



Comhairle Cathrach
& Contae Luimnigh

Limerick City
& County Council

Stiúrthóireacht Pobail, Turasóireachta & Cultúir
Comhairle Cathrach agus Contae Luimnigh
Ceanncheathrú Chorpáraideach
Cé na gCeannaithe
Luimneach

Community, Tourism & Culture Directorate
Limerick City and County Council
Corporate Headquarters
Merchants Quay
Limerick

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4th May 2023

**To: The Cathaoirleach and Each Member of the Municipal District of
Adare Rathkeale**

**Re: Part VIII Planning report for: Demolition of end of terrace two-storey derelict House
(V94 DHH9) and adjacent vacant site. The proposed construction consists of 288m²
(0.0288 Hectare) Parklet at West Square, Askeaton, Co. Limerick**

A Chomhairleoir, a chara,

I enclosed herewith the Chief Executives report prepared in accordance with Section 179(3) (a) of the Planning and Development Act 2000 (as amended) and Part VIII of the Planning and Development Regulations 2001 (as amended) in respect of proposed Part 8 Parklet scheme at West Square, Askeaton, Co. Limerick.

In accordance with Section 179(4) (b) of the above Act, it is proposed to proceed as indicated in Section 8 of this report.

Is mise le meas,

GORDON DALY

Director of Service

Community Tourism and Culture Directorate

Encl.

Memo

To: Pat Daly, Chief Executive

From: Nuala O Connell, A/Director of Services, Planning, Environment and Place Making

Date: 05/05/2023

Re: Part 8 proposal, Reference 23/8001 – Permission for the demolition of end of terrace two-storey derelict House (V94 DHH9) and adjacent vacant site. The proposed construction consists of a 288m² (0.0288 Hectare) Parklet. The works include demolition of the existing boundary onto West Square, the construction of end of terrace 1.5m wide two-storey abutment, feature walls/seats built from existing stone walls and associated works comprising of services, boundary treatment and hard and soft landscaping works. The site is within an Architectural Conservation Areas (ACA)

Dear Chief Executive,

Please find attached for your consideration report prepared in accordance with Section 179 of the Planning and Development Act 2000 (as amended) in respect of the proposed Part 8 Parklet development at West Square, Askeaton

The proposal prepared by the Community Tourism & Culture Directorate has been evaluated taking into consideration all submissions received. It is concluded that the proposed development is in accordance with the objectives of the Askeaton Local Area Plan 2015-2021 (as extended), the Limerick Development Plan 2022-2028, and the proper planning and sustainable development of the area.

It is recommended that the proposed development be recommended to the Elected Members of Limerick City & County Council for their approval.

Signed: 
Áine Leland, Assistant Planner

Signed: 
Donogh O' Donoghue, Senior Executive Planner

Signed: 
Nuala O'Connell, A/ Director of Services

**CHIEF EXECUTIVE'S REPORT & RECOMMENDATION IN ACCORDANCE
WITH SECTION 179 3(a) OF THE PLANNING & DEVELOPMENT
ACT 2000 (AS AMENDED)**

Re: Permission for the following:

PERMISSION for the demolition of end of terrace two-storey derelict House(V94 DHH9) and adjacent vacant site. The proposed construction consists of a 288m² (0.0288 Hectare) Parklet. The works include demolition of the existing boundary onto West Square, the construction of end of terrace 1.5m wide two-storey abutment, feature walls/seats built from existing stone walls and associated works comprising of services, boundary treatment and hard and soft landscaping works. The site is within an Architectural Conservation Areas (ACA).

