

# **Draft Patrickswell Local Area Plan 2024-2030**

**Section 20 (3)(k) Chief Executive's Report to the Elected Members on  
Submissions received on the Material Alterations to the Draft Patrickswell  
Local Area Plan on Public Display 9<sup>th</sup> December 2023 - 16<sup>th</sup> January 2024**

**31<sup>st</sup> January 2024**

**Limerick City and County Council  
Forward Planning  
Planning, Environment & Place-Making Directorate  
Merchants Quay  
Limerick**





## **Table of Contents**

<b>1.0</b>	<b>Introduction</b>	<b>4</b>
1.1	Structure of this Report	4
1.2	Progress to Date and Next Steps	5
<b>Part A</b>		<b>6</b>
2.0	Persons/ Bodies who Made Submissions within the Statutory Timeframe	6
2.1	Submissions Outside Statutory Timeframe	6
2.2	Submission Summaries, Chief Executive's Responses and Recommendations	6
2.3	Submission Received Not Relevant to the Proposed Material Alterations	23
<b>Part B</b>	<b>Proposed Amendments to Draft Patrickswell West Local Area Plan 2024 – 2030</b>	<b>24</b>
3.1	Amendments to Draft Local Area Plan	24
3.2	Amendments to Settlement Capacity Audit	26
3.3	Amendments to Maps	30
3.4	Non Material Change	37
<b>Part C</b>	<b>Strategic Environmental Assessment Screening and Appropriate Assessment Screening</b>	<b>38</b>
<b>Part D</b>	<b>Chief Executive's Recommendation</b>	<b>45</b>

## **1.0 Introduction**

This Chief Executive's Report outlines the submissions made following publication of the Material Amendments to the Draft Patrickswell Local Area Plan 2024 - 2030. The Material Amendments were on public display from 9th December to 16th January inclusive. 9 valid written submissions were received within this statutory public display period.

The report sets out the Chief Executive's responses and recommendations to the issues raised in relation to the proposed amendments and any further amendments to finalise the Proposed LAP. The report is part of the statutory procedure for preparing a new Local Area Plan (LAP) as set out in Section 20 of the Planning and Development Act, 2000 (as amended).

### **1.1 Structure of this Report**

Part A addresses each of the written submissions received within the statutory public display period. It includes the names of the individuals or bodies who made submissions, a summary of the issues raised, a response and recommendation of the Chief Executive on each submission. In the case of submissions that raised issues identified as matters not relevant to the proposed Material Alterations these cannot be considered at this stage of the plan making process.

Part B outlines the proposed amendments recommended to the text of the Draft LAP in response to the Chief Executive's recommendations on the submissions received. Any paragraph, policy or objective to be amended in the Draft LAP is reproduced in full with additional new text shown underlined in green and text to be deleted shown ~~struck through in red~~. In the case of submissions that raised issues identified as matters not relevant to the proposed Material Alterations, these cannot be considered at this stage of the plan making process.

Part C outlines the Strategic Environmental Assessment Screening and Appropriate Assessment Screening of the alterations recommended following the public display of the Material Alterations.

Part D contains the Chief Executive's Recommendation

## 1.2 Progress to Date and Next Steps

The steps in the process of preparation of the Local Area Plan for Patrickswell are shown in the following table:

Date	Stage
19 <sup>th</sup> January 2023	Notification of official commencement of Draft Patrickswell Local Area Plan 2024 -2030
4 <sup>th</sup> February – 6 <sup>th</sup> March 2023	First issues stage: Submissions were invited
2 <sup>nd</sup> September 2023 – 16 <sup>th</sup> October 2023	Draft Plan on public display: Public submissions invited during statutory period
<b>The remaining stages of the Plan are as follows:</b>	
10 <sup>th</sup> November 2023	Chief Executive's Report issued to the Elected Members of Limerick City and County for consideration
27 <sup>th</sup> November Full Council Meeting	Elected Members of Limerick City and County shall consider this report and make or amend the Draft Plan.
9 <sup>th</sup> December – 16 <sup>th</sup> January	Material Alterations will be placed on display for a further 4 weeks. Public submissions can only be made on the proposed alterations
31 <sup>st</sup> January 2024	Chief Executive's Report on submissions issued on the Material Alterations issues to Elected Members for consideration.
February 2024	Final adoption of Plan by Elected Members, having considered the Chief Executive's Report on the submissions received on the Material Alterations
March 2024	Plan comes into effect 6 weeks from the date of adoption

Following receipt of the Chief Executive's Report on the submissions received in relation to the material amendments, the Members of Limerick City and County Council have up to 6 weeks in which to consider the contents of this report on the material alterations to the Draft LAP. Members may then decide to make the LAP with or without the proposed amendments or with modifications to the proposed amendments, subject to the provisions of the Planning and Development Act, 2000 (as amended). The formal making of the LAP is by resolution of the Elected Members of Limerick City and County Council. When performing their functions, the Elected Members of Limerick City and County Council are restricted to considering the proper planning and sustainable development of the area, the statutory obligations of any Local Authority in the area and any relevant policies or objectives of the Government or of any Minister of the Government.

## Part A

### 2.0 Persons/ Bodies who Made Submissions within the Statutory Timeframe

Submission No.	Submission received from
<b>Prescribed Bodies</b>	
1	Office of the Planning Regulator (OPR)
2	Transport Infrastructure Ireland (TII)
3	Environmental Protection Agency (EPA)
4	Department of Education
5	Office of Public Works (OPW)
6	National Transport Authority (NTA)
7	Uisce Éireann (UÉ)
<b>Other</b>	
8	John Leddin
9	William Hutch

### 2.1 Submissions Outside Statutory Timeframe

There were no submissions received outside the statutory timeframe.

### 2.2 Submission Summaries, Chief Executive's Responses and Recommendations

1.	Name/Group:	Office of the Planning Regulator (OPR) Ref: LCC-C280-PAT03-7
	Submission:	Response
	<b>1. Introduction</b> <ul style="list-style-type: none"><li>- The submission refers to a core function of the Office of the Planning Regulator is the strategic evaluation and assessment of statutory plans to ensure consistency with legislative and policy requirements relating to planning.</li><li>- The submission notes that the OPR has evaluated and assessed the proposed material alterations under the provisions of Sections 31AO(1) and 31AO(2) of the Planning and Development Act2000, as amended(the Act), and within the context of the Office's earlier recommendations and observations. The Office's evaluation and assessment of the proposed material alterations has regard to the Limerick Development Plan 2022-2028 (the Development Plan), the Regional Spatial and Economic Strategy</li></ul>	<b>1. Introduction</b> Noted and welcomed.

