

**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 development works will consist of: (a) Extension of the existing embankment on the landowner's side. (b) Construction of a shared raised footpath and cycleway, with a macadam-finished surface. The shared path will extend from the roundabout and continue around the bend onto the L-1403 local road. (c) Provision of an uncontrolled crossing on the L-1403 at the end of the proposed footway. (d) Fencing along walkway with timber posts and tensioned mesh fencing on the land-owner's side. (e) Relocation of the existing open drain where required, and piping under access ways into private property. (f) Minor repair works to the N69/L-1403 junction. (g) Accommodation works for affected landowners.

At: West of N69 Clarina Village Roundabout to L-1403 Junction opposite Bricklodge Doon (in the direction of Foynes along the N69), Co. Limerick.

Reference Number 23/8002

1.0 Introduction

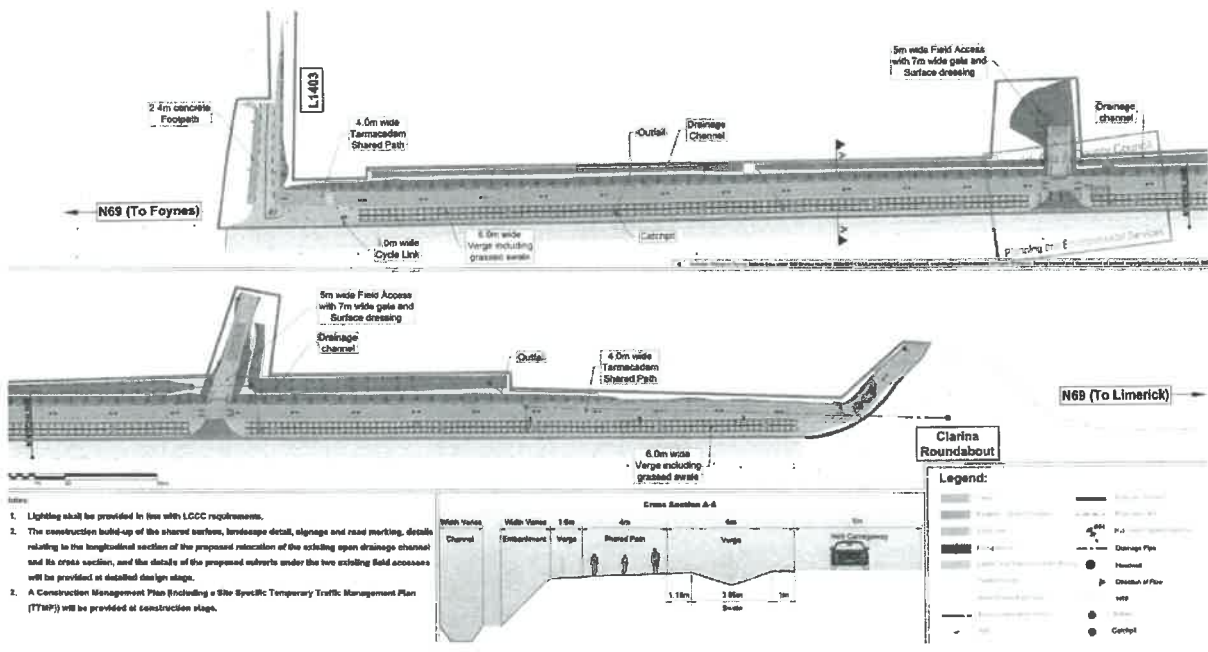