At: West Square, Askeaton, Co. Limerick

Reference Number 23/8001

1.0 Introduction

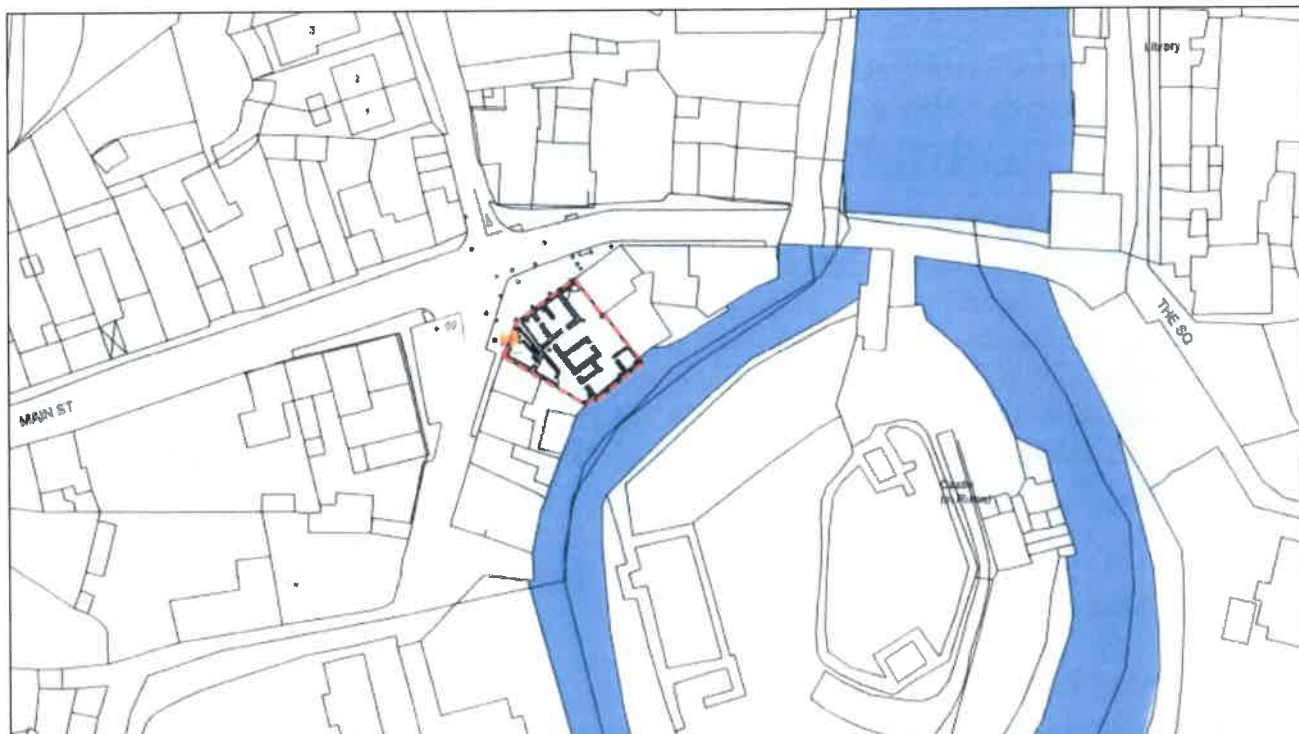
This report has been prepared pursuant to Section 179 of the Planning & Development Act 2000 (as amended), and Part 8 of the Planning & Development Regulations 2001 (as amended).

2.0 Description of the nature and extent of the proposed development

The proposed development is located at West Square, Askeaton, Co. Limerick. The site has an area of 0.0288 hectares. The proposed development provides for the demolition of an end of terrace two storey derelict dwelling and adjacent vacant site and the construction of a 288sqm parklet. The works include demolition of the existing boundary onto West Square, the construction of end of terrace 1.5m wide two storey abutment, feature walls/seats built from existing stone walls and associated works comprising of services, boundary treatment and hard and soft landscaping.

2.1 Site Location:

The site is located at West Square at its junction with Main Street in the town of Askeaton. The proposed development is located within an Architectural Conservation Area.



Site location map

2.2 Public Consultation:

The plans and particulars were placed on public display from the 14th February 2023 up to and including 14th March 2023. Submissions and observations were invited up to the 29th March, 2023.