	<p>(RSES) for the Southern Regional Assembly (SRA) and the relevant section 28 guidelines.</p> <p><b>2. Overview</b></p> <ul style="list-style-type: none"> <li>- The submission considers the Draft LAP to be generally consistent with the RSES for the Southern Regional Assembly area and the Development Plan.</li> <li>- The submission notes how the OPR did not consider it necessary to make any recommendations on the Draft LAP, but made observations on five matters where further consideration was advised. The OPR acknowledges the work undertaken by the planning authority in responding to the issues raised and in preparing the proposed material alterations.</li> <li>- The OPR welcomes the inclusion of MA 9 which provides clarification that the national and regional road network will be protected from inappropriate development. The submission also refers to the introduction of MA 6 and MA 7 which provide clarification on the name for the N/M20 project.</li> <li>- The submission notes that the proposed material alterations have introduced alterations to the maps in response to Observation 3 of the OPR's submission to the Draft LAP. The submission notes that this approach is supported and outlines the importance of investment in active travel infrastructure over the coming years.</li> <li>- With regard to Sustainable Urban Drainage Systems and Nature Based Solutions for surface water management the OPR welcomes the introduction of an additional section that outlines the expectations of these solutions being provided on the identified opportunity sites. It is also noted that clarification has</li> </ul>	<p><b>2. Overview</b></p> <p>Noted and welcomed</p>
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	<p>been provided to address the difference between 'defended areas' and 'areas benefitting from an arterial drainage scheme'.</p> <ul style="list-style-type: none"> <li>- The OPR particularly welcomes the proposed material alteration which relates to Implementation and Monitoring and states that as part of the proposed material alterations, MA 18 provides a clear commitment to monitor the implementation of the LAP (when adopted) and this is clearly linked with the statutory requirements of the development plan monitoring regime.</li> </ul> <p><b>3. Material Alteration Recommendation 1 – Land Use Zoning for Residential Serviced Sites</b></p> <ul style="list-style-type: none"> <li>- The submission refers to recommendations issued by the OPR which relate to clear breaches of the relevant legislative provisions, of the national or regional policy framework and/or of the policy of Government, as set out in the Ministerial guidelines under section 28. As such, the planning authority is required to implement or address recommendation(s) made by the Office in order to ensure consistency with the relevant policy and legislative provisions.</li> <li>- The OPR has concerns with regard to the rezoning proposal on lands to the west of Patrickswell identified as Amendment No.2 in Section 2.2 of the material alterations. The submission notes that the site was previously un-zoned and is now proposed to be zoned Residential Serviced Sites. The zoning of this land will also require the extension of the boundary for the LAP in a piecemeal and haphazard manner to include the subject lands.</li> </ul>	<p><b>3. Material Alteration Recommendation 1 – Land Use Zoning for Residential Serviced Sites</b></p> <p>The justification and rationale for this recommendation is noted and agreed with. As such, it is recommended that the Patrickswell Local Area Plan 2024-2030 is made without the proposed Motion Number 2 from the Elected members – Site No. 17 at Ballyhanrahan East to provide a "Serviced Sites" zoning on the subject lands and in turn, revert the boundary of the Local Area Plan to exclude SCA Site No. 17 and amend figures in Table 10 to reflect zoning change.</p>
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	<ul style="list-style-type: none"> <li>- The submission notes that the rationale for the proposed material alteration is unclear as there is already a sufficient quantity of land zoned to facilitate the housing supply target of 95 residential units (to 2028) set out in the core strategy of the Development Plan, together with CS P1 and CS O2. Furthermore, the submission outlines that the Draft LAP states that no further serviced sites zoning is provided for in the Draft LAP due to the recent grant of planning permission for 36 residential serviced sites in the village. This equates to c.30% of the overall housing target for the settlement as a whole being developed for low density single sites.</li> <li>- The submission refers to the Residential Serviced sites zoning objective as provided for in Table 10.2 of the Draft Local Area Plan. In addition, the OPR notes that Section 4.3 of the Development Plan defines serviced sites as a “number of individual residential plots typically in the order of 0.1ha. with access to services such as utility connections, footpaths, lighting and within walking distance of the town or village core’.</li> <li>- The submission refers to servicing, and notes that the revised Settlement Capacity Audit has identified a deficit in foul water and surface water infrastructure for the subject lands. The submission notes that these lands are not listed as either Tier 1 or Tier 2, meaning that the site is not currently serviced and is not expected to be serviced within the lifetime of the Local Area Plan. Referring also to the Development Plan Objective (HO O19), which recognises temporary on-site wastewater servicing in certain circumstances, the submission outlines</li> </ul>	
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	<p>how this must be considered in the context of the extant permission for 36 houses on lands in Patrickswell that are serviced by the municipal wastewater treatment system.</p> <ul style="list-style-type: none"> <li>- The submission further notes the following: <ul style="list-style-type: none"> <li>• The site is outside the CSO boundary and removed from the village</li> <li>• Would lead to leapfrogging extensive undeveloped lands</li> <li>• Considers there are more sequentially preferable lands compared to this site</li> <li>• There is no evidence-based justification for additional zoning of this nature</li> <li>• The group of one-off rural dwellings in close proximity to the proposed lands are not within the settlement boundary for Patrickswell.</li> <li>• The proposed extension of the plan boundary could therefore give rise to an expectation for further boundary expansion in the Ballyanrahan area.</li> </ul> </li> <li>- The submission notes that the OPR is satisfied that by making the final LAP, without the proposed material alterations to the land use zoning of the subject site, the planning authority will ensure that the LAP provides a sufficient supply of zoned land in locations that are well served by physical and social infrastructure as well as providing a housing mix, including access to serviced sites on the eastern edge of the town.</li> </ul> <p><b>Formal Recommendation</b></p> <p>Having regard to the provision of new homes at locations that can support compact and sustainable development and the co-ordination of land use zoning, infrastructure and services, and in particular to:</p>	<p>As noted above, the justification and rationale for this recommendation is noted and agreed with. As such, it is recommended that the Patrickswell Local Area Plan 2024-2030 is made without the proposed Motion Number 2 from the Elected members – Site No. 17 at</p>
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<ul style="list-style-type: none"> <li>- Policy Objective CS P1 and CS O2 relating to the core strategy of the Limerick Development Plan 2022-2028(Development Plan);</li> <li>- national and regional policy objectives NPO72a, NPO72b and NPO 72c relating to the tiered approach to zoning;</li> <li>- RPO 35and RPO 10 of the RSES, and CS P2 and CGR O1 of the Development Plan, relating to compact growth; and</li> <li>- the peripheral location of the lands and the policy and objective for the sequential approach to zoning in the Development Plans, Guidelines for Planning Authorities (2022)and the Local Area Plans, Guidelines for Planning Authorities(2013),</li> </ul> <p><b>The planning authority is required to make the LAP without the following material alterations:</b></p> <p><b>(i)Amendment No.2 of Section 2.2 Elected Members Motions of the material alterations –changing of zoning from Outside the Settlement Boundary to Residential Serviced Sites; and</b></p> <p><b>(ii)Amendment No.17 of Section 2.1Amendments to Draft Local Area Plan Text –Amend figures in Table 10 to reflect zoning changes to serviced sites provision.</b></p> <p><b>4. Conclusion</b></p> <ul style="list-style-type: none"> <li>- The OPR requests that LCCC addresses the recommendation outlined above and notes that under Section 20 of the Act, the CE Report must summarise these recommendations and the manner in which they will be addressed.</li> <li>- At the end of the process, the submission notes that LCCC is required to notify this Office within five working days of the decision of the planning authority in relation to the draft LAP. Where a local authority decides not to comply with the</li> </ul>	<p>Ballyhanrahan East to provide a “Serviced Sites” zoning on the subject lands and in turn, revert the boundary of the Local Area Plan to exclude SCA Site No. 17 and amend figures in Table 10 to reflect zoning change.</p> <p><b>4. Conclusion</b></p> <p>Noted.</p>
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	<p>recommendations of the Office, or otherwise makes the plan in such a manner as to be inconsistent with the recommendations of the Office, under the provisions of section 31AO(5) of the Act the chief executive must inform the Office accordingly and state the reasons for the decision of the planning authority.</p>	
	<p><b>Chief Executive's Recommendations:</b></p> <ol style="list-style-type: none"> <li>1. No Change.</li> <li>2. No Change.</li> <li>3. (i) Make the Patrickswell Local Area Plan 2024-2030 without the proposed Motion Number 2 from the Elected members – Site No. 17 at Ballyhanrahan East to provide a “Serviced Sites” zoning on the subject lands.</li> <li>(ii) Revert the boundary of the Local Area Plan to exclude the SCA Site No. 17.</li> <li>(iii) Amend Settlement Capacity Audit Table in Chapter 10 to reflect the zoning changes.</li> <li>(iv) Amend figures in Table 10.1 Total Zoned Lands to reflect change in service sites provision as per OPR Recommendation.</li> <li>4. No Change.</li> </ol>	

2.	Name/Group:	Transport Infrastructure Ireland (TII) Ref: LCC-C280-PAT03-1
	Submission:	Response

	TII acknowledges and welcomes the Proposed Material Amendments arising from consideration of the Authority's initial submission on the Draft Local Area Plan.  TII has no specific observations at this stage.	Noted.
	<b>Chief Executive's Recommendations:</b> No Change.	
	<b>SEA/AA Response:</b> No Change.	

<b>3. Name/Group:</b> Environmental Protection Agency (EPA) <b>Ref:</b> LCC-C280-PAT03-2		
	<b>Submission:</b>	<b>Response</b>
	<p>The submission from the EPA (Environmental Protection Agency) acknowledges the notice regarding the Proposed Material Alterations to the Draft Patrickswell Local Area Plan 2024-2030 and its associated Strategic Environmental Assessment (SEA) screening. The EPA, as a statutory environmental authority under the SEA Regulations, highlights its focus on promoting the integration of environmental findings into plans and programmes.</p> <p><b>1. Role of EPA as SEA Environmental Authority:</b></p> <ul style="list-style-type: none"> <li>- The EPA emphasises its role in promoting the integration of Environmental Assessment findings into plans and programs.</li> <li>- The EPA does not have the authority to approve or enforce SEAs, plans, or programs.</li> </ul> <p><b>2. SEA Screening Determination:</b></p> <ul style="list-style-type: none"> <li>- If a proposed SEA determination hasn't been made, the EPA advises determining whether the plan or program would likely have significant effects on the environment.</li> </ul>	Noted.
		<p><b>1. Role of EPA as SEA Environmental Authority:</b></p> <p>Noted.</p> <p><b>2. SEA Screening Determination:</b></p> <p>Noted.</p>