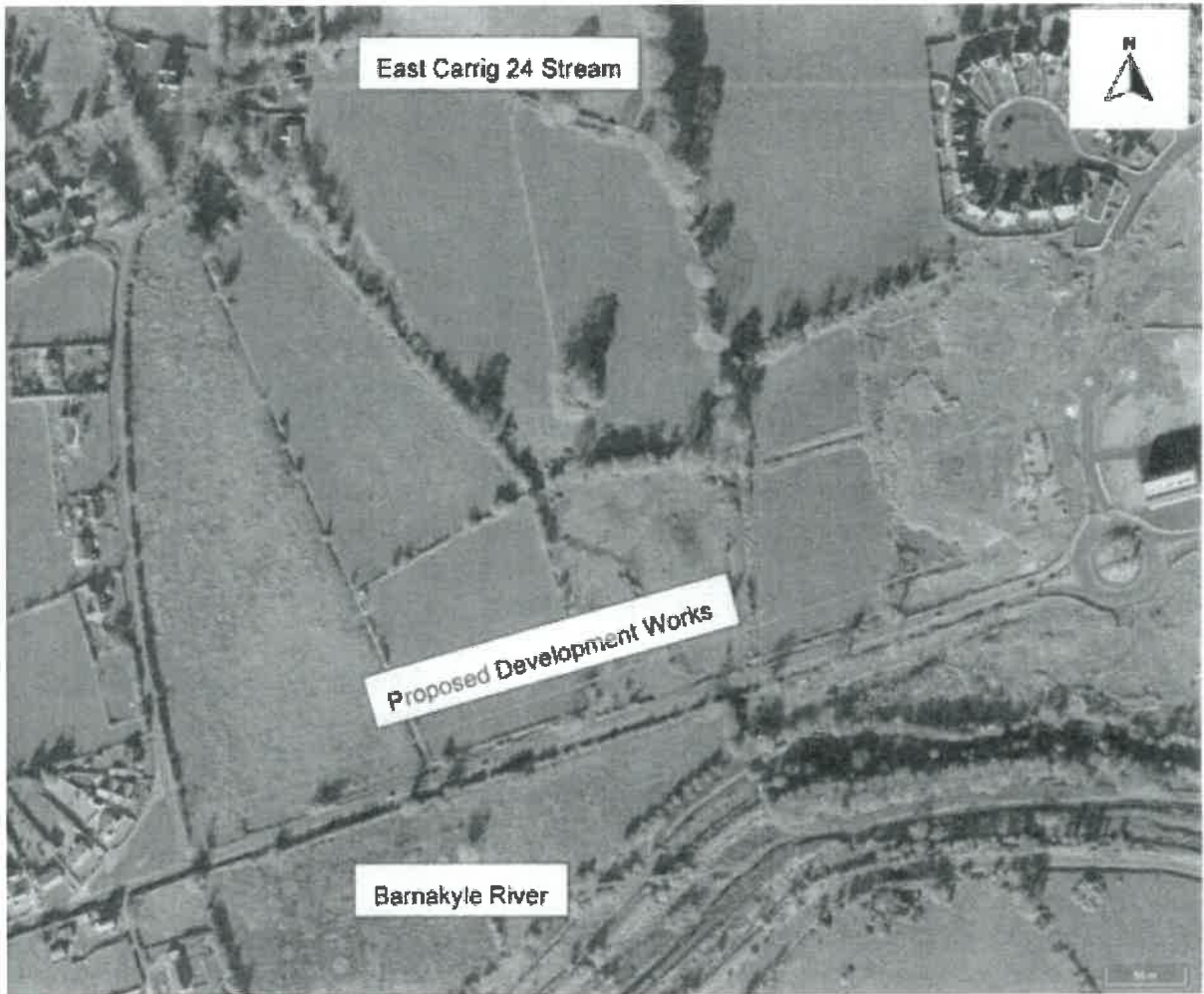
This report has been prepared pursuant to Section 179 of the Planning & Development Act 2000 (as amended), and Part 8 of the Planning & Development Regulations 2001 (as amended).

2.0 Description of the nature and extent of the proposed development

The proposed development is located west of N69 Clarina Village Roundabout to L-1403 Junction opposite Bricklodge Doon (in the direction of Foynes along the N69), Co. Limerick. The proposed development provides for the upgrade of a walkway from Clarina Village to the Bricklodge, Doon junction.

2.1 Site Location:

The proposed development is located at on the west of the N69 Clarina Roundabout Ballybrown to L-1403 Junction Bricklodge Doon, Co. Limerick



2.2 Public Consultation:

The plans and particulars were placed on public display from the 27th of February, 2023 up to and including 28th of March, 2023. Submissions and observations were invited up to the 12th of April, 2023.