3.0 Submissions with respect to the proposed development

A total of 16 No. written submissions/observations were received and are listed below:

No	Name
1	Councillor Adam Teskey
2	Transport Infrastructure Ireland
3	Eva Sheahan
4	Irish Water
5	Thomas Kelly
6	OPW
7	Patrick J. Sheahan
8	Brian Whelan
9	Breda Kelly
10	Yvonne Whelan
11	Brian Collins
12	Ger Casey
13	Kay and Lilly Kelly
14	Bernie Power
15	Water Safety Ireland
16	Mid West National Road Design

SUB (1) Councillor Adam Teskey**Submission Summary:**

Concerns raised in relation to provision of parking for business owners and local residents, request for age friendly parking and electric car charging points.

Chief Executives Response:

The contents of the submission is noted. The application site is not suitable for parking due to archaeology, ecology and sightlines considerations. The council are currently reviewing opportunities for improved off street parking facilities local to West Square.

SUB (2) Transport Infrastructure Ireland**Submission Summary:**

No specific observations to make.

Chief Executives Response:

Noted

SUB (3) Eva Sheahan**Submission Summary:**

Concerns in relation to provision of parking for business owners and local residents, request for age friendly parking and electric car charging points.
Many local residents are completely unaware of scheme

Chief Executives Response:

The application site is not suitable for parking due to archaeology, ecology and sightlines considerations. The council are currently reviewing opportunities for improved off street parking facilities local to West Square. This Part 8 Application does not include the removal of existing parking spaces.

The Part 8 application for West Square Parklet was on public display at both Merchants Quay and Dooradoyle local authority offices and on Mypoint with site notice and newspaper notices stating display timelines in accordance with correct procedure for Part 8 Applications.

SUB (4) Irish Water**Submission Summary:**

No objections to development

Chief Executives Response:

Noted

SUB (5) Thomas Kelly**Submission Summary:**

Submission relates to recently published Askeaton Public Realm Plan

Chief Executives Response:

This submission relates to wider issues identified in the Askeaton Public Realm Plan. The

<p>Council is currently reviewing opportunities for improved off street parking facilities local to West Square.</p>
<p>SUB (6) OPW</p> <p>Submission Summary: No Specific Comments in relation to drainage. The development should not increase the risk of flooding upstream or downstream.</p> <p>Chief Executives Response: Noted</p>
<p>SUB (7) Patrick J. Sheahan</p> <p>Submission Summary: Loss of parking spaces due to undergrounding works. Request for replacement parking spaces.</p> <p>Chief Executives Response: The application site is not suitable for parking due to archaeology, ecology and sightlines considerations. The council are currently reviewing opportunities for improved off street parking facilities local to West Square.</p>
<p>SUB (9) Brian Whelan</p> <p>Submission Summary: Positive comments on undergrounding of services. Request for age friendly parking and electric charging points adjacent to the castle to be provided.</p> <p>Chief Executives Response: The application site is not suitable for parking due to archaeology, ecology and sightlines considerations. The council are currently reviewing opportunities for improved off street parking facilities local to West Square.</p>
<p>SUB (9) Breda Kelly</p> <p>Submission Summary: Concerns in relation to provision of parking for business owners and local residents, request for age friendly parking and electric car charging points.</p> <p>Chief Executives Response: The application site is not suitable for parking due to archaeology, ecology and sightlines considerations. The council are currently reviewing opportunities for improved off street parking facilities local to West Square.</p>
<p>SUB (10) Yvonne Whelan</p> <p>Submission Summary: Request for use of Parklet site for age friendly and accessible parking to service West Square businesses.</p>

Chief Executives Response:

The application site is not suitable for parking due to archaeology, ecology and sightlines considerations. The council are currently reviewing opportunities for improved off street parking facilities local to West Square.