	<ul style="list-style-type: none"> <li>- Refers to specific regulations and criteria for determining environmental significance. Namely, The SEA Regulations, Schedule 2A and the EPA's website.</li> </ul> <p><b>3. SEA Screening Guidance:</b></p> <ul style="list-style-type: none"> <li>- Submission refers to the EPA's "Good Practice Guidance for Strategic Environmental Assessment (SEA) Screening (EPA, 2021)" providing stand-alone guidance for plan or programme makers.</li> </ul> <p><b>4. SEA Guidelines for Planning Authorities:</b></p> <ul style="list-style-type: none"> <li>- Refers to the "Strategic Environmental Assessment: Guidelines for Regional Assemblies and Planning Authorities (DHLGH, 2022)" for advice on carrying out SEA in the land-use planning sector.</li> <li>- These guidelines replace previous guidance for Regional Authorities and Planning Authorities published in 2004.</li> </ul> <p><b>5. Sustainable Development:</b></p> <ul style="list-style-type: none"> <li>- Emphasises the importance of ensuring that the plan or program aligns with the need for proper planning and sustainable development.</li> <li>- Highlights the necessity of critical service infrastructure and alignment with national commitments on climate change mitigation and adaptation.</li> <li>- Recommends ensuring alignment with relevant higher-level plans and programs, including the National Planning Framework and Regional Spatial and Economic Strategy.</li> </ul> <p><b>6. State of the Environment Report – Ireland's Environment 2020:</b></p>	<p><b>3. SEA Screening Guidance:</b></p> <p>Noted. The EPA's "Good Practice Guidance for Strategic Environmental Assessment (SEA) Screening (EPA, 2021), is used to inform the SEA process.</p> <p><b>4. SEA Guidelines for Planning Authorities:</b></p> <p>Noted. The Strategic Environmental Assessment: Guidelines for Regional Assemblies and Planning Authorities (DHLGH, 2022)" is used to inform the SEA process.</p> <p><b>5. Sustainable Development:</b></p> <p>Noted. A Settlement Capacity Audit assessment is undertaken for each residential and enterprise and employment zoned site in the Local Area Plan.</p> <p>Noted. Policy I O1 Spatial Planning provided for in the Local Area Plan outlines the plans consistency with the objectives of the higher-level spatial plans, including the NPF, RSES and the Limerick Development Plan 2022-2028.</p> <p><b>6. State of the Environment Report – Ireland's Environment 2020:</b></p>
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	<ul style="list-style-type: none"> <li>- Advises considering recommendations, key issues, and challenges from the "State of the Environment Report Ireland's Environment – An Integrated Assessment 2020" as relevant in preparing the plan or programme and associated SEA Screening.</li> </ul> <p><b>7. Available Guidance and Resources:</b>  <b>The EPA website offers SEA process guidance and checklists:</b></p> <ul style="list-style-type: none"> <li>(i) SEA process guidance and checklists</li> <li>(ii) SEA Spatial Information Sources Inventory</li> <li>(iii) Topic specific SEA guidance (including Good practice note on Cumulative Effects Assessment (EPA, 2020), Guidance on SEA Statements and Monitoring (EPA, 2020), Integrating climatic factors into SEA (EPA, 2019), Developing and Assessing Alternatives in SEA (EPA, 2015), and Integrated Biodiversity Impact Assessment (EPA, 2012))</li> </ul> <p><b>8. Environmental Sensitivity Mapping (ESM) WebTool:</b>  The ESM WebTool is a decision support tool available at <a href="http://www.enviromap.ie">www.enviromap.ie</a>. It consolidates over 100 datasets to create plan-specific environmental sensitivity maps. The WebTool helps in examining environmental considerations, anticipating land-use conflicts, and identifying suitable development locations while protecting the environment.</p> <p><b>9. EPA SEA WebGIS Tool:</b></p> <ul style="list-style-type: none"> <li>- The updated SEA WebGIS Tool is publicly available at <a href="https://gis.epa.ie/EPAMaps/SEA">https://gis.epa.ie/EPAMaps/SEA</a>.</li> </ul>	<p>Noted. The "State of the Environment Report Ireland's Environment – An Integrated Assessment 2020", are used to inform the SEA process.</p> <p><b>7. Available Guidance and Resources:</b>  <b>The EPA website offers SEA process guidance and checklists:</b></p> <p>(i)-(iii) Noted, available guidance and checklists are used by the Planning Authority to inform the SEA Process.</p> <p><b>8. Environmental Sensitivity Mapping (ESM) WebTool:</b>  Noted.</p> <p><b>9. EPA SEA WebGIS Tool:</b>  Noted.</p>
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	<ul style="list-style-type: none"> <li>- Assists public authorities in producing indicative reports on key environmental aspects in specific geographic areas.</li> <li>- Aids in SEA screening and scoping exercises.</li> </ul> <p><b>10. Catchments.ie:</b> The website (<a href="https://www.catchments.ie/maps/">https://www.catchments.ie/maps/</a>) serves as a central access point for water quality and catchment data from the National WFD monitoring program.</p> <p><b>11. Future Amendments:</b> Where changes are required proposed prior to the finalisation of the Plan, the EPA recommend screening for potential significant effects in case of changes or modifications to the plan or program.</p> <p><b>12. Appropriate Assessment:</b></p> <ul style="list-style-type: none"> <li>- Emphasises compliance with the Habitats Directive when relevant.</li> <li>- Recommends incorporating key findings and recommendations of Appropriate Assessments into the SEA and the plan or programme.</li> </ul> <p><b>13. EPA AA GeoTool:</b> The AA GeoTool, developed with the National Parks and Wildlife Service, allows users to gather information for each European Site within a specified area. Available at: <a href="https://gis.epa.ie/EPAMaps/AAGeoTool">https://gis.epa.ie/EPAMaps/AAGeoTool</a>.</p> <p><b>14. Environmental Authorities:</b> Prior to SEA determination, consultation with specific authorities, including;</p>	<p><b>10. Catchments.ie:</b> Noted.</p> <p><b>11. Future Amendments:</b> Noted. Any future amendments will be screened for SEA as part of the preparation process.</p> <p><b>12. Appropriate Assessment:</b> Noted.</p> <p><b>13. EPA AA GeoTool:</b> Noted.</p> <p><b>14. Environmental Authorities:</b> Noted.</p>
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	<ul style="list-style-type: none"> <li>- the Environmental Protection Agency, Minister for Housing, Local Government and Heritage,</li> <li>- Minister for Environment, Climate and Communications, and</li> <li>- Minister for Agriculture, Food, and the Marine</li> </ul> <p>For land use plans under S.I. No. 436 of 2004, as amended, consultation with adjoining planning authorities is also necessary.</p> <p><b>15. SEA Determination Communication:</b></p> <ul style="list-style-type: none"> <li>- Making SEA determination, including reasons for not requiring an environmental assessment, available for public inspection in offices and on the website.</li> <li>- Copy of determination should be sent to relevant environmental authorities consulted.</li> </ul>	
<b>Chief Executive's Recommendations:</b> No Change. <b>SEA/AA Response:</b> No Change.		

4	Name/Group:	Department of Education Ref: LCC-C280-PAT03-3
	Submission:	Response
	<p>The Department of Education has considered the material alterations and as they do not result in a change to the projected school place requirements, the Department re-confirms its school place requirements, as outline in its previous submission dated 10<sup>th</sup> October 2023.</p> <p>The Department acknowledges the crucial importance of the ongoing work of the Council in ensuring sufficient and appropriate land is zoned for educational needs.</p>	Noted.
<b>Chief Executive's Recommendations:</b> No Change. <b>SEA/AA Response:</b> No Change.		

5	Name/Group:	Office of Public Works Ref: LCC-C280-PAT03-4
	<b>Submission:</b>	
	<p><b>1. Section 7.6.1 Development in Defended Areas</b>            Submission welcomes the clarification in the SFRA on lands benefitting from Arterial Drainage Schemes and welcomes the removal of text on demountable defences included in the SFRA in error.</p> <p><b>2. Consideration of Climate Change Impacts</b>            The OPW welcomes the updating of Figure 7- to revise the climate change mapping to include the 0.1% AEP + climate change scenario the overlay on the land use zoning map.</p> <p><b>3. Arterial Drainage Schemes and Drainage Districts</b>            The submission welcomes the inclusion of Objective IU 05 (f) that 'Developments on lands benefitting from Arterial Drainage Schemes shall preserve the maintenance and access to these drainage channels'</p>	
	<b>Chief Executive's Recommendations:</b> No Change	
	<b>SEA/AA Response:</b> No Change	

6	Name/Group:	National Transport Authority Ref: LCC-C280-PAT03-5
	<b>Submission:</b>	
	<p>The submission welcomes the publication of the Material Alterations to the Draft LAP. The submission notes and welcomes the incorporation of the recommendations made in the NTAs submission on the sustainable transport elements of the draft.</p> <p>The NTA have no further observations to make.</p>	
	<b>Chief Executive's Recommendations:</b> No Change	
	<b>SEA/AA Response:</b> No Change	

7	Name/Group: <b>Uisce Éireann</b> Ref: LCC-C280-PAT03-6	
<b>Submission:</b>		<b>Response</b>
<p>Uisce Éireann welcomes the opportunity to comment on the Proposed Material Alteration to the Draft Patrickswell Local Area Plan 2024-2030 and have the following observations:</p> <p><b>1. Text Amendment No. 1</b> Text Amendment No. 1 where an additional Section is inserted into Chapter 4.5 <i>Opportunity Sites as follows: Opportunity Sites and Climate Adaptive/Resilient Urban Greening</i>, is welcomed.</p> <p><b>2. Text Amendment No. 11</b> The submission refers to the numerous active travel measures and priorities listed as a new Table 7.3 and notes that planned public realm and road projects have the potential to impact on Uisce Éireann assets and projects. The submission notes that development within the vicinity of Uisce Éireann assets should be in accordance with Uisce Éireann's <i>Standard Details and Codes of Practise</i>, and Diversion Agreements will be required where an Uisce Éireann asset is diverted or altered.</p> <p><b>3. Settlement Capacity Audit Site No. 17</b> The submission notes that the site is served by a 200mm water supply pipe from the adjacent highway. The submission further notes that the nearest foul sewer is a 300mm pipe approximately 110m to the east of the site.</p> <p><b>4. Settlement Capacity Audit</b> <b>(i)</b> UÉ welcomes the inclusion of comments provided by UÉ at Draft Stage and would welcome inclusion of comments on Site No. 17 should site be adopted.</p>		<p><b>1. Text Amendment No. 1</b> Noted.</p> <p><b>2. Text Amendment No. 11</b> Noted. The Council will ensure that early engagement takes place with all relevant stakeholders, in the preparation of any development works that will impact on assets of Uisce Éireann and on all new residential and commercial/industrial developments wishing to connect to an Uisce Éireann network</p> <p><b>3. Settlement Capacity Audit Site No. 17</b> Reference is made to Submission No. 1 Office of Planning Regulator and Recommendation No. 1 provided as part of the submission. Settlement Capacity Audit Site No. 17 is recommended for removal as a response to this submission.</p> <p><b>4. Settlement Capacity Audit</b> <b>(i)</b> Reference is made to Submission No. 1 Office of Planning Regulator and Recommendation No. 1 provided as part of the submission. Settlement Capacity Audit Site No. 17 is recommended for removal as a response to this submission.</p>

<p>(ii) The submission refers to SCA Site No. 12 and notes that diversion of the sewer may be required to facilitate development. The submission further notes that if there is a possibility that UÉ assets will need to be altered or diverted as a result of a proposed development, a diversion agreement may be required. The submission requests the following edit:</p> <p><del>There will be a requirement to maintain a minimum distance separation. Minimum separation distances shall apply</del>, which would typically be between 3.5m to 6m depending on the depth of the sewer, <del>and there may be a requirement to divert the sewer</del>.</p> <p>(iii) The submission further refers to SCA 12 as showing to have an extant planning consent, however the submission notes that it appears this application was refused at appeal (ABP-313701-22).</p>	<p>(ii) Noted. The Settlement Capacity Audit Table will be updated accordingly.</p> <p>(iii) An Bord Pleanála's decision on ABP-313701-22 and SCA Site No. 12 was decided upon on the 20<sup>th</sup> of November and after the publishing of Material Alterations Report on the Draft Patrickswell LAP. SCA Site No. 12 will be updated accordingly to reflect this update.</p>
<p><b>Chief Executive's Recommendations:</b></p> <p>1. No Change.</p> <p>2. No Change.</p> <p>3. No Change.</p> <p>4(i) No Change.</p> <p>4(ii) Amend Settlement Capacity Audit Table under Site 12 as follows:</p> <p><del>There will be a requirement to maintain a minimum distance separation. Minimum separation distances shall apply</del>, which would typically be between 3.5m to 6m depending on the depth of the sewer, <del>and there may be a requirement to divert the sewer</del>.</p> <p>4(iii) Delete the following sentence from Chapter 10 Settlement Capacity Audit Table Site No. 12:</p> <p><del>Grant of permission for 13 x number of apartments under File No. 21/980 – On appeal to An Bord Pleanala.</del></p> <p><b>SEA/AA Response:</b> No Change.</p>	