3.0 Submissions with respect to the proposed development

A total of 4 x No. written submissions/observations were received and are listed below:

No.	Name
1	LPN. Limerick Pedestrian Network via Mypoint
2	Rosaleen Donovan via Mypoint (6 separate submissions amalgamated).
3	OPW. Office of Public Works c/o Dennis O’Keeffe TII. Transport Infrastructure Ireland / Denis O’Keeffe
4	Transport Infrastructure Ireland (TII) c/o Muireann Walsh

SUB (1) Limerick Pedestrian Network

Submission Summary:

Submission in respect of the development proposal noting the following:

1. Concerns raised at the design proposal to develop the new path as a shared space for pedestrians and cyclists. Such shared spaces are not in the best interests of pedestrians as the most vulnerable road users, particularly those pedestrians with additional needs. As a new piece of infrastructure this design should be future-proofed, and as such should bear in mind the expected rise in non-vehicular travel and the pending legalisation of e-scooters. With a proposed width of 4m, the design for the new pathway could easily encompass a segregated space for pedestrians (1.8m according to DMURS, for example) and a two-way cycle path (2m minimum according to the new draft National Cycling Manual).
2. Further attention to the design both at the turn to L1403 and at the Clarina roundabout is warranted. The turn radii should be tighter to signal to drivers coming from a very fast road that they are entering a residential area.
3. A raised and continuous pedestrian crossing should be included at L1403 and not just across the farm entrances. A continuous crossing should also be provided at the roundabout in order to facilitate pedestrians connecting to local services (for example the Circle K approx.100m further up the N69).
4. The mouth of the roundabout into the housing estates needs to be narrowed to slow traffic and facilitate safer pedestrian mobility
5. It must be noted that piecemeal schemes such as this can do little to achieve modal shift in key locations unless they are connected to further pedestrian infrastructure. As it stands, there is no footpath on L1403 and so this new path will effectively be a dead-end. A more joined-up approach is needed or the funds for these schemes will be wasted

Chief Executive’s Response:

- a) The Design is in accordance with TII PUBLICATIONS DOCUMENT dn-geo-03047 'Rural Cycleway Design "(Offline & Greenway)" August 2022 as is deemed appropriate for the scheme.

- b) The L1403 Junction has been accessed by TII and deemed appropriate we do however intend to review at detailed design stage. The Clarina Roundabout is outside the planning scope of the project.
- c) An uncontrolled crossing proposed at L1403 at is deemed suitable. The Clarina Roundabout is outside the planning scope of the project.
- d) The mouth of the Clarina Roundabout into the Housing estate is outside the Planning scope of the project.
- e) The aim of this project is to upgrade the existing footpath and provide a safe means of travel along this section of the N69 for Vulnerable Road Users. The updated footway provides a spur to access local housing, Beyond this point is outside the scope of this project.

SUB (2) Rosaleen Donovan

Submission Summary:

Submission in respect of the development proposal noting the following:

- a) The proposal to have bollards is not welcome. Bollards are an eyesore and are minimally effective in providing protection to pedestrians/cyclists from passing traffic. Would suggest having a raised grassy earthen embankment (a ditch) similar to one in the Herbertstown area. The embankment we saw separated a country footpath from the roadway and was very much in keeping with the rural nature of the surrounding environment.
- b) If there is a planned camber (sloping fall-away for moisture run-off) on the footpath, please let there be only a minimal one . At present when walking along the side of most roads in the area there is usually a camber to deal with and it can be quite fatiguing, you need one leg longer than the other to cope with it or alternatively walk in the middle of the road which is highly unsafe
- c) Make the surface of new footpath concrete or better still like the one over in Mungret, a kind of paving/bricks laid – instead of tarmac. It would be more suitable for walking on and more pleasing to the eye. Tarmac fine for the cycle path
- d) Make it a double white line all along that stretch of road to prevent overtaking. Very scary walking away from village towards Brick Lodge if somebody overtakes in the same direction, and usually at speed. The slipstream can almost be felt from the overtaking vehicle. A young woman was killed a number of years ago by a vehicle overtaking another one and went too far over to the r.h.side and hit her. Overtaking is also dangerous for traffic safety if too close to the Brick Lodge/Elm Park road exit, or the exit from Corcamore if a vehicle is coming out from either side road
- e) Would strongly suggest reduce the speed limit from current 80/kmh to 60/kmh even before foot/cycle path installed. Impose the reduced speed limit as far as bridge over Barnakyle River. The stretch of roadway between Clarina Roundabout and Brick Lodge is busy with pedestrians on the existing temporary path and emerging traffic from side roads.
- f) Suggest post and rail fence between walk/cycle way and field, instead of a wire one. Because of the drop away to the land area and also the existence of the drainage course any possibility of animals escaping from the field on to the road would be remote. Wire fencing makes the area look like a building site and diminishes the pleasant rural aspect of the walk hugely. Also has a prison-like feel about it, and there is nowhere to go if need arises e.g. if vehicle or loose wheel etc comes too close. A pedestrian was struck and killed by a loose wheel off a truck some years ago.

Chief Executive's Response:

- a) Bollards will be provided within the shared path to prevent vehicle access to the shared Path
- b) The camber for the footpath will be at a minimum and meet the drainage requirements.
- c) The Pedestrian and cyclist path is shared. Macadam is the preferable option from both a safety and ongoing maintenance. Surfacing options may be reviewed further at detail design stage
- d) The proposed shared surface is located 6m from the N69. This replaces the the existing substandard footpath which runs directly parallel to the N69. The design of this shared cycleway has been carried out while being cognisant of the N69 and the existing speed limits and the 6m set back reflects this.
- e) The Speed limit has been assessed under the current layout and is due for review in 2023. LCCC carry out speed limit reviews every 5years Limerick City and County Council will commit to reviewing the speed limit at this location upon the completion of this project. Please note however that the design of this shared cycleway has been carried out while being cognisant of the N69 and the existing speed limits and the 6m set back reflects this
- f) Tensioned Post and Mesh wire fence CC-SCD-00320 will be erected in accordance with the TII design standards.

SUB (3) OPW Denis O'Keeffe

Submission Summary:

Submission in respect of the development proposal noting the following: OPW Drainage Maintenance comments on this proposal are in relation to the Office of Public Works statutory duty to maintain Drainage Schemes under Arterial Drainage Act. Further submissions may be made by OPW concerning the estate portfolio, heritage and other areas of responsibility.

The Site is intersected to the North by Channel C1/4 of Mague Outfall Drainage Scheme, for which maintenance responsibility lies with this office. In order to gain access for the purpose of maintaining said channel, this office requests that the following be included as a condition of any Grant of Planning Permission at this location.

- a) A 5 Metre wide strip of land running parallel with Channel C1/4 should be provided to facilitate access and maintenance activities by this office in the immediate area. This Area should be accessible to mechanical plant and should not be landscaped, paved or otherwise developed in a manner that would prevent access
- b) The site of the proposed development falls within the area deemed to benefit from drainage by channel. C1/10 & C 1 /4 of the Mague Outfall Scheme and as a result may be subject to an increased flood risk. Please find attached a copy of a map excerpt, showing "Benefiting Land" shaded in green and channel No. C1/10 & C 1 / 4 delineated in blue.

The Planning Authority should satisfy themselves that due consideration is given to flood risk at this site. I would also refer to the office of Public Works website

[www.floodline .ie](http://www.floodline.ie) where any information known to the OPW on historical flood events are recorded and may be accessed.

Chief Executive's Response:

- a) OPW maintenance requirements for channel ref. C1/10 & C1/4 are acknowledged. Limerick City & County Council note that the proposed development will not hinder or restrict maintenance access to these drainage channels during construction or on completion of the proposed development.

- b) Limerick City and County Council has reviewed this Part 8 proposed development with regard to flood risk and note that the proposed development is considered as water compatible development. Furthermore, considering the nature, scale and detail of the proposed development, Limerick City and County Council consider the risk of flooding to the development and neighbouring lands to be low.