SUB (11) Brian Collins

Submission Summary. Proposes that footpath widening has become a traffic hazard. Future parking plans for area requested.

Chief Executives Response:

The submission partly relates to works recently completed on site - undergrounding of overhead utility cables and junction / footpath re-alignment works.

The application site is not suitable for parking due to archaeology, ecology and sightlines considerations. The council are currently reviewing opportunities for improved off street parking facilities local to West Square.

SUB (12) Ger Casey

Submission Summary: Proposes Parklet site as an opportunity for provision of age friendly parking and castle visitor parking to improve accessibility to the castle.

Chief Executives Response:

The West Square Parklet site is not suitable for parking due to archaeology, ecology and sightlines considerations. The council are currently reviewing opportunities for improved off street parking facilities local to West Square.

SUB (13) Kay and Lilly Kelly**Submission Summary:**

Lack of notification of commencement of undergrounding works provided. Wash down of Kelly property required. Suggests widening of footpath creates a traffic hazard. Noise from drainage channel a concern. Loss of parking spaces due to undergrounding works. Additional parking would be welcome and communication with local residents. Concerns about antisocial behaviour in a Parklet setting.

Chief Executives Response:

The submission partly relates to works recently completed on site - undergrounding of overhead utility cables and junction / footpath re-alignment works.

The application site is not suitable for parking due to archaeology, ecology and sightlines considerations. The council are currently reviewing opportunities for improved off street parking facilities local to West Square.

SUB (14) Bernie Power**Submission Summary:**

Parking space outside front door has been removed and no notification of same was received.

Age friendly parking spaces and tourist parking spaces are required.

Chief Executives Response:

A Section 38 Notice in relation to the junction re-alignment, footpath widening and provision of pedestrian crossings went up on public display for a period of 1 month from 30th September 2021 to 28th October 2021 and no submissions were received.

The application site is not suitable for parking due to archaeology, ecology and sightlines considerations. The council are currently reviewing opportunities for improved off street parking facilities local to West Square.

SUB (15) Water Safety Ireland

Submission Summary:

Recommendation to erect lifebuoy and housing.

Chief Executives Response:

Lifebuoy will be erected in line with Water Safety Guidance.

SUB (16) Mid West National Road Design Office

Submission Summary:

No observations to make.

Chief Executives Response:

No Comments.

4.0 Habitats Directive Project Screening Assessment

An Appropriate Assessment Screening Report has been undertaken by Eire Ecology Environmental Consultants for the proposed development and which examined the impacts the proposed development may have on the River Shannon and River Fergus Estuaries SPA and the Lower River Shannon SAC which are located approximately 0.4km and 2.2sqm, respectively, from the subject site. Their report concluded that proposed development is not likely to have a significant effect on any European Site as no instream works are being conducted and the site was previously cleared of vegetation. The wall by the river is being retained with no works occurring within 1m of this boundary wall. Given the separation distance and lack of works close to the adjacent river no deterioration in water quality is anticipated. The proposed development is at a distance from the SAC site and is within an already developed urban area which has been heavily modified. Limerick City & County Council Heritage Officer (internal report on file) has reviewed the AA Screening and is satisfied that significant effects on the SAC site are unlikely. Overall, the Planning Authority is satisfied that having regard to the scale of the development on zoned lands in the village centre and the distance of the development from any SAC and SPA, the development as proposed should not exercise a significant effect on the conservation status of any SAC or SPA either alone or in combination with other plans or projects and therefore a Stage 2 NIS is not necessary.

5.0 Environmental Impact Assessment Screening

The proposed development is for the demolition of an existing derelict terraced house and partial stone walls and the creation of a parklet. 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 (as amended). Having regard to the size of the development, located within a modified environment, the development as proposed does not require the preparation of an Environmental Impact Assessment Report.