8	Name/Group:	John Leddin Ref: LCC-C280-PAT03-8
	<b>Submission:</b>	
	<p><b>1. Introduction</b>            Submission made in support of Amendment No. 2 – 0.42 ha site and the submission notes, if adopted would serve to house up to 4 local families at a time of need for homes in the village.</p>	
	<p><b>1. Introduction</b>            The contents of the submission are noted. In response to a recommendation provided by the Office of Planning Regulator in Submission No. 1, it is recommended that the Patrickswell Local Area Plan 2024-2030 is made without the proposed Motion Number 2 from the Elected members – Site No. 17 at Ballyhanrahan East to provide a “Serviced Sites” zoning on the subject lands and in turn, revert the boundary of the Local Area Plan to exclude SCA Site No. 17. As noted by the OPR the subject site is;</p> <ul style="list-style-type: none"> <li>• Outside the CSO boundary and removed from the village</li> <li>• Would lead to leapfrogging extensive undeveloped lands</li> <li>• Considers there are more sequentially preferable lands compared to this site</li> <li>• The proposed extension of the plan boundary could therefore give rise to an expectation for further boundary expansion in the Ballyanrahan area.</li> </ul>	
	<p><b>2. Planning History</b>            The submission refers to the planning history of the site            1995 - site was granted outline permission for a funeral home and a dwelling house with septic tank, entrance, and large car park            1997 - sold as a development site by the adjoining landowner with this outline planning permission planning Ref 96/289.            1997 Permission for an Entrance granted Ref: 97/1286            2001 Outline permission granted for 2 dwellings Ref: 01/1600</p>	
	<p><b>2. Planning History</b>            Noted. The Council acknowledges the previous history on site however it is noted, the most recent of these permissions are in excess of 20 years old. The LAP seeks to support compact growth and co-ordinated development. Lands that are serviced or serviceable within the lifetime of the plan and lead to compact growth are considered sequentially preferable to lands on the periphery.</p>	
	<p><b>3. Policy</b>            The submission refers to the Limerick Development Plan objective to provide serviced sites in urban settlements to counteract unsustainable one-off housing.</p>	
	<p><b>3. Policy</b>            Noted, the provision of 4 .77ha of lands zoned for this purpose goes over and beyond what is required for Patrickswell over the lifetime of this plan</p>	

	<p><b>4. Services</b> The submission provides images showing the services available</p>	<p><b>4. Services</b> Noted.</p>
<p><b>Chief Executive's Recommendations:</b></p> <p><b>1(i)</b> Make the Patrickswell Local Area Plan 2024-2030 without the proposed Motion Number 2 from the Elected members – Site No. 17 at Ballyhanrahan East to provide a “Serviced Sites” zoning on the subject lands.</p> <p><b>(ii)</b> Revert the boundary of the Local Area Plan to exclude the SCA Site No. 17.</p> <p><b>(iii)</b> Amend Settlement Capacity Audit Table in Chapter 10 to reflect the zoning changes.</p> <p><b>(iv)</b> Amend figures in Table 10.1 Total Zoned Lands to reflect change in service sites provision as per OPR Recommendation.</p> <p><b>2.</b> No Change.</p> <p><b>3.</b> No Change.</p> <p><b>4.</b> No Change.</p> <p><b>SEA/AA Response:</b> No Change</p>		

## 2.3 Submission Received Not Relevant to the Proposed Material Alterations

9	<b>Name/Group:</b> William Hutch <b>Ref:</b> LCC-C280-PAT03-9
<b>Key Points:</b>	
<p>The submission refers to the Station and its curtilage which is a protected structure and notes that this was not recorded in the Local Area Plan and that the site designation has been changed.</p> <p>The submission states that this is contrary to the proper use as would be envisaged for the curtilage of a protected structure and should be zoned accordingly. The submission refers to protected structures as requiring flexibility in the zoning to ensure that the site can continue to be of interest to a number of suitable uses/zoning going forward which allows for reasonable development sympathetic to the protected structure.</p> <p>The submission outlines how the primary objective of the Planning Authority to ensure that such structures receive as much zoning empathy as possible to ensure that as many via uses can be considered to ensure that the building can be maintained within suitable commercial uses.</p>	
<b>Response:</b>	
<p>This submission does not relate to a Proposed Material Alteration and therefore cannot be considered at this stage of the process. However, it is acknowledged that an administrative error occurred during the formulation of the Draft Plan, whereby the RPS referred to above was not included. This is not a Material Alteration and the final Local Area Plan will include reference to the RPS No. 6066. See <i>Section 3.3 Non Material Change</i> for more detail.</p>	

10	<b>Name/Group:</b> Ref: LCC-C280-PAT03-10
	<b>Submission:</b>
Administrative error – this submission is a duplicate version of LCC-C280-PAT03-09	
	<b>SEA/AA Response:</b> N/A

## Part B Proposed Amendments to Draft Patrickswell West Local Area Plan 2024 – 2030

(To be read in tandem with Part A)

**Note:** The following sets out amendments, which include text to be omitted ~~struck through in red~~ and wording to be inserted underlined in green. Where policies or objectives are proposed to be included or amended, the policy/objective numbers of those in the Proposed Plan may need to be revised.

### 3.1 Amendments to Draft Local Area Plan

Proposed Amendment	Submission No.
1. (i) Make the Patrickswell Local Area Plan 2024-2030 without the proposed Motion Number 2 from the Elected members – Site No. 17 at Ballyhanrahan East to provide a “Serviced Sites” zoning on the subject lands.	1, 8

### Chapter 10 Land Use Framework, Zoning Matrix and Settlement Capacity Audit

Proposed Amendment	Submission No.
Amend figures in <i>Table 10.1 Total Zoned Lands</i> to reflect change in service sites provision as per OPR Recommendation and in doing so, revert service site provision to that provided at Draft Stage as follows:	1, 8

<table border="1"> <thead> <tr> <th>Zoning</th><th>Total Area Zoned in 2023 LAP – ha.</th><th>Total Area Zoned in 2015 LAP – ha.</th></tr> </thead> <tbody> <tr><td>Agriculture</td><td>39.634</td><td>44.50</td></tr> <tr><td>Enterprise and Employment</td><td>10.814</td><td>9.99</td></tr> <tr><td>Education and Community Facilities</td><td>4.567</td><td>12.18</td></tr> <tr><td>Utilities</td><td>No use category</td><td>No use category</td></tr> <tr><td><b>New Residential Total</b></td><td><b>16.861</b></td><td><b>23.5</b></td></tr> <tr><td>Phase 1</td><td>13.926</td><td>17.19</td></tr> <tr><td>Phase 2</td><td>2.935</td><td>6.31</td></tr> <tr><td>Existing Residential</td><td>18.426</td><td>19.53</td></tr> <tr><td><b>Residential Serviced Sites Total</b></td><td><b><u>5.173</u> <u>4.773</u></b></td><td><b>14.88</b></td></tr> <tr><td>Phase 1</td><td>-</td><td>10.41</td></tr> <tr><td>Phase 2</td><td>-</td><td>4.47</td></tr> <tr><td>Open Space and Recreation</td><td>21.814</td><td>15.65</td></tr> <tr><td>Village Centre</td><td>4.76</td><td>4.28</td></tr> </tbody> </table>			Zoning	Total Area Zoned in 2023 LAP – ha.	Total Area Zoned in 2015 LAP – ha.	Agriculture	39.634	44.50	Enterprise and Employment	10.814	9.99	Education and Community Facilities	4.567	12.18	Utilities	No use category	No use category	<b>New Residential Total</b>	<b>16.861</b>	<b>23.5</b>	Phase 1	13.926	17.19	Phase 2	2.935	6.31	Existing Residential	18.426	19.53	<b>Residential Serviced Sites Total</b>	<b><u>5.173</u> <u>4.773</u></b>	<b>14.88</b>	Phase 1	-	10.41	Phase 2	-	4.47	Open Space and Recreation	21.814	15.65	Village Centre	4.76	4.28
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<b>2</b>	Delete the following sentence from Chapter 10 Settlement Capacity Audit Table, Site No. 12:  <del>Grant of permission for 13 x number of apartments under File No. 21/980 – On appeal to An Bord Pleanala.</del>	<b>7</b>																																										
<b>3.</b>	Amend the comment associated with Settlement Capacity Audit Site No. 12 as follows:  Water supply for this site likely to be serviced from a 100mm asbestos pipe, which runs along the highway to the east of this site. However, attention is drawn to the presence of a 450 trunk sewer main that runs through this site. <del>There will be a requirement to maintain a minimum distance separation, Minimum separation distances shall apply,</del> which would typically be between 3.5m to 6m depending on the depth of the sewer, <u>and there may be a requirement to divert the sewer.</u>	<b>7</b>																																										
<b>4.</b>	The Settlement Capacity Audit will be updated to align with the final number of sites zoned for residential development agreed by the Elected Members	<b>1, 8</b>																																										