SUB (4) Transport Infrastructure Ireland

Submission Summary:

Submission in respect of the development proposal noting the following:

In the interests of safeguarding the strategic function and safety of all road users, in accordance with the requirements of Government Policy included in the National Planning Framework and section 28 Ministerial Guidelines 'Spatial Planning and National roads Guidelines for Planning Authorities' (DoECLG, 2012), TII recommends that the proposed Part VIII development is undertaken in accordance with the design report and the recommendations of the Road Safety Audit. It is requested that the foregoing observations are taken into consideration in the assessment of Part VIII proposal to ensure compliance with TII Publications and safety of all road users.

Chief Executive's Response:

The above points are noted and an RSA will be carried out in accordance with relevant standards and procedures.

4.0 Habitats Directive Project Screening Assessment

An Appropriate Assessment Screening Report has been undertaken by Golder Associates Ireland Ltd for the proposed development. Their report concluded 'that proposed development is not likely to have a significant effect on any European Site'. Overall, the executive is satisfied that having regard to the scale of the development 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

An EIAR screening report has been undertaken by Golder Associates Ireland Ltd for the proposed development. The proposed development is for the improvement of an existing pedestrian walkway along the N69 from Clarina Village to Doon. 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 Key Policy Provisions

Limerick Development Plan, 2022-2028:

The Development Plan sets out the following policies and objectives with respect to acceptable development at the location in question:

Policies and Objectives

Policy CS P5 Road Network

It is a policy of the Council to maintain the strategic function, capacity and safety of the national roads network, including planning for future capacity enhancements and ensure that the existing extensive transport networks, which have been greatly enhanced over the last two decades, are maintained to a high level to ensure quality levels of service, safety, accessibility and connectivity to transport users.

Policy TR P4 Promotion of Sustainable Patterns of Transport Use

It is a policy of the Council to seek to implement in a positive manner, in cooperation with other relevant authorities and agencies, the policies of the NPF, RSES and the Department of Transport's Smarter Travel, A Sustainable Transport Future 2009 – 2020 (and any subsequent updates), to encourage more sustainable patterns of travel and greater use of sustainable forms of transport, including public transport, cycling and walking.

Policy TR P5 Sustainable Mobility and Regional Accessibility

It is a policy of the Council to support sustainable mobility, enhanced regional accessibility and connectivity within Limerick, in accordance with the National Strategic Outcomes of the National Planning Framework and the Regional Spatial and Economic Strategy for the Southern Region.

Policy TR P11 Road Safety and Carrying Capacity of the Road Network

It is a policy of the Council to seek improvements to road safety and enhance carrying capacity of the road network throughout Limerick, through minimising existing traffic hazards, including access onto roads, which are substandard in terms of width and alignment and preventing the creation of additional or new traffic hazards in the road network, maintaining the carrying capacity and securing appropriate signage.

Objective TR O7 Behavioural Change Measures

It is an objective of the Council to:

- a) Continue to implement behavioural change initiatives and ‘softer measures’ aimed at enabling and promoting sustainable travel across Limerick’s workplaces, campuses, schools and communities as identified in LSMATS;
- b) Facilitate and implement school streets and school zones, including slow zones around schools, park and stride facilities and promote and facilitate active travel options for school children, to reduce the health and safety risks associated with traffic congestion, pollution and inactive lifestyles.

Objective TR O6 Delivering Modal Split

It is an objective of the Council to:

- a) Promote a modal shift away from the private car towards more sustainable modes of transport including walking, cycling, carpool and public transport in conjunction with the relevant transport authorities;
- b) Support investment in sustainable transport infrastructure that will make walking, cycling, carpool and public transport more attractive, appealing and accessible for all.

Objective TR O8 Walking and Cycling Infrastructure

It is an objective of the Council to:

- a) Improve and provide clear, safe and direct pedestrian linkages, cycle networks, including the greenways and primary segregated cycle routes, between the employment zones, shopping areas and residential areas throughout Limerick;
- b) Maintain and expand the pedestrian route network, infrastructure and where possible, retrofit cycle and pedestrian routes into the existing urban road network, to provide for accessible safe pedestrian routes within Limerick.