6.0 Ecological Impact Statement

An Ecological Impact Statement has been undertaken by Eire Ecology Environmental Consultants for the proposed development and which examined the impacts the proposed development would have on the existing ecological features within the development area. Mitigation measures are proposed including for the reconstruction of a stone wall which is unstable and placing of bat boxes and bird boxes to offset any loss of habitats and the planting of native Irish borders. Limerick City & County Council Heritage Officer (report on file) and the Planning Authority would agree with the findings of the Ecological Assessment. The on site habitats are common and their loss would not be significant. It is noted that there was limited signs of bats on site apart from limited droppings. It is further noted that a derogation licence will be sought. Given the above, the Planning Authority would consider that the development of the site would not have significant ecological effects.

7.0 Key Policy Provisions

7.1 Limerick Development Plan, 2022-2028:

The site is within Askeaton town which is recognised as a level 4 large village per the Limerick Development Plan.

Section 3.7 Level 4: Large Villages

These are settlements generally with a population of over 500 and less than 1,400 persons that cater for the daily and weekly needs of their inhabitants and the needs of the surrounding wider catchment area.

Level 4 settlements provide a range of employment opportunities and services appropriate to their size and function, such as secondary and primary schools, childcare facilities, sports grounds/complexes, libraries, Garda stations, medical centres and a good range of local services including shops, pubs, post offices and banks/credit unions.

There is considerable variation in the settlements from small towns and large villages, included in this level in terms of scale, character context and infrastructure. However, all have potential for appropriate levels of growth and consolidation. In line with National Policy Objective 3c, 30% of all new homes targeted within Level 4 settlements shall be within their existing built-up footprints. In order to realise the consolidation of these towns/villages, development will be encouraged to be delivered in a sustainable, sequential manner from the town/village core outwards, while promoting the reuse and redevelopment of vacant and derelict sites and buildings.

Objective CGR O15 Requirements for Developments within Level 4 Settlements

It is an objective of the Council within these settlements to facilitate development, subject to compliance with the following:

a) To ensure that the scale of new housing developments both individually and cumulatively shall be in proportion to the pattern and grain of existing development. Generally, no one proposal for residential development shall increase the existing housing stock by more than 10 – 15% within the lifetime of the Plan, unless the applicant can demonstrate that the settlement has adequate capacity in terms of both physical and social infrastructure to support additional growth.

- b) The development of these centres shall provide for serviced sites and a variety of other house types and densities as appropriate.
- c) New commercial developments shall generally be located within the core area and shall contribute positively to the village urban fabric and streetscape.
- d) New community and social facilities shall be provided in conjunction with residential development as required.
- e) Where there is no treatment plant or limited capacity in the existing treatment plant, sewerage treatment for serviced sites shall generally be by means of individual treatment systems, subject to satisfactory site assessment and compliance with EPA guidelines. All systems shall be constructed so as to allow connection to public sewers in due course when capacity becomes available.

Objective CGR O16 Local Area Plans in Level 4 Settlements

It is an objective of the Council to review existing and prepare new Local Area Plans for Adare, Askeaton, Croom and Patrickswell, to align with the Limerick Development Plan 2022 – 2028.

Objective EH O53 Architectural Conservation Areas

It is an objective of the Council to:

- a) Protect the character and special interest of an area, which has been designated as an Architectural Conservation Area (ACA) as set out in Volume 3.
- b) Ensure that all development proposals within an ACA be appropriate to the character of the area having regard to the Character briefs for each area.
- c) Ensure that any new development or alteration of a building within an ACA or immediately adjoining an ACA, is appropriate in terms of the proposed design, including scale, height, mass, density, building lines and materials.
- d) Seek a high quality, sensitive design for any new development(s) that are complementary and/or sympathetic to their context and scale, whilst simultaneously encouraging contemporary design which is in harmony with the area. Direction can also be taken from using traditional forms that are then expressed in a contemporary manner, rather than a replica of a historic building style.
- e) Seek the retention of all features that contribute to the character of an ACA, including boundary walls, railings, soft landscaping, traditional paving and street furniture.
- f) Seek to safeguard the Georgian heritage of Limerick.