### 3.2 Amendments to Settlement Capacity Audit

Site No.	Location/ Zoning	Area (ha)	Density	Lighting	Footpaths	Public Transport	Road Access	Water	Foul	Surface Water	Flood Risk	Infill/ Brown-field	Timeline	Comments if Applicable	Tier
<b>Land Use Zoning – New Residential</b>															
1	Barnakyle (R526 main Limerick to Patrickswell Road)	4.086	Extant	✓	✓	●	✓	✓	✓	✓	✓	✓	S	<ul style="list-style-type: none"> <li>- Part of site includes grant of permission for 49 units under File No. 18/346</li> <li>- Opportunity Site 4 (refer to Section 4.5 Opportunity Sites for Development Potential and Guidance)</li> <li>- Uisce Eireann Site Specific Comment: Water supply will require third party agreements with likely servicing of these sites to be facilitated via Site 2 or 3, to the watermain in Barnakyle Estate or the road to the south-east. Third party agreements will be required for foul water infrastructure with likely servicing of these sites from the R526 through Site 2 or along the boundary of Site 5.</li> </ul>	1
2	Barnakyle (R526 main Limerick to Patrickswell Road)	2.935	22 units/ha	✓	✓	●	✓	✓	✓	✓	✓	✓	L	<ul style="list-style-type: none"> <li>- Outline planning permission for one off dwelling on part of site (Planning Reference No. 18/64)</li> <li>- Opportunity Site 4 (refer to Section 4.5 Opportunity Sites for Development Potential and Guidance)</li> <li>- Uisce Eireann Site Specific Comment: Water supply would likely be serviced from the 150mm pipe that runs to the south east of the site along the R526. Foul water servicing likely requiring discharge into a foul or combined sewer on the R526.</li> </ul>	1
3	Barnakyle Adjacent to Bearna Coille Estate	0.42	22 units/ha	✓	✓	✓	✓	✓	✓	!	✗	✓	S	<ul style="list-style-type: none"> <li>- Grant of Permission for 6 detached units under File No. 17/100- expired January 2023</li> <li>- Infill development, connection to surface water will be required provision available within 150m</li> <li>- Uisce Eireann Site Specific Comment: Water supply likely serviced from the 100mm pipe that runs along Barnakyle estate or the 150mm pipe that runs along the R526. There is a combined sewer that runs across the site, this asset will need to be protected and certain separation distanced would apply. This asset could be used for foul water from any proposed development.</li> </ul>	1
4	Barnakyle Adjacent to Bearna Coille Estate	0.483	Extant	✓	✓	✓	✓	✓	✓	!	✗	✓	S	<ul style="list-style-type: none"> <li>- Grant of permission for 5 x houses under Planning File No. 21/873</li> <li>- Infill development, connection to surface water will be required provision available within 150m</li> <li>- Uisce Eireann Site Specific Comment: Water supply for this site could be serviced from the 200mm pipe that runs along the R526. This route would cross an existing property, but this lies within the land allocation. There is a combined sewer that runs across the site, this asset will need to be protected and certain separation distanced would apply. This asset could be used for foul water from any proposed development.</li> </ul>	1
5	Barnakyle (Clarina Road)	0.731	Extant	✓	✓	●	✓	✓	✓	✓	✗	✓	S	<ul style="list-style-type: none"> <li>- Grant of Permission for 24 houses - Part 8 Planning Permission File No. 22/8017</li> <li>- Western edge of site boundary within flood zone and to which has been incorporated into design for open space element of scheme</li> <li>- Uisce Eireann Site Specific Comment Third party agreements would be required in order to supply water to this site as there are no mains water pipes that pass across or adjacent to it. The shortest connection would appear to be across land within SCA Site. No3 to connect to the 100mm pipe in Barnakyle. There is a combined sewer that runs along the western boundary of this site, which could be used for foul water discharge</li> </ul>	1
6	Barnakyle (Clarina Road)	0.39	22 units/ha	✓	✓	●	✓	✓	✓	✓	✗	✓	S	<ul style="list-style-type: none"> <li>- Infill site, northern boundary of site providing access to SCA No. 4 under Planning File No. 22/8017</li> <li>- Uisce Eireann Site Specific Comment Water supply for this site likely to be serviced from a 75mm pipe that runs along the highway to the west of this site. However, due to the size of this pipe it may need to be upgraded. There is a foul sewer that runs along the highway to the west of this</li> </ul>	1

Site No.	Location/ Zoning	Area (ha)	Density	Lighting	Footpaths	Public Transport	Road Access	Water	Foul	Surface Water	Flood Risk	Infill/ Brown-field	Timeline	Comments if Applicable	Tier
														site and trunk foul and combined sewers that cross the site to the, these assets would need to be protected and certain separation distances would apply. Any of these sewers could be used for the discharge of foul water	
7	Ballyveloge (Clarina Road)	2.84	22 units/ha	✓	✓	✓	✓	✓	✓	✓	✗	✗	S	<ul style="list-style-type: none"> <li>- Live Application under Planning File No. 22/1318 –information requested – Permission for a development comprising 52 no. residential units</li> <li>- Uisce Eireann Site Specific Comment: Water supply for this site likely to be serviced from a 75mm pipe, which is routed along the highway, due to the size of the pipe this may require an upgrade. There is a foul sewer that runs across the south of the site and this asset would need to be protected and certain separation distances would apply. In addition, there is a foul sewer that runs along the highway to the west of the site.</li> </ul>	1
8	Ballyanrahan East (Clarina Road)	1.772	22 units/ha	✓	✓	●	✓	✓	✓	✓	✗	✓	S	<ul style="list-style-type: none"> <li>- Live Application under Planning File No. 23/60144 – Further information requested – Permission for a development comprising 41 no. residential units and outline permission for childcare facility. Request through FI for full permission for childcare facility element</li> <li>- Uisce Eireann Site Specific Comment: The water supply would be serviced from a 75mm pipe, which is routed along the highway, due to the size of the pipe this may require an upgrade. Alternatively, access across third party land could enable access to a 100mm pipe within Sycamore Heights. There is a combined sewer that runs across the south of the site as well as one that runs north-south to the east of the site, these assets would need to be protected and certain separation distances maintained. However, these assets could be used for the discharge of foul water.</li> </ul>	1
9	Ballyanrahan East (Clarina Road)	2.398	22 units/ha	✓	✓	●	✓	✓	✓	✓	✗	✓	S	<ul style="list-style-type: none"> <li>- Grant of permission – 18/1193 for 48 units and 19/444 for 16 units.</li> <li>- Phase 2 and Phase 3 development following Phase 1 under Planning Grant 18/200 for 48 units currently under construction.</li> <li>- Uisce Eireann Site Specific Comment: Water supply for the site would be serviced from a 150mm pipe from the west of the site, which is routed along the highway. There are no sewers running across this site and third party agreements would be required for the discharge of foul water to the sewer to the north in site 8. Alternatively, connection could be made via a short network extension and upgrade to the Lisheen Park network.</li> </ul>	1
10	Main Street, behind Gala	0.867	22 units/ha	✓	✓	✓	✓	✓	✓	✓	✗	✓	S	<ul style="list-style-type: none"> <li>- Infill site adjacent to town centre zoning.</li> <li>- Uisce Eireann Site Specific Comment: Water supply for this site would likely be serviced from a 100mm pipe which is routed along Belgard Grove. There are no sewers running across this site and third party agreements may be required to connect to the private network in the estate.</li> </ul>	1
11	Barnakyle	0.386	Extant	✓	✓	✓	✓	✓	✓	✓	✗	✓	S	<ul style="list-style-type: none"> <li>- Existing planning permission File No. 19/689 for the construction of 8 x number of dwelling houses.</li> <li>- Uisce Eireann Site Specific Comment: Water supply for this site likely to be serviced from a 100mm asbestos pipe, which runs along the highway to the west of the site. There is a foul sewer that runs along the highway to the west of the site, which could be used for the connection of foul water discharges.</li> </ul>	1
Land Use Zoning – Town Centre															

Site No.	Location/ Zoning	Area (ha)	Density	Lighting	Footpaths	Public Transport	Road Access	Water	Foul	Surface Water	Flood Risk	Infill/ Brown-field	Timeline	Comments if Applicable	Tier
12	Barnakyle (Clarina Road)	0.14	Extant	✓	✓	●	✓	✓	✓	✓	✓	✓	S	<p>—Grant of permission for 13 x number of apartments under File No. 21/980—On appeal to An Bord Pleanala</p> <ul style="list-style-type: none"> <li>Uisce Eireann Site Specific Comment: Water supply for this site likely to be serviced from a 100mm asbestos pipe, which runs along the highway to the east of this site. However, attention is drawn to the presence of a 450 trunk sewer main that runs through this site. <b>There will be a requirement to maintain a minimum distance separation; Minimum separation distances shall apply, which would typically be between 3.5m to 6m depending on the depth of the sewer, and there may be a requirement to divert the sewer.</b></li> </ul>	1
13	Main Street Town Centre	0.61	Extant	✓	✓	●	✓	✓	✓	✓	✗	✓	S	<ul style="list-style-type: none"> <li>Grant of permission for 5 x number of terraced houses under File No. 20/125</li> <li>Uisce Eireann Site Specific Comment: Water supply for this site likely to be serviced from a 200mm pipe within the highway. Foul water could be discharged into the foul sewer that runs along Main Street</li> </ul>	1

#### Land Use Zoning – Serviced Sites

14	Barnakyle Residential Serviced Sites	4.773	Extant	!	!	●	✓	!	✓	!	✗	✗	S	<ul style="list-style-type: none"> <li>Existing grant of permission File No. 20/281 – 36 serviced sites, development pre commencement August 2023</li> <li>Infill development, connection to surface water will be required provision available within 150m</li> <li>Uisce Eireann Site Specific Comment: Water supply for this site likely to be serviced from a 150mm pipe, which runs along the R526. There is a foul water sewer that runs along the R526 to the north of the site, which could be used for foul water discharge.</li> </ul>	2
17	Ballyanrahan East	0.40	10 units /ha	✗	✗	+	✗	✗	✗	✗	✗	✗	M/L		✗

#### Land Use Zoning – Enterprise and Employment

15	Enterprise and Employment	0.745	n/a	✓	✓	●	✓	✓	✓	✓	✗	✓	S	<ul style="list-style-type: none"> <li>Infill site within Patrickswell Enterprise Centre</li> <li>Lands will be served via the existing enterprise centre access roadway</li> <li>Uisce Eireann Site Specific Comment: Water supply for this site likely to be serviced from a 100mm pipe within the highway to the west of the site. Third party agreements would be required for foul water discharges in order to reach the foul sewer on Main Street.</li> </ul>	1
16	Enterprise and Employment	8.783	n/a	✓	✓	●	✓	✓	✓	✓	✗	✗	M	<ul style="list-style-type: none"> <li>Lands adjacent to Patrickswell Enterprise Centre</li> <li>Lands will be served via the existing enterprise centre access roadway</li> <li>Uisce Eireann Site Specific Comment: Water supply for this site likely to be serviced from a 100mm pipe in the highway to the east of the site or from a 200mm pipe on Main Street. Attention is drawn to the 100mm cast iron pipe that runs across this site from the reservoir, which lies to the west of the site. This asset would need to be protected and adequate separation distances maintained. On-site boosting may be required. Foul water discharge connections could be made to the foul sewer that runs along Main Street.</li> </ul>	2

Legend				
Serviced/Yes			Serviceable/Investment Required	
Not Required/No			Located within a 500km walk	
Short Term 1-2 Year Delivery	<b>S</b>	Medium Term 3-4 Year Delivery	<b>M</b>	Long Term >5 years <b>L</b>

