

Memo

To: Pat Daly, Chief Executive

From: Vincent Murray, Director of Services, Planning, Environment and Place Making

Date: 18/09/2023

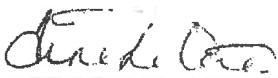
Re: Part 8 proposal, Reference 23/8007 – permission for (a) the existing boundary wall/hedgerows to the east of the junction to be set back. The existing boundary wall will be replaced with TII approved fencing. This will involve the procurement of private lands. (b) Minor re-alignment of the existing L-6005/N69 junction. (c) Realigning and setting back the ditch to the west of the junction, including relocation of existing farm gated access and piping of open drain. The existing boundary will be replaced with TII approved fencing. (d) Accommodation works for affected landowners. (d) Upgrading of signage and existing road-markings associated with the proposed junction of the N69 and L6005 Ballyengland Lower, Askeaton.

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 Road Active Travel Scheme for junction improvement works at the L6005/N69 junction, Ballyengland Lower, Askeaton.

The proposal prepared by Operation & Maintenance (Central Services) Department has been evaluated taking into consideration all submissions received. It is concluded that the proposed development is in accordance with the objectives of 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: 
Aine Leland, Assistant Planner

Signed: 
Donogh O Donoghue, Senior Executive Planner

Signed: 
Vincent Murray, Director of Services, Planning, Environment & Place Making

**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 (a) the existing boundary wall/hedgerows to the east of the junction to be set back. The existing boundary wall will be replaced with TII approved fencing. This will involve the procurement of private lands. (b) Minor re-alignment of the existing L-6005/N69 junction. (c) Realigning and setting back the ditch to the west of the junction, including relocation of existing farm gated access and piping of open drain. The existing boundary will be replaced with TII approved fencing. (d) Accommodation works for affected landowners. (d) Upgrading of signage and existing road-markings associated with the proposed junction.

At: the Junction of the N69 and L6005, Ballyengland Lower, Askeaton.

Reference Number 23/8007

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 the junction of the N69 and L6005 in the townland of Ballyengland Lower and approximately 2.5km east of Askeaton village centre. The existing junction consists of a skew junction with encroaching vegetation which provides limited visibility for vehicles joining the N69. The N69 has an operational speed limit of 100km/h while the L6005 has an operational speed limit of 80km/h. The problem identified at the junction relates to poor sightlines for road users when exiting from the L6005 onto the N69. The main objective of the development is to square up the junction as much as possible and to improve visibility at the junction.

2.1 Site Location:

The proposed development is located at the junction of the N69 and L6005 in the townland of Ballyengland Lower and approximately 2.5km east of Askeaton village centre.

2.2 Public Consultation:

The plans and particulars were placed on public display from the 26th June 2023 until the 25th July 2023. Submissions and observations were invited up to the 9th August 2023.

3.0 Submissions with respect to the proposed development

A total of 3 x No. written submissions/observations were received and are listed below:

No.	Name
1	Jennifer Hogan Ballyengland Askeaton, Co.Limerick
2	Mid-West National Roads Design Office
3	Transport Infrastructure Ireland

SUB (1) Jennifer Hogan Ballyengland Askeaton, Co.Limerick**Submission Summary:**

Submission in respect of the development proposal noting the following:

- a) There is a boundary wall in place which is covered by hedgerows, inside, which is another agricultural fence. The landowner wants the boundary fence to be reinstated.
- b) The existing gate onto the N69 must be reinstated
- c) The drainage from the road to be channelled to the bridge & drain nearby, no additional surface water to be drained onto the lands.
- d) Compensation for any agriculture lands taken for the purpose of the development.

Chief Executive's Response:

- a) The boundaries shall be reinstated in line with the new layout and shall be finalised in conjunction with the landowner at detailed design stage.
- b) LCCC will retain existing field access point in line with the new layout.
- c) The drainage design shall be finalised at detailed design stage. It is the intention to avoid surface water being drained into neighbouring lands.
- d) LCCC will discuss with effected landowners where lands are acquired to facilitate this junction improvement. This process will begin should planning be granted.