7.2 Askeaton Local Area Plan 2015-2021 (as extended)

The site is zoned *town centre* per the LAP.

The purpose of this zoning is to protect and enhance the character of Askeaton town centre and to provide for and improve retailing, residential, commercial, office, cultural and other uses appropriate to the town centre while guiding the development of an expanded and consolidated town centre area. Any proposed retail development shall be in accordance with the provisions of the Retail Strategy for the Mid West Region, 2010-2016.

Policy C1: Community and Recreational Facilities

It is the policy of the Council to ensure that the education, health facilities, recreation, open space and community needs of residents, both new and existing, can be provided for by suitably zoning lands for these purposes. The Council will require future development in Askeaton to be accompanied by a corresponding expansion of these facilities and amenities.

Objective C1: Community and civic facilities

It is the objective of the Council to seek where practicable and appropriate, that community facilities are located within the town, in the interest of sustainable development. The proposal should demonstrate that the principles of accessibility for all and Ireland's Age-friendly Cities and Counties Programme' are incorporated.

Objective C 3: New amenity areas and walkways/ cycleways

It is the objective of the Council to:

- a) Continue to facilitate the development of walkways/cycleways as indicated on the Amenity Map, in co-operation with local interested parties including the private, voluntary and public sector. Any proposed development adjacent to such walkways must incorporate connecting pathways into the designated walkway in their design. Developments shall be designed to ensure that properties overlook proposed walkways.
- b) Co-operate with other agencies to enhance, promote and provide recreational and amenity facilities in the town.

Objective EH 1: Architectural Conservation Areas (ACAs)

It is the objective of the Council to protect, conserve and where appropriate, enhance the ACAs as identified in Map 4.

Proposals for development within the ACA shall;

- a) Reflect and respect the scale and form of existing structures within the ACA in proportioning, overall scale and use of materials and finishes, particularly with reference to the street frontages and seek to contribute to or enhance the character and streetscape of the ACA;
- b) Seek to retain/incorporate/replicate exterior features which contribute or enhance the character and streetscape of the ACA such as shop fronts, sash windows, gutters and down pipes, decorative plasterwork etc;
- c) Ensure priority is given to the pedestrian, to inclusive access, and to facilitating the improvement of the quality of the public realm: the latter will include for consideration of the planting of trees in the wider public open spaces, benches for sitting and the articulation of uses through appropriate paving.

7.3 Askeaton Public Realm Plan 2023

Aims & Objectives

Assess existing town circulation (both pedestrian & vehicular) and consider how these may be improved.

- Assess existing walking routes / trails around the town and consider opportunities for improvements /new additions / connections / extensions
- Assess the existing streetscape and associated infrastructure (street furniture, overhead wires, signage, lighting) and provide proposals on improvements to include traffic calming, car parking areas, road width reductions, etc.
- Assess and review information/interpretation/signage as viewed by a tourist/visitor.
- Assess the impression of the approach roads into the town and provide advice on how these can be enhanced.
- Assess planting within the overall study area and make recommendations on same.
- Assessment and proposals to improve the viability of the east and west square and improved connectivity between the two. The plan should define the character of each square and their role in relation to the town, including economic and social roles.