### 3.3 Amendments to Maps

Proposed Amendment	Submission No.
1. Amend the Land Use Zoning Map to remove the serviced sites zoning from Site No. 17 identified in the Settlement Capacity Audit in the Material Alterations report of the 9 <sup>th</sup> of December 2023 and revert boundary of the Local Area Plan to that published as part of the Draft Plan dated 2 <sup>nd</sup> of September 2023.	1, 8
2. Amend the Flood Map to remove the serviced sites zoning from Site No. 17 identified in the Settlement Capacity Audit in the Material Alterations report of the 9 <sup>th</sup> of December 2023 and revert boundary of the Local Area Plan to that published as part of the Draft Plan dated 2 <sup>nd</sup> of September 2023.	1, 8
3. Amend the Amenity and Sustainable Transport Map and revert boundary of the Local Area Plan to that published as part of the Draft Plan dated 2 <sup>nd</sup> of September 2023.	1, 8
4. Amend the Record of Protected Structures Map and revert boundary of the Local Area Plan to that published as part of the Draft Plan dated 2 <sup>nd</sup> of September 2023.	1, 8
5. Amend the National Monuments Map and revert boundary of the Local Area Plan to that published as part of the Draft Plan dated 2 <sup>nd</sup> of September 2023.	1, 8
6. Remove SCA Site No. 17 as inserted in the Material Alterations report dated 9 <sup>th</sup> of December and revert boundary of the Local Area Plan to that published as part of the Draft Plan dated 2 <sup>nd</sup> of September 2023.	1, 8

Zoning Map

Chief Executive's Report  
on Submissions Received  
on Material Alterations

Legend

- Agriculture
- Education and Community
- Enterprise and Employment
- Existing Residential
- New Residential - Phase 1
- New Residential - Phase 2
- Open Space and Recreation
- Residential Serviced Sites
- Village Centre
- Indicative Access
- Patrickswell LAP Boundary

Forward Planning  
Planning, Environment and Place-making  
Directorate

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DATE:	January 2024	DWG. No.:	PKZN/24-30/R14
DRAWN BY:	J. D	CHECKED BY:	S.O'D
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Flood Map

Chief Executive's Report  
on Submissions Received  
on Material Alterations

Legend

- Flood Zone A
- Flood Zone B
- Agriculture
- Education and Community
- Enterprise and Employment
- Existing Residential
- New Residential - Phase 1
- New Residential - Phase 2
- Open Space and Recreation
- Residential Serviced Sites
- Village Centre
- Indicative Access
- Patrickswell LAP Boundary



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**Legend**

- Existing Pedestrian Route/Link
- Proposed Pedestrian Route/Link
- Existing Cycle Route/Link
- Proposed Cycle Route/Link
- Indicative Access Road
- Open Space and Recreation
- Patrickswell LAP Boundary

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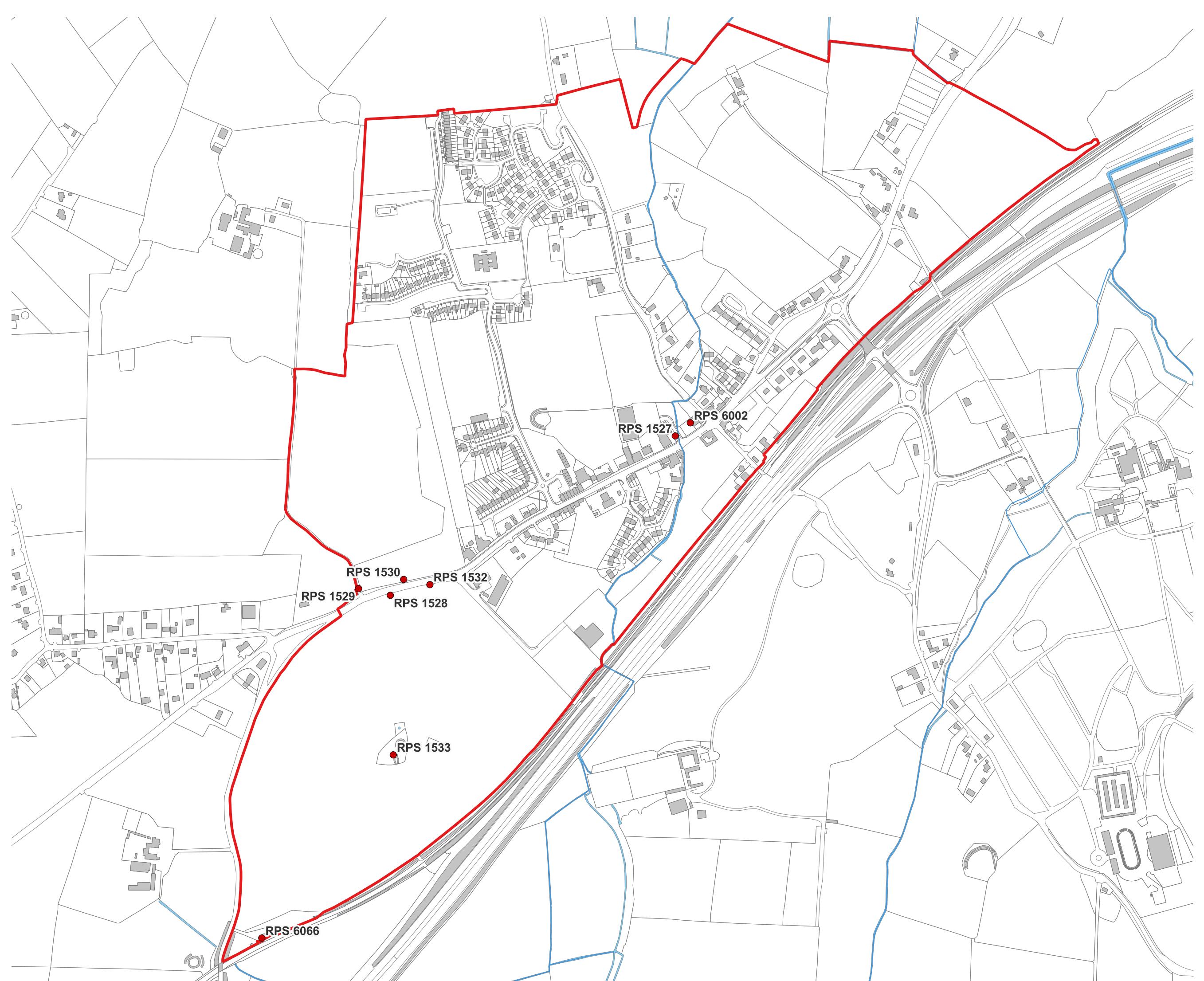
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Chief Executive's Report  
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on Material Alterations

**Legend**

- Record of Protected Structures
- Patrickswell LAP Boundary



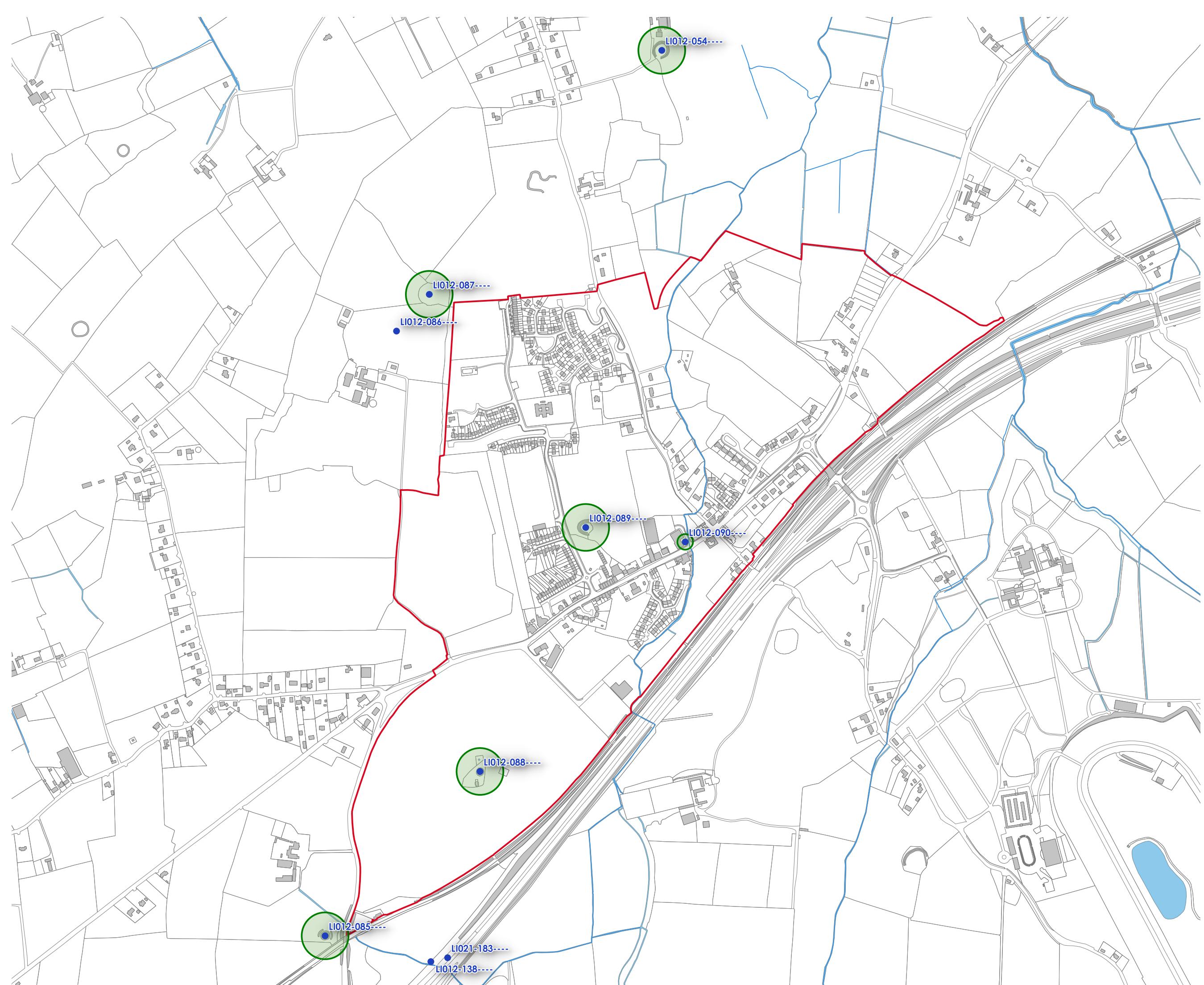
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**Legend**