Objective TR O6 Delivering Modal Split

It is an objective of the Council to:

- a) Promote a modal shift away from the private car towards more sustainable modes of transport including walking, cycling, carpool and public transport in conjunction with the relevant transport authorities;
- b) Support investment in sustainable transport infrastructure that will make walking, cycling, carpool and public transport more attractive, appealing and accessible for all.

Objective TR O42 Roads and Streets

It is an objective of the Council to secure improvements to the road network in Limerick, including improved pedestrian and cycle facilities, in conjunction and co-operation with relevant stakeholders, subject to resources becoming available.

7.0 Appraisal

The proposed development is located along an existing pathway stretching along the N69 from the west end of Clarina Village to the junction with a local road the L1403 known locally as Bricklodge, Doon in the direction of Foynes, for a distance of approximately 600m.

The purpose of these proposed works is to upgrade the existing rough pathway to improve connectivity to Clarina Village and improve pedestrian and cyclist safety along the N69 in line with the active travel policies and objectives set out in the Limerick Development Plan, 2022-2028.

Land acquisition is required as part of the development to facilitate the shared path construction, landscaping and works. Land take is also required outside the actual limits of the proposed works for working space in order to carry out the works.

The proposal will see the upgrade of the existing pathway to include the following:

- Providing a 4m-wide shared pedestrian & cyclist path along the northern side of the N69, set back 6m from the edge of the N69 carriageway, extending from its junction with the L1403 to the Clarina Roundabout.
- A link for cyclists near the L1403/N69 junction would also be provided to facilitate cyclist access to the shared path from the N69.
- Relocation of the existing open drainage channel and providing culverts under two existing field accesses.
- Providing a timber post and tensioned mesh boundary fence to the rear of the proposed shared path.
- Providing a 2.4m wide footpath on the western side of the L1403 over a distance of approximately 33m, and an uncontrolled pedestrian crossing of the L1403 connecting the proposed shared path along the N69 with the proposed footway along the L1403.
- Providing signage in accordance with the Traffic Signs Manual.
- Accommodation works for affected landowners.

The scheme has been designed to the requirements of TII Publications document DN-GEO-03047, 'Rural Cycleway Design (Offline & Greenway)', August 2022 and DN-GEO-03060 'Geometric Design of Junctions (priority junctions, direct accesses, roundabouts, grade seterated, and compact grade separated junctions)', June 2017.

A Stage 2 Road Safety Audit will be undertaken on the proposed scheme and the design will be revised to reflect the Road Safety Audit Teams comments where required.

The planning report submitted states that there is potential that impacts to watercourses could arise during construction from earthworks/excavation activities, associated with the disturbance of silts and sediments in existing/new ditches, runoff from construction

areas entering existing/new ditches or a contaminant risk from accidental spillage of fuel, oils or concrete.

It may be necessary to modify/protect some of the existing underground or overhead services.

There are existing drainage channels within the fields north of the proposed shared path. The channels will be repositioned to facilitate the widening of the N69 road embankment as part of the scheme.

The proposed scheme will not impact on any protected sites or protected monuments.

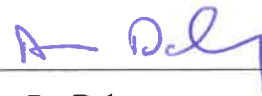
The proposed scheme will not impact on air quality or generate noise other than noise associated with the necessary construction works, which will be for a short period of time.

A detailed Construction Environmental Management Plan (CEMP) to include a traffic management plan, which will take account of the site location, access issues, site compound, hydrocarbons, earth works, run-offs and location of services, will be prepared before any development is carried out which will include input from the design team, all specialist consultants and Limerick City & County Council.

The proposal as set out is considered to be in compliance with Policy CS P5 Road Network, Policy TR P4 Promotion of Sustainable Patterns of Transport Use, Policy TR P5 Sustainable Mobility and Regional Accessibility and Policy TR P11 Road Safety and Carrying Capacity of the Road Network of the Limerick Development Plan, 2022-2028.

8.0 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 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: 22.05.2023