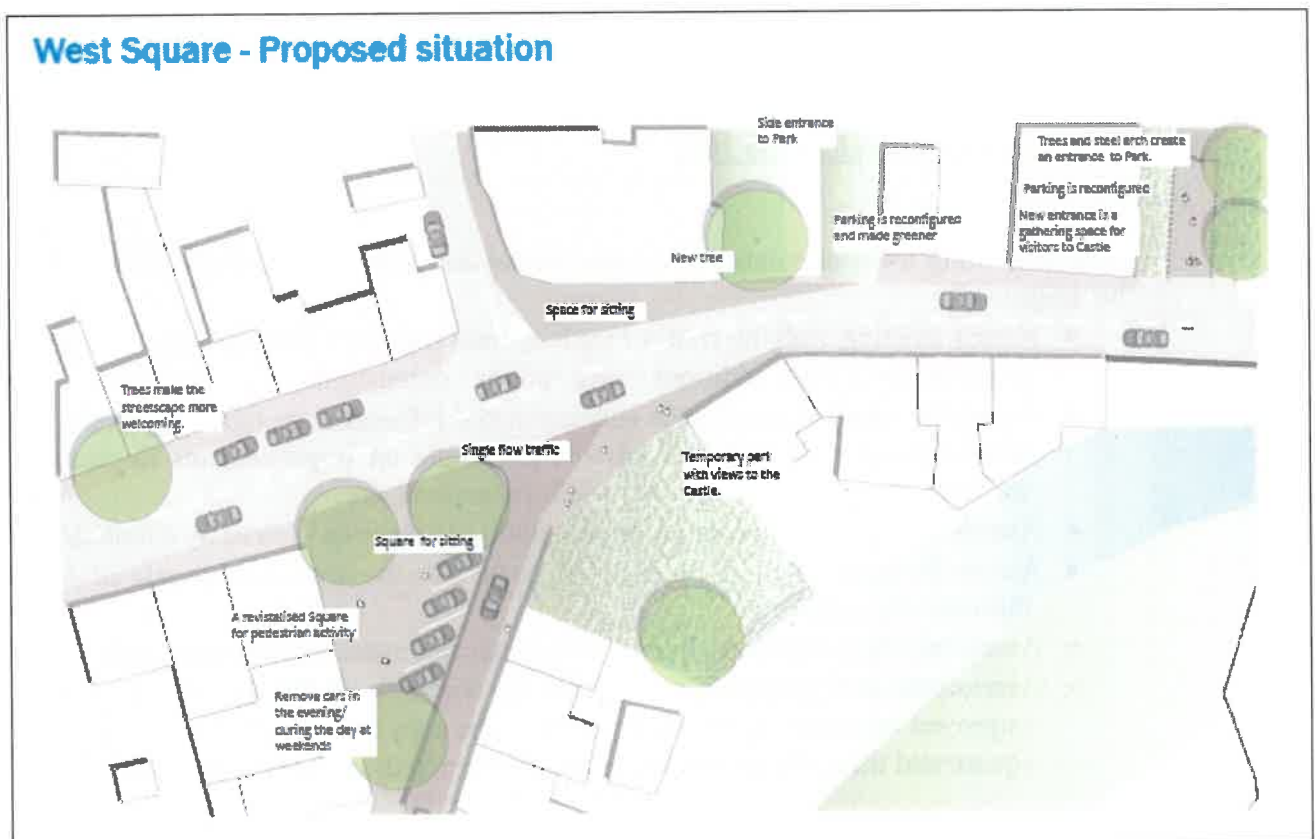
- Assessment of the relationship between the town and the River Deel. Provide opportunities for improved interaction between the town and the river for the residents and visitors to the town.
- Review of resident / visitor parking within town centre and provide opportunities for increased visitor parking with regard to the opening of Askeaton Castle in 2021.
- Opportunities for backland development local to the town centre.

The Plan notes that East and West Squares and Main Street are in the heart of Askeaton and offer a mix of services, however in the intervening years, the 19th Century streets and squares, have been reconfigured for vehicles and not people.

Proposals to the revitalisation of West Square are noted as follows, within the Plan:

A revitalisation of the Square as a flexible space is proposed where pedestrians are prioritised. An example of how West Square could appear in the future is generated to demonstrate how the Square could work and appear, a place where people will want to linger and stay as a resident or visitor.