- Record of Monuments and Places
- Zones of Notification
- Patrickswell LAP Boundary



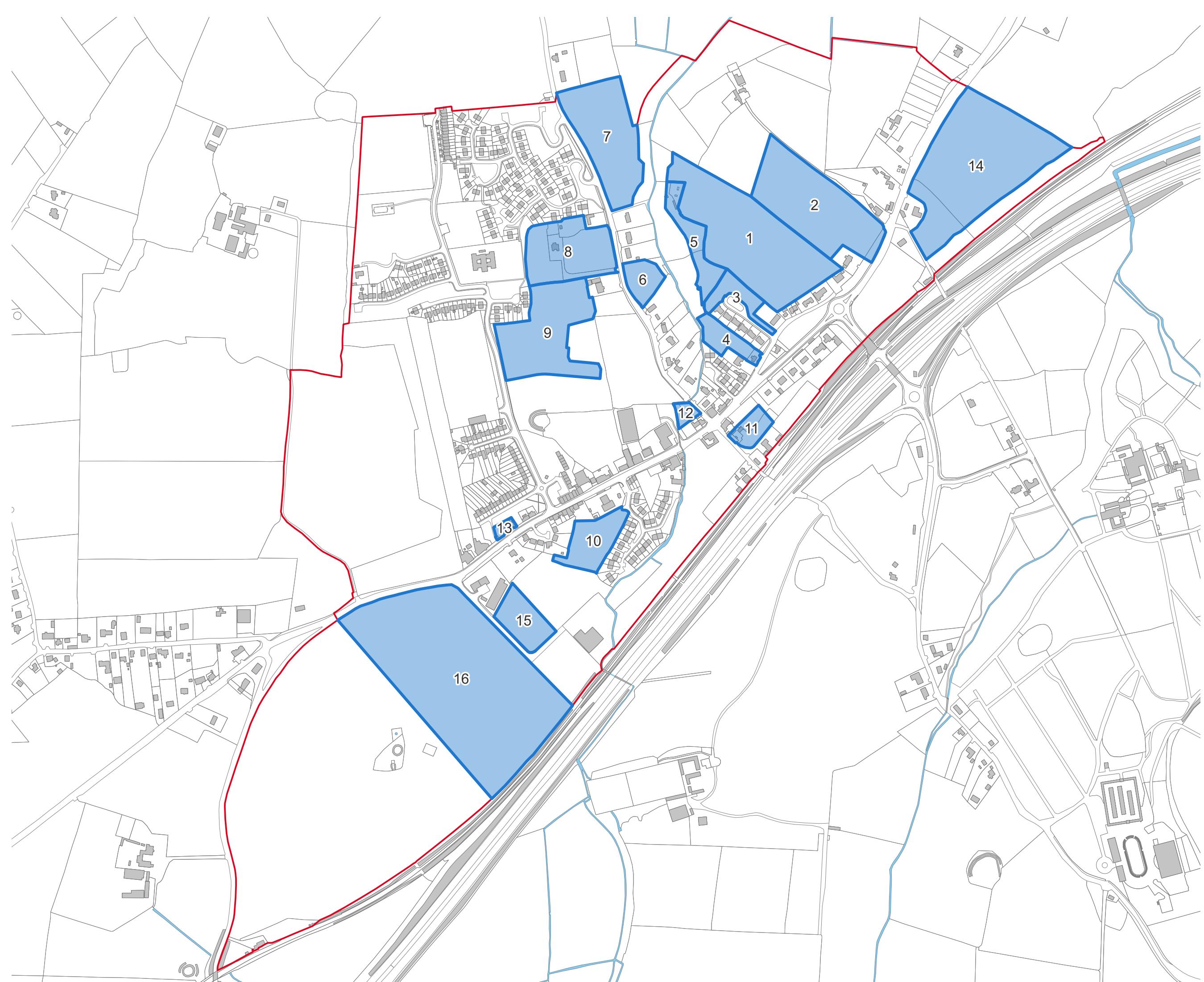
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**Legend**

- Settlement Capacity Audit Sites
- Patrickswell LAP Boundary



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### **3.4 Non Material Change**

In the Draft Patrickswell Local Area Plan 2024-2030, RPS No. 6066 Railway Station was not included in Appendix 2 or included in the Record of Protected Map. However, Section 1.3 of the Draft Local Area Plan notes the following:

*'LAP must be consistent with the objectives of the higher-level spatial plans, including the NPF, Regional Spatial Economic Strategy and the Limerick Development Plan 2022-2028.'*

In addition, Section 8.3.1 of the Draft Patrickswell Local Area Plan outlines the following:

*'Limerick City and County Council is obliged to compile and maintain a Record of Protected Structures (RPS) under the provisions of the Planning and Development Act 2000 (as amended). Under the Act, Local Authority objectives for the protection of structures, or parts of structures of special architectural, historical, archaeological, artistic, cultural, scientific, social or technical interest are mandatory for inclusion in the Development Plan. The complete list for Limerick is available in Volume 3 of the Limerick Development Plan'.*

Volume 3 of the Limerick Development Plan 2022-2028 provides the inclusion of the Railway Station at Attyflin, Patrickswell as RPS No. 6066. An administrative error occurred during the formulation of the Draft Plan, whereby the RPS was not included. This is not considered a Material Alteration and the final Local Area Plan will include reference to the RPS as follows:

### **Amendments to Chapter 8 Climate Action, Environment and Heritage**

- (i)** Include Limerick Development Plan Record of Protected Structure Reference No. 6066 Railway Station at Attyflin, Patrickswell into Appendix 2 – Record of Protected Structures
- (ii)** Include Limerick Development Plan Record of Protected Structure Reference No. 6066 Railway Station at Attyflin, Patrickswell in to Record of Protected Structures Map in Appendix 1 Maps
- (iii)** Amend text in Chapter 8 as follows:

There are ~~7~~ 8 no. Protected Structures in Patrickswell, ~~2~~ 3 of which are also listed on the NIAH.

**Part C Strategic Environmental Assessment Screening and Appropriate Assessment Screening**

## Screening for Strategic Environmental Assessment Determination

Under Article 8 (14A) (3) Planning and Development (Strategic Environmental Assessment) Regulations 2004 (SI No 436 of 2004), as amended by the Planning and Development (Strategic Environmental Assessment) (Amendment) Regulations 2011 (SI No 201 of 2011) for the:

### Proposed Amendments to the Material Alterations to the Draft Patrickswell Local Area Plan 2024-2030

The Screening for Strategic Environmental Assessment (SEA) determination regarding whether or not implementation of the proposed amendments to the material alterations to the Draft Patrickswell Local Area Plan 2024-2030 would be likely to have significant effects on the environment is being made under the above Regulations.

As part of this determination, the Council is considering whether or not implementation of the proposed amendments to material alterations to the Local Area Plan would be likely to have significant effects on the environment, taking account of relevant criteria set out in Schedule 2A of the above Regulations. These criteria are taking into account as follows:

1. The characteristics of the plan having regard, in particular, to:

*the degree to which the Plan sets a framework for projects and other activities, either with regard to the location, nature, size and operating conditions or by allocating resources,*

The Draft LAP will set the six year framework for the sustainable development of Patrickswell and proposed amendments to the material alterations as shown and assessed in the accompanying Chief Executive Report do not significantly alter the findings of the SEA, AA and SFRA of the draft LAP to date.

*the degree to which the Plan influences other plans, including those in a hierarchy,*

The Plan is prepared in the context of new national and regional planning frameworks, namely the National Planning Framework (NPF) and the Regional Spatial and Economic Strategy (RSES) and Limerick Development Plan 2022-2028 (LDP). The LAP includes a written statement comprising development objectives, policies, standards and maps including land use zoning. Taking the above and the examination of likely significant environmental effects, the proposed amendments to the material alterations would not be likely to result in significant environmental effects.

*the relevance of the Plan in the integration of environmental considerations in particular with a view to promoting sustainable development,*

The Draft Patrickswell LAP has been subject to SEA, AA Screening and SFRA and has integrated environmental considerations with a view to promoting sustainable development at local plan level in the plan area. Taking the above and the examination of likely significant environmental effects, the proposed amendments to material alterations would not be likely to result in significant environmental effects.

*Environmental problems relevant to the plan*

Environmental problems relevant to the plan have been identified through the SEA Screening process and plan preparation; measures to address same have informed the LAP development and mitigation measures. Taking the above and the examination of likely significant environmental effects, the proposed amendments to material alterations would not be likely to result in significant environmental effects.

*the relevance of the plan to the implementation of European Union legislation on the environment (e.g. plans linked to waste-management or water protection).*

The plan provides a landuse framework for the plan area and is subject to SEA and AA Screening and SFRA. The plan considers and integrates European Union legislation on the environment including those relating to topics such as Waste Management and Water protection. Taking the above and the examination of likely significant environmental effects, the proposed amendments to the material alterations would not be likely to result in significant environmental effects.

2. Characteristics of the effects and of the area likely to be affected, having regard, in particular, to:

*the probability, duration, frequency and reversibility of the effects,*

Taking the above and the examination of likely significant environmental effects, the proposed amendments to material alterations would not be likely to result in significant environmental effects

*the cumulative nature of the effects,*

Taking the above and the examination of likely significant environmental effects, the proposed amendments to the material alterations would not be likely to result in significant environmental cumulative effects.

*the transboundary nature of the effects*

No such effects are identified through the examination of the proposed amendments to the material alterations.

*the risks to human health or the environment (e.g. due to accidents),*

As above, taking the above and the examination of likely significant environmental effects, the proposed amendments to material alterations would not be likely to result in significant environmental effects.

*the magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected).*

As above, taking the above and the examination of likely significant environmental, the proposed amendments to material alterations would not be likely to result in significant environmental effects.

*the value and vulnerability of the area likely to be affected due to:*

*(a) special natural characteristics or cultural heritage*

Taking the above and the examination of likely significant environmental effects this SEA Screening report, the proposed amendments to the material alterations would not be likely to result in significant environmental effects.

**(b) exceeded environmental quality standards or limit values,**

Taking the above and the examination of likely significant environmental effects, the proposed amendments to the material alterations would not be likely to result in significant environmental effects.

