on the N21 national primary road. Consultation will be required with TII where any works impact planting, environmental mitigation or fencelines of the N21.

Community, Tourism & Culture Directorate Response

Points Noted.

All items will be adhered to and all works will be designed and constructed in accordance with DoECLG Spatial Planning and National Roads Guidelines for Planning Authorities (2012).

Consultation will take place with TII where any works impact planting, environmental mitigation or fencelines of the N21. All lighting will be designed, sited and cowled to avoid any impact to road users on the N21.

Planning Authority Response:

Noted and Appropriate Actions to apply

Submission No. 7 Fire & Building Control, LCCC***Submission Summary***

Submission received from the Fire and Building Control Section has placed conditions on the application for a fire safety certificate, disability access certificate and that all works be designed and constructed in accordance with Building Regulations 1997-2019 and Building Control Regulations 1997-2021.

Community, Tourism & Culture Directorate Response

Points Noted

All items conditioned will be adhered to and all works will be designed and constructed in accordance with all Building and Building Control Regulations.

Planning Authority Response:

Noted

Submission No. 8 Irish Water (IW)***Submission Summary***

Submission received from IW by email. IW have no objection to the proposed development subject to conditions.

Community, Tourism & Culture Directorate Response

Points Noted

All items conditioned will be adhered to and all permissions and works will be carried out, designed and constructed in accordance with all relevant IW Guidelines and Best Practice.

Planning Authority Response:

Noted and Appropriate Actions to apply

Submission No. 9 Operation & Maintenance Services - LCCC

Submission Summary

Submission received from the Roads Section has placed conditions on the application for road and safety issues, surface water disposal, public lighting and construction management and delivery.

Community, Tourism & Culture Directorate Response

Points Noted

All items conditioned will be adhered to and any details to be agreed with the roads section will be submitted prior to any construction taking place.

Planning Authority Response:

Noted

Submission No. 10 Mid West National Road Design Office (MWNRDO)

Submission Summary

Submission received from the Mid West National Road Design Office with no observations. Mid West National Road Design Office (MWNRDO) has highlighted an overlap of lands being acquired for the Foynes to Limerick Road and the Rathkeale Hub site to the rear of the Goods Shed however the motorway scheme will not be interfering with the Greenway Hub Development.

Community, Tourism & Culture Directorate Response

Points Noted.

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); the Rathkeale Local Area Plan 2012-2018, 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 07/10/2021 and 03/12/2021 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. The applicant shall sign a connection agreement with Irish Water prior to the commencement of the development and adhere to the standards and conditions set out in that agreement.
Reason- In the interests of orderly development
6. Prior to commencement of development a detailed public lighting scheme shall be submitted to and agreed in writing with the Planning Authority.
Reason - In the interest of public safety.
7. Prior to commencement of development full details of surface water disposal shall be submitted for the written agreement of the Planning Authority. No surface waters shall discharge onto adjoining properties or the public road
Reason- In the interest of public health and to prevent flooding in the interest of traffic safety and amenity.

8. 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