SUB (2) Mid-West National Roads Design Office**Submission Summary:**

No observations to make

Chief Executive's Response:

Noted.

SUB (3) Transport Infrastructure Ireland

Submission Summary:

Submission in respect of the development proposal noting the following:

- a) TII has no specific observations to make but requests that the proposed Part VIII development is undertaken in accordance with the approved Design report and Road Safety Audit.
- b) TII requests that the foregoing observations are taken into consideration in the assessment of the Part VIII proposal to ensure the safety of all road users.

Chief Executive's Response:

- a) LCCC will see that the proposed Part VIII development is undertaken in accordance with the approved Design report and Road Safety Audit.
- b) LCCC will ensure that the foregoing observations are taken into consideration in the assessment of the Part VIII proposal to ensure the safety of all road users.

4.0 Habitats Directive Project Screening Assessment

An Appropriate Assessment Screening Report has been undertaken by Flynn Furney Environmental Consultants for the proposed development and which examined the impacts the proposed development may have on any nearby European Designated Sites. The AA Screening notes potential direct or indirect impacts to nearby designated sites via hydrological connection however they are unlikely to be of significant impact to surpass habitat tolerance due to the small scale of the proposed works. Their report concluded that the proposed development is not likely to have a significant effect on any European Site due to the nature and scale of the works and the nature of the existing environment. 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 EIA Screening Report has been prepared by Clandillon Civil Consulting and submitted with the application which considered whether an EIA is required for the proposed development. The Screening report concludes that there is no real likelihood of significant effects of the environment.

The development does not fall within any of the threshold or sub-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

6.1 Limerick Development Plan, 2022-2028:

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 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 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.

Objective TR O43 Upgrade works/New Road Schemes

It is an objective of the Council to provide for and carry out sustainable improvements to sections of the national, regional and local road network, to address deficiencies in respect of safety, alignment, structural condition or capacity where resources permit. The following schemes shall be included: N69 Munget and Boland's Cross Road Improvements.

7.0 Appraisal

The proposed development relates to approximately 300m of roadworks along the N69 and 60m of roadworks along the L6005 and includes road widening, accommodation works, upgraded road signage, services diversions as required, new surface water drainage system and all ancillary works necessary for completion. The existing junction will be realigned to provide a right angled approach from the L6005 to the stop line by widening the western corner and kerbing an area on the eastern corner. The new road layout changes the angle of approach from 51 degrees to 90 degrees.

The existing hedge on the west side of the junction will be set back behind the sightline triangle to provide 102m sight distance to the west. The farm gate shall be relocated in accordance with TII and landowner agreement.

The existing hedge on the east side of the junction will also be set back. It is proposed to remove the hedge and boundary vegetation to achieve 174m sight distance.

The design has been carried out with regard to the following standards:

- DN-GEO-03060 Geometric Design of Junctions (priority junctions, direct accesses, roundabouts, grade separated and compact grade separated junctions)
- DN-GEO-03031 Rural Road Link Design.

In relation to drainage, the existing fields are naturally drained by soakaway to the ground. It is not proposed to alter this arrangement. A full drainage design shall be developed at detail design stage.

ESB transmission lines and Irish Water pipes are running across the junction. It is proposed to consult with IW and ESB at detailed design stage.

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 (18 weeks). The proposed works are considered necessary in order to provide safer access for road users and improve visibility at the junction of the L6005 and the N69 where safety issues have been identified.

The proposal as set out is considered to be in compliance with Policy CS P5 Road Network, Policy TR P11Road Safety and Carrying Capacity of the Road Network, Objective TR O42 Roads and Streets and Objective TR O43 Upgrade works/New Road Schemes in 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: 210.2023