**(c) intensive land-use,**

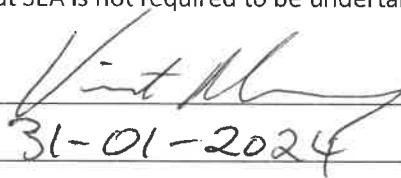
The Draft Plan provides in line with national, regional and county policies the provision of relatively intensive landuse within the urban setting. Taking the above and the examination of likely significant environmental effects, the proposed amendments to the material alterations would not be likely to result in significant environmental effects.

**(d) the effects on areas or landscapes which have a recognised national, European Union or international protection status.**

Taking the above and the examination of likely significant environmental effects the proposed amendments to the material alterations would not be likely to result in significant environmental effects. The Screening Statement for appropriate assessment has examined the material alterations and a finding of no likely significant effects on the conservation management objectives of European Sites was concluded.

With reference to the foregoing information, it is determined that the proposed amendments to the material alterations to the Draft Patrickswell LAP 2024-2030 would not be likely to result in significant effects and that SEA is not required to be undertaken on the Draft Patrickswell Local Area Plan 2024 - 2030.

Signed \_\_\_\_\_



Date: \_\_\_\_\_

31-01-2024

Signatory: Vincent Murray

Director of Services – Planning, Environment and Place-Marking

## Appropriate Assessment Screening Determination of Draft Local Area Plan – Material Alterations

under Section 177V of the Planning and Development Act 2000, as amended,  
for the Draft Patrickswell Local Area Plan 2024-2030 – Material Alterations

In order to comply with the requirements of Section 177V of the Planning and Development Act 2000, as amended, and pursuant to Article 6(3) of the Habitats Directive as to whether or not a plan or project would adversely affect the integrity of any European site(s), this Appropriate Assessment determination is being made by Limerick City and County Council relating to the potential for the proposed Material Alterations for the Patrickswell Local Area Plan 2024-2030 to have any likely significant effects on any European Sites.

Following guidelines <sup>1,2</sup>, a Zone of Influence was applied to the Plan Area and all Natura 2000 sites within that Zone of Influence were identified. A Zone of Influence of 15km was utilized and all sites with a hydrological connection were also identified.

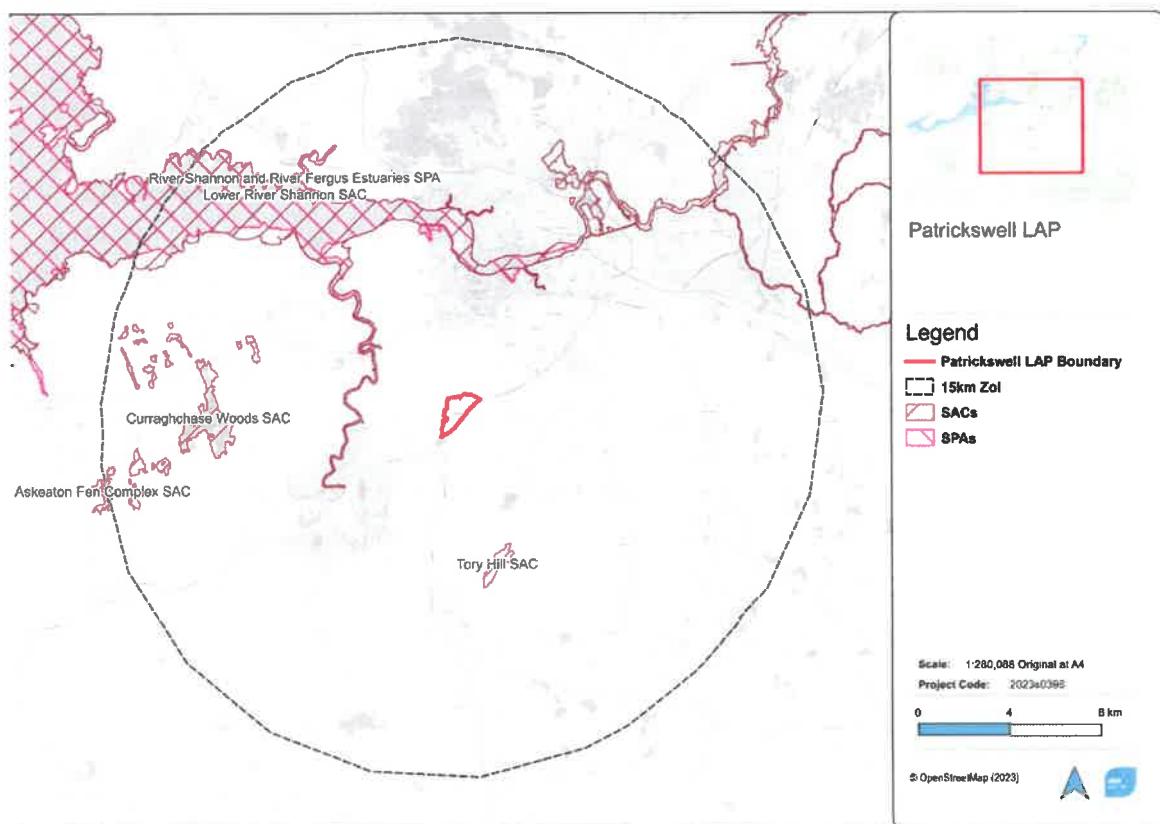


Figure 1: Natura 2000 sites within 15km of the site boundary

The LAP area does not overlap with any Natura 2000 Sites. Table 1 illustrates the distance from each of the Natura 2000 sites within the 15km Zone of influence, and indicates whether a hydrological connection is present. The briefs and qualifying interests of all Natura Sites were reviewed during the assessment process. Both the Lower River Shannon SAC and the River Shannon and River Fergus

<sup>1</sup> O.P.R., "OPR Practice Note PN01 - Appropriate Assessment Screening for Development Management", Office of Public Regulators" 2021.

<sup>2</sup> DoEHLG, "Appropriate Assessment of Plans and Projects in Ireland Guidance for Planning Authorities., Department of the Environment, Heritage and Local Government," 2009, rev 2010.

Estuaries SPA were identified as having a hydrological connection to the area covered by the Local Area Plan via the Barnakyle River.

**Table 1: All Natura 2000 sites within the Zone of Influence with direct and hydrological distances.**

Natura 2000 site	Site Code	Approximate direct distance from site	Approximate hydrological distance from site
Lower River Shannon SAC	002165	3.2km	6.8km
River Shannon and River Fergus Estuaries SPA	004077	3.7km	7.4km
Tory Hill SAC	000439	4.1km	n/a
Askeaton Fen Complex SAC	002279	8.5km	n/a
Curraghchase Woods SAC	000174	9.3km	n/a

The source-pathway-receptor model was applied during the assessment process, and potential adverse impacts that could cause a likely significant effect on the qualifying interests of the Natura 2000 sites, or the sites as a whole, from the LAP were considered using three main pathways: surface water, groundwater and land/air/species pathways.

A weak source-pathway-receptor model for impact was identified as part of the AA screening process. A hydrological pathway is present between the LAP area and the Lower River Shannon SAC and the River Shannon and River Fergus Estuaries SPA. The hydrological distance to the European Sites are 6.8km and 7.4km respectively. The distance and dilution rate over this distance indicates a weak pathway between the Plan area and the habitat and species of the SAC and SPA.

The weakness of the pathway for impact indicates that, at a plan level, only major construction projects or high-risk projects would potentially impact the European Sites. It is also considered that the integral project level AA process will continue to be applied during the planning process and this will provide protection to the Natura 2000 Sites. Project level AA will assess the impacts from individual projects within the local environment allowing for mitigation to be applied based at the project level, as required. Policies outlined in the Limerick Development Plan also provide for protection of the Natura 2000 network.

The CJEU ruling in response to questions referred by the Irish High Court in the Eco Advocacy case (C 721/21) is also taken into account in this determination. This ruling indicated that an applicant for permission in its AA screening report/and a decision maker in undertaking its AA screening can take into account “standard features”, i.e. all the constituent elements of that project inherent in it/elements that are incorporated into a projects design not with the aim of reducing its negative effects (even where these have the effect of reducing harmful effects on a European site).

To assess the potential for impacts to the European sites from the Plan, the policies and objectives of the Draft Plan were screened. Additionally, zonings and opportunity sites within the Plan area were reviewed, with cognisance of the weak source-pathway-receptor model.

No major construction or infrastructure projects have been identified arising from the LAP. Similarly, no projects of a nature that would place significant additional risk on the European Sites within the Zone of Influence of the Plan area have been identified.

At a plan level, none of the projects, policies and objectives, or zonings outlined within the LAP are of the scale, or of a nature, which could have significant adverse impacts on the Natura 2000 sites within the Zone of Influence.

In-combination effects from interactions with other plans and projects were considered in this assessment.

It was concluded that the Draft LAP, individually, and in combination with other plans and projects, is not likely to have a significant effect on a European site (Natura 2000 Site), and as such, a Stage 2 Appropriate Assessment / Natura Impact Report is not required.

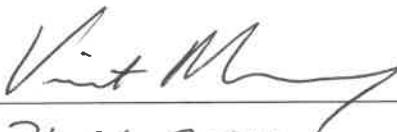
**Material Alterations:**

The Material Alterations to the Draft LAP were reviewed. No significant effects are anticipated on the Natura 2000 Network as a result of the changes at Material Alterations Stage.

As such the screening for Appropriate Assessment for the Material Alterations concluded that:

*“...Material Alterations of Patrickswell LAP are not likely to have significant effects on the Natura 2000 Network, either alone or in-combination with other plans or projects.”*

The undersigned, having carefully considered the information referred to above agrees with and adopts the reasoning and conclusions presented.

Signed   
\_\_\_\_\_  
Date: 31-01-2024

Signatory: Vincent Murray

Director of Services – Planning, Environment and Place-Marking

#### **Part D Chief Executive's Recommendation**

In accordance with Section 20(3) of the Planning and Development Act 2000 (as amended), it is recommended that the Draft Patrickswell Local Area Plan 2024-2030 is made in accordance with the Draft Plan published on the 2<sup>nd</sup> September 2023 and the Proposed Material Alterations published on the 9<sup>th</sup> of December 2023 and the alterations outlined in the Chief Executives Report above.



**Vincent Murray**

**Director of Services – Planning, Environment and Place - Making**