A reconfiguration of the space means through-traffic is only permitted in one direction and much of the space will be given over to pedestrian use. Trees and green areas are added to compliment tree planting along Main Street. The Square still allows flexibility for all kinds of uses including outdoor terraces, sitting and small events. The Square could have a higher quality public realm in terms of materials and furniture which would facilitate an active street life, with seating areas, terraces, etc. which would suit the intimate quality of the Square. Other ideas include the removal of vacant or derelict buildings to develop views to the Castle. This idea could be trialled as a pop-up space to assess what works and the issues that may arise. If the space is not thought to work well, an infill of town houses could be proposed in time.



Introduction

The site is occupied by a two storey end of terrace derelict dwelling and adjacent vacant site with associated stone wall structures at West Square in the centre of Askeaton village. The existing end of terrace house is structurally unsound and is to be demolished along with the adjoining vacant site. It is proposed to construct a parklet of 288sqm on the site. The works include the demolition of an existing boundary onto West Square and the construction of an end of terrace 1.5m wide two storey abutment, feature walls/seats which are to be built from existing stone walls. The proposed parklet is to create a link between the town and the River Deel and to frame views of Askeaton Castle. The existing riverbank stone walls are to be retained. The park is to be universally accessible sloping toward the river with ramps with bicycle parking spaces to the front.

It is proposed to reduce the height of the existing stone walls to various heights while some of the walls will be reduced low enough to sit on. Elements of soft and hard landscaping are proposed including the provision of native river bank plants. The soft landscaping will enhance and improve pollination and biodiversity of the riparian landscape. Sustainable Urban Drainage measures are also to be incorporated into the design.



Principle of Development

The site is zoned *Town Centre* per the Askeaton Local Area Plan 2015-2021 (as extended) and which has the following Objective: *The purpose of this zoning is to protect and enhance the character of Askeaton town centre and to provide for and improve retailing, residential, commercial, office, cultural and other uses appropriate to the town centre while guiding the development of an expanded and consolidated town centre area.* As per the zoning matrix, open space/recreation/leisure developments are open for consideration

on lands zoned town centre. The proposed is considered in compliance with the Objectives as set out above in the Limerick Development Plan 2022-2028 and the Askeaton LAP (as extended to 2025). Furthermore the provision of the Parklet is supported in the Askeaton Public Realm Plan 2023.

The proposed development of a parklet is therefore considered acceptable in principle.

8.3 Flood Risk

The site is noted to be in Flood Zone A and B as per the Limerick Development Plan 2022-2028 flood extent mapping. The existing site is occupied by a structurally unsound dwelling and a vacant plot. As Per the Flood Risk Management Guidelines for Planning Authorities 2009, the use of the site as amenity open space and recreation would be considered a water-compatible development on lands within Flood Zone A. The proposed is therefore considered in compliance with said Guidelines and would be an appropriate use of the site.

The proposed includes for underground voids formed using cellular stormwater storage units overlain by a permeable surface and permeable granular bedding so that water can freely access the storage tanks. Drainage from the storage tanks will be directly to ground.

8.4 Architectural Impact

White the site is within the Architectural Conservation Area of Askeaton village, the existing dwelling and walls within the vacant site are of no architectural merit. The proposal to demolish a derelict dwelling and replace with a parklet providing recreational amenity space for the residence of Askeaton, is regarded as a positive development for the town. The parklet will increase the amount of public realm space while also providing a connection with the River Deal and views of Askeaton Castle.

Conclusion

Having regard to the foregoing evaluation and the reason and considerations as set out, the Chief Executive is satisfied that the proposal is in accordance with the objectives of the Limerick Development Plan, 2022 – 2028, the Askeaton Local Area Plan 2021-2015 (as extended), the Askeaton Public Realm Plan 2023 and the proper planning and sustainable development of the area. Pursuant to Section 179(3)(a) of the Planning and Development Act 2000 (as amended the proposed development is recommended to the Elected Members of Limerick City & County Council for their approval.



Dr. Pat Daly

Chief Executive,

Limerick City & County Council

Date: 5 . MAY . 2023

